



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the eighth periodic report of Chile*

1. The Committee considered the eighth periodic report of the Republic of Chile (CEDAW/C/CHL/8) at its 2100th and 2101st meetings (see CEDAW/C/SR.2100 and CEDAW/C/SR.2101), held on 15 October 2024.

A. Introduction

2. The Committee appreciates the submission by the State party of its eighth periodic report, which was prepared in response to the Committee's list of issues prior to reporting (CEDAW/C/CHL/QPR/8), as well as its follow-up report to the concluding observations on its previous periodic report (CEDAW/C/CHL/FCO/7). It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party's high-level delegation, which was headed by the Minister for Women and Gender Equity. The delegation also included representatives of the Ministry of Women and Gender Equity, the National Women's and Gender Equity Service, the Supreme Court of Chile, the Senate, the Chamber of Deputies, the Ministry of Justice and Human Rights, the Ministry of Foreign Affairs, the Ministry of the Interior and Public Security, the Ministry of Social Development and the Family, the National Migration Service, the Public Prosecutor's Office, the National Prison Service, the Public Defender's Office, the Carabineros, as well as the Ambassador and Permanent Representative of Chile, and other representatives of the Permanent Mission of Chile to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2018 of the State party's seventh periodic report (CEDAW/C/CHL/CO/7) in undertaking legislative reforms, in particular, the adoption of the following:

(a) Law No. 21,675, which provides for measures to prevent, punish and eradicate gender-based violence against women and girls, in 2024;

* Adopted by the Committee at its eighty-ninth session (7–25 October 2024).



(b) Law No. 21,643, which aim at preventing and addressing harassment in the workplace, in 2024;

(c) Law No. 21,455, which aligns the State party's environmental policies with its international commitments under the Paris Agreement and provides tools for a coordinated response to climate challenges at all levels of government and society, in 2022;

(d) Law No. 21,372, providing for measures for accompanying patients during their healthcare, including women during childbirth, in 2021;

(e) Law No. 21,371, providing for special measures in cases of perinatal death or perinatal grief, in 2021;

(f) Law No. 21,369, regulating sexual harassment, violence and gender discrimination in the field of higher education, in 2021;

(g) Law No. 21,212, which expands the legal definition of femicide to cover cases of gender-based killings beyond those committed by a spouse or partner, in 2020;

(h) Law No. 21,057, which establishes a system for children, who are victims or witnesses of serious crimes, to give testimony through video recording to avoid re-victimization.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption and establishment of the following:

(a) The National Gender Equality Plan 2018–2030;

(b) The National Action Plan against Trafficking in Persons 2023–2026;

(c) The Fourth National Action Plan on Women, Peace and Security 2023–2027;

(d) The National Action Plan Against Violence Against Women 2021–2030.

6. The Committee welcomes that, in the period since the consideration of the previous report, the State party has ratified the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, in 2020.

C. Sustainable Development Goals

7. The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of *de jure* (legal) and *de facto* (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.

D. Parliament

8. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the National Congress, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

E. Principal areas of concern and recommendations

Status and visibility of the Convention, the Optional Protocol thereto and the Committee's general recommendations

9. The Committee acknowledges the efforts of the State party in enhancing the visibility and accessibility of the Convention, the Optional Protocol thereto and the Committee's previous concluding observations. However, the Committee notes with concern that women, especially rural women, Indigenous and Afrodescendent women, older women and women with disabilities, are often not aware of their rights under the Convention and the remedies available to claim them.

10. The Committee recommends that the State party:

(a) Continue to raise awareness among women of their rights under the Convention and the legal remedies available to them to claim violations of such rights and ensure that information on the Convention, the Optional Protocol thereto and the Committee's general recommendations is accessible to all women in accessible formats;

(b) Consider establishing a comprehensive mechanism for the implementation of the present concluding observations and involve non-governmental organizations promoting women's rights and gender equality in the work of the mechanism, taking into account the four key capacities of a national mechanism for reporting and follow-up, namely engagement, coordination, consultation and information management;

(c) Ensure that the Convention, the Optional Protocol thereto, the Committee's jurisprudence and its general recommendations are made an integral part of systematic capacity-building for judges, prosecutors, law enforcement officials and lawyers, with a view to enabling them to directly apply or invoke the provisions of the Convention in court proceedings or interpret national legislation in the light of the Convention.

Legislative framework and definition of discrimination against women

11. The Committee remains concerned:

(a) That the Anti-Discrimination Law (Law No. 20,609, adopted in 2012) does not explicitly prohibit multiple and intersecting forms of discrimination;

(b) That the proposed amendments to the Anti-Discrimination Law (bulletin 12748-17), rejected by the Senate on 4 June 2024 and now under review by a joint commission, may not be approved or reformulated contrary to international standards.

12. Recalling the links between articles 1 and 2 of the Convention and target 5.1 of the Sustainable Development Goals, to end all forms of discrimination against all women and girls everywhere, the Committee recommends that the State party:

(a) **Fully incorporate the Convention into the domestic legal order and adopt anti-discrimination legislation ensuring formal and substantive equality addressing both direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination faced by disadvantaged groups of women and girls, such as rural women, Indigenous and Afrodescendent women, older women single women, women living in poverty, women with disabilities, lesbian, bisexual, transgender and intersex women, and asylum-seeking, refugee, stateless and migrant women, in line with articles 1 and 2 of the Convention;**

(b) **Ensure that any amendments to the Anti-Discrimination Law are in line with international standards and adequately protect women from all forms of discrimination, including intersectional discrimination.**

Women peace and security

13. The Committee commends the State party for signing the Artemis Accords in 2024 and recognizes its potential as a leader in space exploration. The Committee also notes the State party's commitment to implement a feminist foreign policy as the first South American country. However, the Committee expresses concern about:

(a) The potential for an arms race in space and its implications for women and peace and security;

(b) The underrepresentation of women in space-related research, employment and decision-making, in particular in leadership positions;

(c) The emerging risks associated with artificial intelligence-driven lethal autonomous weapons systems and their potential impact on women's security.

14. **Given the growing spectrum of security threats, the Committee recalls its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations and recommends that the State party:**

(a) **Integrate the four pillars of the Security Council's women and peace and security agenda into its space exploration initiatives, ensuring peaceful cooperation and women's meaningful participation;**

(b) **Implement targeted measures to increase women's representation and leadership in space-related research, employment and decision-making;**

(c) **Take a leading role in international discussions on the regulation of lethal autonomous weapons systems, applying a gender perspective to ensure that women's voices and experiences are central to policy development, develop national policies and contribute to international frameworks that address the gendered impacts of new space and artificial technologies, with a focus on preventing harm to women and girls;**

(d) **Ratify the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies.**

Women's access to justice

15. The Committee notes with concern:

(a) Persistent barriers faced by women in gaining access to justice, particularly for rural women, Indigenous and Afrodescendent women, women with disabilities and migrant women;

(b) The insufficient availability and accessibility of free legal aid, particularly for rural women, Indigenous and Afrodescendent women, refugee and migrant women, women with disabilities and lesbian, bisexual, transgender and intersex women;

(c) The lack of continuous awareness and capacity-building programmes for the judiciary and law enforcement officials on women's human rights and gender-sensitive investigation and interrogation methods.

16. The Committee, recalling its general recommendation No. 33 (2015) on women's access to justice, recommends that the State party:

(a) Strengthen measures to remove barriers to women's access to justice, particularly for rural women, Indigenous and Afrodescendent women, women with disabilities and migrant women, including by providing legal aid services and interpretation in Indigenous languages;

(b) Strengthen and institutionalize legal aid and public defence schemes that are accessible, affordable and, if necessary, free of charge and responsive to the needs of women, in particular systemically disadvantaged women, and ensure that such services are provided in a timely and effective manner;

(c) Strengthen capacity-building programmes for the judiciary and law enforcement officials on women's human rights and gender-sensitive interrogation and investigation methods at all stages and address judicial gender bias.

National machinery for the advancement of women

17. The Committee is concerned about:

(a) The limited human, technical and financial resources allocated to the Ministry of Women and Gender Equity and sectoral gender desks;

(b) The lack of effective mechanisms to ensure coordination between the Ministry and the civil society and ministerial advisory councils in the implementation of gender equality policies;

(c) The limited use of gender-responsive budgeting across all government sectors;

(d) The lack of comprehensive disaggregated data on women's equal access to rights and services, which hinders the adoption of targeted and informed policies, strategies and programmes.

18. Recalling its previous concluding observations ([CEDAW/C/CHL/CO/7](#), para. 17) and the guidance provided in the Beijing Declaration and Platform for Action, in particular regarding the conditions necessary for the effective functioning of national machineries, the Committee recommends that the State party:

(a) Strengthen the human, technical and financial resources allocated to the national machinery for the advancement of women, particularly the Ministry of Women and Gender Equity and the National Service for Women and Gender Equity;

(b) Enhance coordination mechanisms for the effective implementation of gender equality policies at the national and local levels, including by strengthening the coordination with gender focal points in all ministries and government departments;

(c) **Adopt an integrated gender-responsive budgeting process across all government sectors;**

(d) **Strengthen the existing data collection system to generate comprehensive disaggregated data on women's access to rights and services, inform and assess the impact of public policies, strategies and programmes aimed at achieving gender equality, in line with the Committee's general recommendation No. 9 (1989) on statistical data concerning the situation of women.**

National human rights institution

19. The Committee welcomes the fact that the National Institute of Human Rights of Chile was accredited "A" status in November 2012 by the Global Alliance of National Human Rights Institutions. It notes that, when re-accrediting the Institute in December 2020, the Global Alliance encouraged it to advocate for the formalization and application of a uniform, transparent and participatory selection and appointment process, and to advocate for changes to its enabling law to protect the members of the governing body from legal liability for actions undertaken in their official capacity.

20. **The Committee recommends that the State party implement the recommendations of the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions to strengthen the independence of the National Institute of Human Rights of Chile and provide it with adequate human, technical and financial resources to be able to carry out its mandate effectively and independently, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles, annexed to General Assembly resolution 48/134 of 20 December 1993) and seek the advice and technical support of the Office of the United Nations High Commissioner for Human Rights in this regard.**

Temporary special measures

21. The Committee commends the State party for implementing temporary special measures to achieve gender parity in elections, increase women's representation on boards of public State-owned enterprises, including through the launch of the "50:50 by 2030" initiative, and to ensure equal representation of women in leadership positions within the judiciary and legal profession. However, it notes with concern that the State party has not adopted comprehensive temporary special measures to accelerate the achievement of substantive equality of women and men in other areas where women are underrepresented or disadvantaged. The Committee acknowledges the inclusion of a provision in Law No. 20,820 that allows the Ministry of Women and Gender Equity to propose temporary special measures. However, it notes with concern the limited implementation and enforcement of the Law, particularly with regard to disadvantaged groups of women, including women with disabilities, older women, rural women, Indigenous and Afrodescendent women, lesbian, bisexual, transgender and intersex women, and migrant, refugee and asylum-seeking women.

22. **The Committee recommends that the State party adopt temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, such as quotas, preferential recruitment, hiring and promotion and gender-responsive public procurement, with time-bound targets, as a necessary strategy to accelerate the achievement of substantive equality of women and men in all areas under the Convention where women are underrepresented or disadvantaged, in particular women with disabilities, older women, rural women, Indigenous and Afrodescendent women, lesbian, bisexual, transgender and intersex women and**

refugee and asylum-seeking women. The Committee also recommends that the State party strengthen the implementation and enforcement of Law No. 20,820, ensuring that the Ministry of Women and Gender Equity effectively proposes and oversees the implementation of temporary special measures.

Gender stereotypes

23. The Committee commends the establishment of the Technical Secretariat for Gender Equality and Non-Discrimination within the Chilean Supreme Court, with the aim of promoting gender equality and preventing judicial gender bias. It remains concerned, however, at the persistence of gender stereotypes in the State party regarding the roles and responsibilities of women and men in the family and in society, which overemphasize women's traditional roles as mothers and wives, undermining their social status, autonomy, and career opportunities. The Committee notes with concern the xenophobic and racist remarks in the media and that *machista* ideals remain pervasive, including in Chilean media portraying women political leaders as "fragile" and "sensitive" and male politicians as problem solvers. The Committee also notes with concern the significant rise in anti-feminist political discourse, which fuels a populist narrative that pits family values against feminist values.

24. **Drawing attention to joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, as revised, the Committee recommends that the State party:**

(a) **Adopt and implement a comprehensive policy on hate speech against women and girls that engages men and boys, including all forms of media, as well as public and private entities in its implementation;**

(b) **Provide public officials and media professionals with training on the use of gender-responsive language to address gender stereotypes, combat women's objectification and promote positive media portrayals of women as active agents of change.**

Gender-based violence against women

25. The Committee remains concerned at the prevalence of gender-based violence against women and girls, including sexual violence, in the State party. It notes with concern:

(a) That 84.83 per cent of sexual violence victims in the first half of 2024 were women; 84 per cent of child and adolescent victims of sexual crimes in 2023 were female; and that rape cases increased by 48 per cent between 2018 and 2022;

(b) The persistence of high rates of femicide in the State party;

(c) The high prevalence of domestic violence in the State party; low prosecution and conviction rates; underreporting owing to victims' fear of stigmatization or reprisals, their economic dependence on abusive partners, legal illiteracy and lack of trust in the law enforcement authorities;

(d) The lack of sufficient victim support services for women seeking to leave violent relationships, in particular in rural areas;

(e) The increasing use of new digital technologies for online gender-based violence, including cyberstalking, harassment, doxing, and the non-consensual sharing of intimate images, and the proliferation of artificial intelligence-generated sexually explicit media, deepfake videos, synthetic media and online pornography that commodify and objectify women's bodies. It is further concerned that Law No. 21,675

does not fully cover all forms of rapidly changing digital violence against women, resulting in low prosecution rates and lack of protection of victims, as well as underreporting of digital sexual harassment and abuse due to social stigma, victim-blaming and fear of reprisals.

26. **Recalling its previous recommendation (CEDAW/C/CHL/CO/7, para. 25) and in line with its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, as well as target 5.2 of the Sustainable Development Goals on the elimination of all forms of violence against all women and girls in the public and private spheres, the Committee recommends that the State party:**

(a) **Strictly apply Law No. 21,675 and intensify awareness-raising efforts among the general public on the criminal nature of all forms of gender-based violence against women, including sexual violence, and on the need to report such cases and protect survivors from reprisals, stigmatization and revictimization;**

(b) **Ensure, through mandatory and continuous capacity-building for judges, prosecutors, police officers and other law enforcement officials, that Law No. 21,212 is fully enforced and that all cases of femicide are investigated and that perpetrators are prosecuted and adequately sentenced;**

(c) **Encourage the reporting of domestic violence against women and girls by conducting media campaigns to raise awareness about the criminal nature of gender-based violence against women, challenge its social legitimization and destigmatize victims, and by protecting women from reprisals for reporting incidents of gender-based violence;**

(d) **Adequately fund victim support services and expand the network of specialized, inclusive and accessible shelters for women and girls who are victims of gender-based violence, as well as psychosocial counselling, taking into account their specific needs; and provide women and girls who cannot safely return to their homes with financial support, education, professional training, income-generating opportunities, affordable housing and, if necessary to ensure their safety, a changed identity;**

(e) **Strengthen measures to prevent and adequately punish online sexual violence, including regulation that explicitly penalizes such offences, and ensure that providers of online platforms and online distributors are held accountable for failure to report, delete, or block criminal content from their platforms.**

Trafficking

27. The Committee notes of the State party's efforts to strengthen its legal and policy framework to combat trafficking in women and girls, including through the National Action Plan against Trafficking in Persons 2023–2026. However, it notes with concern:

(a) Reports of human trafficking networks operating in the State party that subject transgender women to extortion and sexual exploitation, in particular migrant transgender women;

(b) The prevalence of different forms of trafficking in women and girls, including for sexual exploitation, forced marriage, domestic servitude, forced labour in agriculture, mining and street vending, as well as the sale of children, pimping and the persistent exploitation of child labour, particularly affecting girls in child protection centres, Indigenous women and girls and refugee, asylum-seeking and migrant women and girls;

(c) The lack of adequately funded, inclusive and accessible shelters for women victims of trafficking, including women with disabilities, in the State party.

28. With reference to its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, and recalling its previous concluding observations (CEDAW/C/CHL/CO/7, para. 27), the Committee recommends that the State party:

(a) Intensify efforts to combat all forms of trafficking and exploitation of women and girls by providing capacity-building for judges, prosecutors, police officers and other law enforcement officials, border police, healthcare providers and other first responders on the early identification of victims of trafficking and their referral to appropriate services and on gender-sensitive investigation and interrogation methods, and ensure the implementation of the instructions for the police on early identification of trafficking victims;

(b) Strengthen labour inspections to eliminate child labour, especially in sectors where girls are most at risk, strengthen the protection of girls in care institutions to prevent their exploitation and trafficking and ensure that perpetrators are prosecuted and adequately punished;

(c) Increase the number and funding of inclusive and accessible shelters for victims of trafficking, including women with disabilities, in both urban and rural areas, and ensure that trafficking victims have access to free legal aid, interpretation services, medical assistance, psychosocial counselling, financial support, education, professional training, temporary residence permits irrespective of their ability or willingness to cooperate with the prosecution authorities, and income-generating opportunities.

Equal participation in political and public life

29. The Committee commends the State party on its feminist diplomacy and efforts to promote women's political roles at the international level. However, it notes with concern:

(a) That women's political representation is 35 per cent in the Chamber of Deputies and 26 per cent in the Senate, and that only 17 per cent of mayors are women, due in part to delays in adopting statutory quotas for regional and local elections, as well as the failure to implement the 2015 electoral reform law;

(b) The limited representation of disadvantaged groups of women in decision-making positions, particularly lesbian, bisexual, transgender and intersex, Indigenous and Afrodescendent women and women with disabilities.

30. Recalling its general recommendations No. 40 (2024) on the equal and inclusive representation of women in decision-making systems and No. 23 (1997) on women in political and public life, as well as target 5.5 of the Sustainable Development Goals, on ensuring women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic and public life, the Committee recommends that the State party:

(a) Introduce statutory quotas requiring political parties to ensure 50:50 parity, subject to fines in case of non-compliance, for the nomination of candidates at elections to the National Congress and provincial and local councils, promote the appointment of lesbian, bisexual, transgender and intersex women, Indigenous and Afrodescendent women and women with disabilities to decision-making positions in political and public life;

(b) Provide capacity-building on political leadership and campaigning skills, as well as access to campaign financing, to women candidates standing for

election or to public office, including Indigenous women, Afrodescendent women and women with disabilities.

Nationality

31. The Committee notes the efforts of the State party to address and reduce statelessness, including the adoption of the Migration Law (Law No. 21,325 of 2021). However, the Committee notes with concern the limited access to birth registration of children born during transit to Chile, increasing their risk of statelessness.

32. Recalling its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, the Committee recommends that the State party strengthen measures to ensure immediate birth registration for all children born to migrants, including those born in transit to the State party.

Education

33. The Committee commends the State party for the adoption of Law No. 21,675, which promotes non-sexist education and integrates a gender perspective in educational plans. The Committee also notes positively the initiatives for inclusive education. However, the Committee notes with concern:

(a) The persistence of gender stereotypes in textbooks and the lack of systematic capacity-building for teachers on women's rights and gender equality;

(b) Insufficient data on the implementation and monitoring of inclusive education, particularly for rural girls, girls with disabilities, Afrodescendent and Indigenous girls, and migrant and lesbian, bisexual, transgender and intersex girls and girls in detention centres;

(c) The persistent underrepresentation of girls and women in non-traditional fields of study and career paths, in particular science, technology, engineering and mathematics and information and communications technologies, including artificial intelligence;

(d) The limited scope of comprehensive sexuality education and is taught only in secondary schools;

(e) The continued exclusion of pregnant students and young mothers from educational institutions, despite existing policies and previous recommendations to address this issue;

(f) The specific challenges faced by women and girls with disabilities in the education system, including: (i) inadequate provision of accessible environments and learning materials; (ii) the lack of reasonable accommodations; (iii) insufficient support for girls with auditory disabilities following the phasing-out of specialized schools; (iv) low transition rates to tertiary education for girls and women with disabilities; (v) failure to provide accessible online and television educational content for hearing impaired girls during the coronavirus disease (COVID-19) pandemic.

34. In the light of its general recommendation No. 36 (2017) on the right of girls and women to education, the Committee recommends that the State party:

(a) **Eliminate gender stereotypes from textbooks, curricula and pedagogy at all levels of education, and that school curricula, academic programmes and professional training for teachers include education on women's rights and gender equality;**

(b) **Strengthen measures to ensure inclusive education for all girls, including rural girls, girls with disabilities, girls of African descent, Indigenous**

girls, lesbian, bisexual, transgender and intersex and migrant girls and girls in detention centres;

(c) Continue and further strengthen measures to address gender stereotypes and structural barriers that may deter or discourage young women and girls from pursuing studies and careers in traditionally male-dominated fields, including science, technology, engineering and mathematics and information and communications technology, including artificial intelligence;

(d) Integrate age-appropriate sexuality education in curricula at all levels of education, including education on responsible sexual behaviour, with special attention to the prevention of early pregnancy and sexually transmitted infections;

(e) Strictly enforce legislation prohibiting the expulsion of pregnant girls and women and young mothers from educational institutions, including through the imposition of fines;

(f) Strengthen access to inclusive education for women and girls with disabilities, including by: (i) ensuring that educational facilities are physically accessible and equipped with necessary learning materials and assistive devices; (ii) providing reasonable accommodations for all types of disabilities; (iii) developing and implementing a comprehensive plan to support girls with auditory disabilities in mainstream education; and (iv) ensuring that distance learning platforms and materials are fully accessible to girls and women with disabilities, including during emergency situations.

Employment

35. The Committee commends the State party on the progress achieved in advancing women's rights in employment, including the Gender Parity Initiative, the Labour Equity Plan and the reduction of maximum weekly working hours. However, the Committee remains concerned about:

(a) The persistent gender pay gap (23.3 per cent), particularly in higher-paid and decision-making roles, and the pending status of draft law No. 10,576-13 aimed at ensuring equal pay for work of equal value;

(b) The low labour participation of women in formal employment (51.8 per cent compared with 71.1 per cent for men in 2023);

(c) The continued horizontal and vertical occupational segregation in both the public and private sectors, especially in traditionally male-dominated occupations;

(d) The limited access to employment opportunities for disadvantaged groups of women, including lesbian, bisexual, transgender and intersex women, Indigenous and Afrodescendent women and women with disabilities;

(e) The limited access to social security schemes for self-employed women, women entrepreneurs in micro and small enterprises and women domestic workers;

(f) The unequal sharing of family and domestic responsibilities between women and men, including women's disproportionate burden of unpaid care work.

36. In accordance with target 8.5 of the Sustainable Development Goals, on achieving full and productive employment and decent work for all women and men, the Committee recommends that the State party:

(a) Effectively enforce the principle of equal pay for work of equal value in order to narrow and eventually close the gender pay gap by: (i) conducting regular labour inspections; (ii) conducting regular pay surveys; and (iii) assisting

employers in submitting their gender pay gap data to the authorities and making voluntary efforts to close the gap, with a view to better understanding the reasons for the gender pay gap and gender pension gap;

(b) Increase women's access to formal employment, including by facilitating their transfer from informal to formal employment;

(c) Identify barriers to women's equal participation and career advancement in employment, promote women's employment and career development opportunities in the private sector, including by providing financial incentives for private companies, and recruit women to leadership positions, including in non-traditional sectors;

(d) Adopt targeted measures to promote employment opportunities for lesbian, bisexual, transgender and intersex women, rural women, Indigenous and Afrodescendent women, women with disabilities and women in detention centres;

(e) Ensure that self-employed women, women entrepreneurs in micro- and small enterprises and women domestic workers have access to social protection schemes, including by reviewing the national social security policy;

(f) Recognize, reduce and redistribute women's disproportionate burden of unpaid care by providing incentives to men to avail themselves of paternity leave, strengthening policies that support work-life balance, including flexible working arrangements, and increasing the number of affordable and quality childcare facilities and care services for older persons.

Health

37. The Committee notes the announcement made by the delegation that the State party is considering decriminalizing abortion without restrictions. However, the Committee notes with concern:

(a) The delay in the adoption of draft law No. 12,441/17 that amends various legal texts to eliminate discrimination against persons – including women – with intellectual, cognitive and psychosocial disabilities and to ensure their right to autonomy;

(b) The fact that, under the legislation currently in force, women have access to legal abortion only when the life of the mother is at risk, when the fetus is not viable and in cases of rape, during the first 12 weeks of pregnancy, and that girls must obtain judicial authorization and face restrictive time limits, including in cases of rape;

(c) The high rate of conscientious objection among obstetricians in public hospitals, including when a pregnancy results from rape;

(d) Reports of obstetric violence, especially against young women, Indigenous women, women with disabilities, lesbian, bisexual, transgender and intersex women and migrant women;

(e) The delays in the adoption of draft law No. 11,357/11 to prohibit the sterilization of persons with disabilities, under discussion since 2017;

(f) Limited access to contraceptives, family planning services, gynaecological services, mental health services and non-emergency medical care, particularly for rural women and lesbian, bisexual, transgender and intersex women;

(g) Limited access to antiretroviral treatment for and stigmatization and social exclusion of women and girls living with HIV/AIDS;

(h) Inadequate mental health services for women and girls victims of gender-based violence who are in State care.

38. In accordance with its general recommendation No. 24 (1999) on women and health and targets 3.1 and 3.7 of the Sustainable Development Goals, on reducing global maternal mortality and on ensuring universal access to sexual and reproductive healthcare services, the Committee recommends that the State party:

(a) Expedite the adoption of draft law No. 12,441/17 to eliminate discrimination against persons – including women – with intellectual, cognitive and psychosocial disabilities and to ensure their right to autonomy;

(b) As a matter of priority, legalize and decriminalize abortion in all cases and, in the interim, remove judicial authorization requirements, restrictive time limits and other barriers for girls and adolescent girls to access free, legal and safe abortion, particularly in cases of rape;

(c) Ensure that the exercise of conscientious objection by healthcare personnel does not prevent women and girls from gaining access to safe abortion services, without requirements for third party intervention or mandatory waiting periods, in line with the recommendations of the World Health Organization, and that conscientious objectors must refer patients to non-objecting medical professionals in all parts of the State party;

(d) Prevent and protect women from obstetric violence, strengthen capacity-building programmes on women's human rights and gender-responsive treatment for medical practitioners and ensure that women who are victims of obstetric violence have effective access to justice and adequate reparations;

(e) Expedite the adoption of legislation prohibiting the sterilization of persons with disabilities;

(f) Ensure that all women and girls, including women belonging to ethnic minorities and rural women and girls, have adequate access to mental health services, sexual and reproductive health services and information, including modern and emergency contraceptives, including in rural areas;

(g) Provide free antiretroviral treatment to all women and girls living with HIV/AIDS, including pregnant women so as to prevent mother-to-child transmission, and address the stigmatization and social exclusion of women and girls living with HIV/AIDS;

(h) Adopt measures to ensure that women and girls victims of gender-based violence who are under State care have free and adequate access to medical and mental health services.

Economic empowerment of women

39. The Committee notes the State party's pension reform and its adoption of the National Gender Equality Plan 2018–2030. However, it remains concerned at:

(a) Persistent gender inequalities in economic opportunities, compounded by intersectional discrimination on the basis of age, sexual orientation, disability, family and social status, ethnicity and Indigenous status;

(b) The economic vulnerability and challenges related to single parenthood faced by female heads of households, who constitute almost half of heads of households in the State party;

(c) The disproportionately low pension benefits for women, especially women with 30 to 35 years of service, who have an average monthly pension of \$503, including as a consequence of periods of unpaid care work and maternity-related career interruptions.

40. The Committee recommends that the State party:

(a) **Promote women's economic empowerment and address intersecting forms of discrimination to ensure equal economic opportunities for disadvantaged groups of women, particularly for women working in the informal sector;**

(b) **Strengthen the support for female heads of households, by including targeted measures in its poverty reduction strategy and enhancing access to formal employment and social protection;**

(c) **Further reform the pension system to address gender inequalities, considering compensatory measures for periods of unpaid care work and maternity-related career interruptions;**

(d) **Generate regular statistics and data to ensure the valuing and monetization of unpaid domestic and care work of women and to recognize it within a reasonable timeline in the gross domestic product of the State party;**

(e) **Undertake concrete legislative and policy measures, including temporary special measures for women's access to loans and bank credits, and special funds, to encourage women's opportunities for entrepreneurship.**

Rural women

41. The Committee acknowledges the State party's efforts to support rural women through measures such as the "*Programa de apoyo a víctimas de violencia rural*" and the Rural Agro-innovative Women Programme. However, it remains concerned about the persistent challenges that rural women and girls face in gaining access to basic services, land ownership, entrepreneurial activities and economic resources.

42. In accordance with its general recommendation No. 34 (2016) on the rights of rural women and target 5.a of the Sustainable Development Goals, on undertaking reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws, the Committee recommends that the State party:

(a) **Adopt a national action plan on rural women and girls;**

(b) **Promote the entrepreneurial activities of rural women, facilitating their access to low-interest loans without collateral and other forms of financial credit, particularly for those living with disabilities;**

(c) **Ensure that rural women, including women agricultural workers, have adequate access to income-generating opportunities, social benefits and healthcare, and that they are equally represented in decision-making processes, including on rural development programmes.**

Women human rights defenders

43. The Committee notes with concern:

(a) The inadequate response of the State party to allegations of rape and serious permanent injuries due to excessive use of force against women human rights defenders during the October 2019 social demonstrations;

(b) The low investigation, prosecution and conviction rates in these cases and the lack of accountability for senior Carabineros commanders;

(c) Reports of excessive use of force by State agents against Mapuche women in Biobío, La Araucanía, Los Ríos and Los Lagos;

(d) The absence of disaggregated data on the use of force against Mapuche women.

44. The Committee urges the State party to:

(a) **Without delay, investigate all alleged human rights violations against women human rights defenders during the 2019 protests, prosecute and adequately punish perpetrators, including responsible Carabineros commanders and other members of the security forces, and provide adequate reparations to the victims;**

(b) **Provide capacity-building to law enforcement personnel, including on gender-sensitive protocols for crowd control, to prevent the excessive use of force against peaceful protestors;**

(c) **Engage in meaningful dialogue with Mapuche women and their representatives to address the root causes of the Mapuche conflict, including through the Presidential Commission for Peace and Understanding, establish an independent mechanism to investigate allegations of excessive use of force against Mapuche women, and ensure effective reparations;**

(d) **Ensure the collection of disaggregated data on the use of force against Mapuche women and provide such data in its next periodic report.**

Indigenous women and girls

45. The Committee commends the State party for its efforts to preserve Indigenous languages and cultures through educational initiatives, as well as the Indigenous training and specialization subsidy programme, which provides university scholarships for Indigenous students. However, it remains concerned that Indigenous women face intersecting forms of discrimination, racial hatred, gender-based violence, poverty and marginalization. It also notes with concern that:

(a) The State party remains one of the few countries in Latin America where Indigenous peoples are not recognized in the Constitution, and efforts to address this in the 2022 draft constitution were rejected by referendum;

(b) Indigenous communities, including Indigenous women, lack legal title to and face forced evictions from lands traditionally occupied or used by them.

46. With reference to its general recommendation No. 39 (2022) on the rights of Indigenous women and girls and recalling its previous concluding observations (CEDAW/C/CHL/CO/7, para. 47), the Committee urges the State party to:

(a) **Fully recognize Indigenous peoples in the Constitution and expedite the establishment of a ministry for Indigenous Peoples and strengthen dialogue with Indigenous women to ensure their full participation in decision-making at all levels;**

(b) **Strengthen measures to formally recognize Indigenous women's collective and individual land tenure and ownership, eliminate discriminatory norms and customs that limit their access to land ownership and ensure their free, prior and informed consent, equitable benefit-sharing and meaningful**

participation in decision-making processes in relation to the use of the natural resources and lands traditionally occupied or used by them.

Women and girls with disabilities

47. The Committee notes with concern that women and girls with disabilities face intersecting forms of discrimination in the State party, especially with regard to access to justice, education, employment and healthcare.

48. Recalling its general recommendation No. 18 (1991) on disabled women, the Committee recommends that the State party ensure that women and girls with disabilities have adequate access to justice, inclusive education, employment and accessible health services, including sexual and reproductive health services, and that they are provided with reasonable accommodation and state of the art assistive technologies.

Refugee, asylum-seeking and migrant women and girls

49. The Committee notes with concern that refugee, asylum-seeking and migrant women and girls face intersecting forms of discrimination and disproportionate levels of gender-based violence in the State party, in particular in border areas, and that undocumented migrant women are exposed to a high risk of sexual exploitation and forced labour, including by human trafficking networks. The Committee also notes with concern:

(a) The significant obstacles faced by women in need of international protection, especially Venezuelan and Haitian women, in gaining access to the territory and refugee status determination procedures in the State party;

(b) The limited use of the complementary protection measures under Law No. 21,325, with restrictions on eligibility for those who applied for asylum before the promulgation of the Law;

(c) Persistent discrimination against refugee, asylum-seeking and migrant women, particularly lesbian, bisexual, transgender and intersex women and Afrodescendent women, in gaining access to education, employment, free healthcare and affordable housing;

(d) The lack of disaggregated data on the social and economic situation of asylum-seeking, refugee, migrant and stateless women and girls.

50. In accordance with its general recommendations No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations and No. 26 (2008) on women migrant workers, the Committee recommends that the State party address intersecting forms of discrimination against refugee, asylum-seeking and migrant women, protect them from gender-based violence and prosecute and adequately punish perpetrators. It further recommends that the State party:

(a) **Ensure that every woman in need of international protection has access to its territory and impartial, fair and gender-responsive refugee status determination procedures;**

(b) **Implement and broaden the complementary protection procedure established by Law No. 21,325, ensuring it is gender-responsive, effective and accessible without unreasonable time limits, including for women who applied for asylum before the promulgation of the Law;**

(c) **Combat discrimination against asylum-seeking, refugee and migrant women, particularly lesbian, bisexual, transgender and intersex women and Afrodescendent women, in gaining access to education, employment, free healthcare and affordable housing;**

(d) **Collect and provide comprehensive disaggregated data on the social and economic situation of asylum-seeking, refugee and stateless women and girls, including their access to justice, education, employment, healthcare and housing, in the next periodic report;**

(e) **Consider seeking technical assistance from relevant United Nations agencies, including the Office of the United Nations High Commissioner for Refugees, in implementing these recommendations.**

Women in detention

51. The Committee notes with concern:

(a) The high number of women incarcerated for drug-related offenses under Law 20,000 of 2005, with 48.29 per cent of women imprisoned for such offences compared with only 16.12 per cent of men;

(b) The overrepresentation of foreign women and Aymara, Quechua and Mapuche and other Indigenous women sentenced under drug laws;

(c) The lack of progress in reviewing draft law No. 11,073-07 to modify preventive detention and sentence substitution for pregnant women or mothers of children under 2 years of age, which would not apply to women sentenced under drug trafficking laws;

(d) The presence of 47 pregnant women and 114 women incarcerated with their children as of September 2024, including two infants born in prison without adequate access to healthcare;

(e) The difficulties that transgender women, migrants and Indigenous women in detention face in gaining access to sexual and reproductive health services, particularly for women living with HIV.

52. **The Committee recommends that the State party:**

(a) **Amend and review the implementation of Law No. 20,000 of 2005 to address its disproportionate impact on women, apply gender-responsive alternatives to incarceration for non-violent drug offences and develop policies aimed at addressing the root causes that lead women to commit drug-related offences;**

(b) **Conduct a comprehensive study on the factors contributing to the overrepresentation of foreign and Indigenous women sentenced for drug-related offences, develop culturally appropriate and gender-responsive prevention and intervention programmes and ensure access to free legal aid and interpretation services for these women throughout the judicial process;**

(c) **Expedite the review and adoption of draft Law No. 11,073-07, ensuring that its provisions apply to all detained women, including those sentenced under drug trafficking laws, implement interim measures to protect incarcerated pregnant women and mothers of young children while the draft law is under consideration and regularly review and report on the use of preventive detention in cases involving pregnant women and mothers of young children;**

(d) **Develop and implement comprehensive policies in line with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures**

for Women Offenders (the Bangkok Rules), ensure immediate access to adequate health services for all pregnant women in detention, including during childbirth and consider non-custodial measures for pregnant women and mothers with young children, prioritizing the best interests of the child;

(e) Develop specific protocols to ensure adequate conditions and protection of transgender women, Indigenous women and migrant women in detention, ensure their access to sexual and reproductive health services, including HIV treatment, and provide training to penitentiary staff on the specific needs and rights of transgender women.

Climate change and disaster risk reduction

53. The Committee welcomes the State party's efforts to incorporate a gender perspective in its climate change adaptation and disaster risk reduction policies, particularly through the 2022 Framework Law on Climate Change. However, it remains concerned about:

(a) Women's unequal access to and use of water resources and their reliance on water distribution by cistern trucks;

(b) Reports of environmental degradation caused by agribusiness and mining activities, which have severely affected traditional access to water resources for rural and Indigenous communities. The Committee is particularly alarmed by the escalating conflicts between these industries and rural and Indigenous women environmental human rights defenders, who face heightened risks of violence, intimidation and criminalization as they strive to protect their lands, natural resources and traditional livelihoods;

(c) The lack of gender-responsive criteria in environmental impact assessments under Law No. 19,300, particularly regarding the mental, emotional and spiritual health of women and their communities;

(d) The absence of specific gender-responsive and territorially relevant indicators in sectoral plans related to the Framework Law on Climate Change.

54. **In accordance with its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the Committee recommends that the State party review its climate change adaptation and disaster risk reduction strategies, taking into account the negative effects of climate change on the livelihoods of women, and ensure that women and men are equally represented in the development, adoption and implementation of legislation, policies and programmes on climate change, disaster response and disaster risk reduction, in particular by:**

(a) Developing and implementing a comprehensive, gender-responsive water management strategy that addresses the root causes of unequal access to and use of water resources, with particular attention to the needs of rural women, Indigenous women and women living in poverty;

(b) Ensuring that agribusiness and mining companies operating within its territory respect environmental standards and do not impede access to water and other natural resources essential for the realization of women's rights, particularly those of rural and Indigenous women and conduct thorough, impartial and effective investigations into all reported cases of threats, intimidation and violence against women environmental human rights defenders, ensuring that perpetrators are brought to justice and victims have access to effective remedies and adequate protection;

(c) **Amending Law No. 19,300 and its regulations to include gender-responsive criteria in environmental impact assessments, considering women's roles as custodians of the environment and caregivers;**

(d) **Developing and implementing gender-responsive and intersectional indicators for sectoral plans under the Framework Law on Climate Change;**

(e) **Increasing climate change and disaster risk management literacy and awareness among communities, women and girls, including rural women, Indigenous and Afrodescendent women and women with disabilities, to enable them to participate effectively in climate change-related decision-making and the development of adaptation strategies and actions that build women's and girls' resilience to the impact of climate change.**

Marriage and family relations

55. The Committee welcomes the legislative reforms in civil and family matters, particularly Law No. 21,515 of 2022, which raises the minimum age for marriage to 18 years for both women and men, without exception, and the legal recognition of same-sex marriage in the State party in 2021. However, the Committee remains concerned about:

(a) The persistence of de facto unions between adolescent girls and adult men, often promoted by their families, particularly in rural and remote areas;

(b) Women's limited economic protection upon dissolution of de facto unions;

(c) Delays in reforming the provisions of the Civil Code on marital property regimes that discriminate against and subordinate married women to the husband in property administration.

56. **In line with the Committee's general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, and recalling its previous concluding observations (CEDAW/C/CHL/CO/7, para. 51), the Committee recommends that the State party:**

(a) **Conduct awareness-raising campaigns to sensitize society on the risks and lack of economic protection in de facto unions between adolescent girls and adult men, particularly in rural and remote areas;**

(b) **Adopt legislation to strengthen the economic protection of women in de facto unions;**

(c) **Expedite the adoption of reforms to the Civil Code on marital property regimes to ensure women's equal property rights in marriage and upon divorce.**

Data collection and analysis

57. The Committee is concerned about the absence of data collection in many areas relevant to the implementation of the Convention.

58. **The Committee recommends that the State party promote and build capacity for the use of the most appropriate technology in collection of statistical data, including on the prevalence of gender-based violence against women, the prevalence of trafficking in women and girls, access to education and the socioeconomic status of women, disaggregated by age, ethnicity, race, disability, sexual orientation and socioeconomic background, for purposes of the design and implementation of tailored and gender-responsive legislation, policies, programmes and budgets.**

Beijing Declaration and Platform for Action

59. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the implementation of the Convention in order to achieve substantive equality between women and men.

Dissemination

60. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official languages of the State party, to the relevant State institutions at all levels (national, regional and municipal), in particular to the Government, the National Congress and the judiciary, to enable their full implementation.

Ratification of other treaties

61. The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, to which it is not yet a party.

Follow-up to concluding observations

62. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 26(d), 28(c), 34(e) and 38(a) above.

Preparation of the next report

63. The Committee will establish and communicate the due date of the ninth periodic report of the State party in line with a future predictable eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The next periodic report should cover the entire period up to the time of its submission.

64. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see [HRI/GEN/2/Rev.6](#), chap. I).

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.