



**Convention on the Elimination  
of All Forms of Discrimination  
against Women**

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**Committee on the Elimination of Discrimination  
against Women  
Sixty-ninth session**

**Summary record of the 1574th meeting**

Held at the Palais des Nations, Geneva, on Wednesday, 21 February 2018, at 10 a.m.

*Chair:* Ms. Leinarte

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*The meeting was called to order at 10 a.m.*

### **Consideration of reports submitted by States parties under article 18 of the Convention**

*Seventh periodic report of Chile (CEDAW/C/CHL/7; CEDAW/C/CHL/Q/7; and CEDAW/C/CHL/Q/7/Add.1)*

1. *At the invitation of the Chair, the delegation of Chile took places at the Committee table.*
2. **Ms. Pascual Grau** (Chile), introducing her country's seventh periodic report and providing an overview of institutional developments in the field of women's rights and gender equality, said that major advances had included the establishment of the Ministry for Women and Gender Equity, the reform of the National Service for Women and Gender Equity and the creation of the Council of Ministers for Gender Equality, responsible for promoting gender mainstreaming across all ministries and government services and providing the relevant technical assistance.
3. Institutional measures implemented within the judiciary had included a plan of action to incorporate a gender perspective into its activities and the development of a gender equality and non-discrimination policy, approved by the Supreme Court in 2018. The Technical Secretariat for Gender Equality and Non-Discrimination, established by the Supreme Court in 2016, was responsible for implementing and monitoring that policy. In 2017, the Public Prosecution Service had established a centre for monitoring gender-based violence and a specialized unit on human rights, gender-based violence and sexual offences had been created within the Attorney General's Office, as part of efforts to incorporate a gender perspective throughout the criminal justice system.
4. New tools for the promotion of gender equality included the 2018–2030 National Gender Equality Plan and the country's first National Human Rights Plan, launched in 2017. A broad range of stakeholders had been consulted during preparation of the two plans, both of which were aligned with the Sustainable Development Goals.
5. To increase women's participation in political and public life, electoral reform measures had introduced a gender parity criterion for candidate lists, as well as economic incentives for the election of women candidates, targeted funding measures and the earmarking of a percentage of political parties' State funding for activities to promote women's political participation.
6. To enhance protection for women's physical integrity and autonomy, legislation had recently been adopted that decriminalized abortion in certain specific circumstances and defined the related procedures, protocols and support measures.
7. As part of efforts to combat violence against women, a bill on women's right to a life free of violence was currently being examined by parliament. The bill had been drafted following consultations with a range of stakeholders, taking into account the recommendations of the Committee, the provisions of the Convention on the Elimination of All Forms of Discrimination against Women and other international instruments. Another important step had been the approval of new legislation on domestic violence that established the new offence of "serious physical ill-treatment", in order to enhance the protection afforded to vulnerable groups, including children, adolescents and persons with disabilities. The new provisions also removed the requirement for preliminary charges to be brought before the family courts. Moreover, a new law defining the criminal offences of torture and other cruel, human or degrading treatment or punishment had been introduced, which recognized sexual violence as an act of torture.
8. In education, progress had included reforms to promote inclusion and strengthen public education services, for example, by giving students the opportunity to access higher education free of charge — a provision that would have a significant impact on the lives of women and girls.
9. **Ms. Krauss** (Chile), highlighting the Government's commitment to promoting women's leadership and participation, said that, since measures to foster women's

appointment to the boards of public companies had yielded significant results, an extension of those measures to the private sector was envisaged. A public-private gender parity initiative had also been created, with support from the World Economic Forum and the Inter-American Development Bank, and, to date, more than 100 companies had joined. In addition, new legislation on labour relations had been designed to increase women's participation in collective bargaining and trade union activities and thus strengthen their negotiating role.

10. Women's participation in the labour market had increased, but challenges remained, including a persistent gender pay gap. However, while the legislation on equal pay introduced in 2009 had not fully achieved its aims, it had provided a basis for identifying additional potential measures for reducing gender-based wage inequality. A recent raft of labour reforms had introduced tools to identify wage gaps within the framework of collective bargaining negotiations and a pilot project to ensure gender-neutral evaluation of civil service posts had been launched in 2016 with a view to achieving equal pay for civil servants. Measures had also been taken to promote shared responsibility and guarantee work-life balance; specific legislative steps to reconcile work with family responsibilities had included measures to support parents of children with serious and/or permanent illnesses or disabilities, including the right to leave of absence and care allowances.

11. In order to provide better protection to domestic workers, new legislation on their working conditions had been introduced, in compliance with the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189).

12. **Ms. Narváez Ojeda** (Chile), providing an overview of measures to support vulnerable groups, including indigenous women, migrant women, and lesbian, bisexual and transgender women, said that legislation had been introduced to recognize civil unions, including same-sex partnerships, and that the 2017 bill on equal marriage proposed amending the terminology used in the Civil Code so that it covered same-sex couples and parents. A bill aimed at recognizing and protecting the right to gender identity was also currently before parliament.

13. Consultations had been held with indigenous peoples on a number of issues, including the establishment of the Ministry of Indigenous Peoples and plans to enshrine indigenous rights in the new Constitution, in line with international human rights standards. A significant number of women had participated. A further achievement in terms of indigenous participation was the election to Congress, in 2017, of a woman from an indigenous community.

14. The Government had begun the process of accession to the Convention relating to the Status of Stateless Persons. Efforts to combat statelessness had also included measures to resolve the situation of children of foreign nationals classed as temporarily present in the country ("non-resident aliens") and the "Chile Reconoce" (Chile recognizes you) programme, launched within the framework of the "I Belong" campaign of the Office of the United Nations High Commissioner for Refugees.

15. **Ms. Pascual Grau** (Chile) said that the Government sought to build a better country for all, particularly for women. It would continue its efforts to accelerate progress and to meet its obligations under the Convention in order to achieve substantive equality between men and women.

#### *Articles 1 to 6*

16. **Ms. Schulz** said that she would be interested to know the time table for finalizing the ratification of the Optional Protocol to the Convention, and also the outcome of consultations with civil society and academics regarding amendments to the Anti-Discrimination Act of 2012, including, in particular, the Government's position on: the impact of the law's focus on a judicial mechanism; plans to move from a purely judicial model towards a comprehensive law covering all forms of discrimination; the impact of amendments on redress for victims of discrimination, notably through the civil law system; whether fines for unfounded allegations deterred women from filing discrimination claims and the extent to which those penalties were applied by the courts; criteria relating to the

burden of proof and time limits for filing claims; the inclusion in the law of different forms of discrimination; and the use of temporary special measures and affirmative action.

17. In view of reports that the rights of lesbian, bisexual and transgender women were not sufficiently protected under existing legislation, she invited the delegation to clarify the situation and indicate the measures taken or planned to raise awareness of violations and enhance the competence of the judiciary and other State authorities to respond to them. Transgender women, in particular, had stressed the need for speedy adoption of the bill on gender identity, in order to simplify procedures for changing names and gender markers. She asked the State party to comment on the status of that bill.

18. On the issue of indigenous women, she wished to know the time frame for adopting the bill to establish the Ministry of Indigenous Affairs and implementing the planned reforms, including the formulation of comprehensive legislation on the rights of indigenous peoples that incorporated a gender perspective. Similarly, she would like to know the time frame for implementing planned reforms to the Constitution.

19. In view of worrying reports regarding the situation of women human rights defenders, and particularly indigenous women fighting for land rights, that referred to threats and attacks by State and non-State actors, she wished to know what measures were being taken to avoid the abusive application of counter-terrorism legislation and other repressive measures to oppose the land claims of indigenous populations. She would be interested to know what steps were being taken to enter into a broad, democratic dialogue with those communities and negotiate solutions that respected the status of indigenous peoples in the democratic order and complied with the principles of the Declaration on Human Rights Defenders, taking into account the specific situation of women.

20. **Ms. Pascual Grau** (Chile) said that the bill to ratify the Optional Protocol to the Convention was currently in its second reading in parliament. Following some resistance, in part linked to the regulation of involuntary termination of pregnancy, it was hoped that a national dialogue with civil society and other stakeholders could be initiated under the newly elected Government and that the bill's passage into law could thus be accelerated.

21. **Ms. Narváez Ojeda** (Chile) said that the draft amendments to the Anti-Discrimination Act had not yet been passed but that the enactment of the amendments constituted one of the objectives of the National Human Rights Plan for 2018–2021. The Office of the Minister and Secretary General of Government had held extensive consultations in that connection in 2017 and 2018 and had also canvassed the opinions of citizens, particularly those most affected by gender-based discrimination. Within the framework of the “amicable settlement” concluded between the State and the Movement for Homosexual Integration and Liberation, meetings had been held with various civil society organizations to discuss the shortcomings of the Act and potential improvements. The main proposals for improvements included: creating a system to prevent, punish, eliminate and repair damage to the dignity of persons; establishing a national register of persons convicted of offences motivated by discrimination; incorporating new rules on reparations for victims; and taking action to promote and raise awareness of the law, placing the emphasis on prevention.

22. **Ms. Fries Monleón** (Chile) said that, pending the enactment of specific legislation on gender identity, a chapter of the National Human Rights Plans had been devoted to measures to ensure respect for sexual diversity and de facto and de jure equality for members of the LGBTI community and other vulnerable groups. The Government was also promoting a bill to amend counter-terrorism legislation that contravened international human rights standards.

23. **Ms. Muñoz Sánchez** (Chile) said that the provisions of the Anti-Discrimination Act were not the only protective mechanism available; other remedies of protection had been used on several recent occasions to resolve complaints from transgender women deprived of their liberty. In two such cases, the courts had affirmed the prisons' obligation to treat the transgender women concerned in accordance with their gender identity. Furthermore, although no specific gender identity law was currently in force, civil law made provision for transgender persons to change their names.

24. **Ms. Narváez Ojeda** (Chile) said that the bill recognizing gender identity was currently in its third reading before the Senate.

25. **Ms. Díaz Martínez** (Chile) said that 46 consultation procedures had been conducted in 2014 pursuant to the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169), most notably in relation to the establishment of the Ministry of Indigenous Peoples and the Council of Indigenous Peoples. The bill establishing the Council had been debated in January 2018, and the Senate would deliver its opinions on the bill creating the Ministry in March 2018. Protection for indigenous peoples' right to land and water resources was currently afforded under Act No. 19.253 of 1993, but the new legislation, together with the planned constitutional amendments, would, once enacted, extend the breadth and depth of indigenous peoples' legally protected rights. Issues that were currently the subject of prior consultations included the political participation and constitutional recognition of indigenous groups, their right to free determination and self-government and respect for their political and social institutions, their culture and their economic systems.

26. **Mr. Álvarez Alarcón** (Chile) said that the criminal prosecution of women land rights defenders, and women human rights defenders in general, was the exception rather than the rule. The case of Francisca Lincolao was especially serious, as she had been implicated in a fire that had caused the death of two people. The defendants had initially been acquitted by an independent court but a retrial was to take place in light of new evidence. The suspects had been placed under house arrest between the hours of 8 p.m. and 8 a.m., which was the most lenient form of pretrial detention. He knew of only two similar cases. One was currently under investigation; in the other, a land rights case, the provisions of counter-terrorism law had not been invoked at any time.

27. **Ms. Schulz** said that the creation of the Technical Secretariat for Gender Equality and Non-Discrimination was a commendable advance but more information on the Secretariat's human, financial and technical resources and its powers to effect change was needed, given that action currently being taken to guarantee equal access to justice and protection against gender stereotyping remained either insufficient or insufficiently timely. The Committee's general recommendation No. 3 could provide useful guidance for addressing that situation.

28. **Ms. Acosta Vargas** asked whether the Secretariat would have the power to supervise judicial activity and safeguard the rights of women defendants.

29. **Ms. Muñoz Sánchez** (Chile) said that the Secretariat was a small strategic body that worked in conjunction with other judicial institutions. It was staffed by a data expert, a legal secretary, a legal coordinator, a sociologist and a communications expert and had been allocated State funding of 60 million Chilean pesos. Funding had also been secured from external sources, including from the European Union Eurosocioal cooperation programme.

30. A gender-based approach to access to justice constituted one of the strategic areas of the gender equality and non-discrimination policy approved by the Supreme Court in February 2018. That approach meant providing training to judges to ensure that they recognized women's rights as human rights. In 2016 a compulsory training course on gender-related issues in justice had been introduced for all new judges, and similar courses were offered as part of the ongoing training programme.

31. **Ms. Sepúlveda Sánchez** (Chile) said that the Public Prosecution Service was committed to incorporating the gender perspective in criminal investigations and its internal regulations. To bolster its limited resources, the Service had forged partnerships with international bodies such as the Eurosocioal Project and with academic institutions.

32. **Mr. Cabezas Chamorro** (Chile) said that the Legal Aid Agency, which was a decentralized public body, provided free legal defence services for persons unable to afford a private defence counsel.

33. **Ms. Schulz**, noting that free legal aid tended to be provided by less experienced lawyers, asked what system, if any, was in place to ensure the quality and continuity of State-funded legal services.

34. **Mr. Cabezas Chamorro** (Chile) said that the Legal Aid Agency was run by fully qualified lawyers although it also employed some recent law graduates. The Agency provided a high-quality service but he acknowledged the need to improve monitoring mechanisms.

35. **Ms. Bethel** said that the State party had made commendable progress, notably in establishing the Ministry of Women and the various mechanisms for monitoring compliance with the National Gender Equality Plan. However, she would like more information about how the Ministry planned to implement the fourth Gender Equality Plan; whether a calendar and roadmap for implementation were in place; and what indicators had been established to monitor progress. With budget issues being clearly a major concern, she would also like to know what percentage of the national budget the Ministry received. She wondered whether there was an effective process for consulting with civil society regarding the advancement of women's human rights, and invited the delegation to provide examples of specific programmes that addressed those rights, including details of programme deliverables. An overview of the Ministry's main achievements to date and the challenges it faced would also be helpful.

36. Although the Committee had called for enhanced coordination and the full inclusion of all disadvantaged women in the design and implementation of public policies and programmes in its 2012 concluding observations (CEDAW/C/CHL/CO/5-6, para. 13), alternative sources indicated that such policies continued to exclude transgender women. She would thus appreciate clarification as to the Ministry's position regarding the inclusion of all women, including members of the lesbian, gay, bisexual, transgender and intersex (LGBTI) community, in its initiatives.

37. In its replies to the list of issues (CEDAW/C/CHL/Q/7/Add.1, paras. 34 and 35), the State party had indicated that the Office of the Undersecretary for Human Rights included a gender perspective in its work and programmes and had referred, as an example initiative, to a seminar on the principles of equality and non-discrimination, with an emphasis on sexual orientation and gender identity, that had been organized for justice officials in 2016. She would like to know how the officials involved had responded to that seminar in practice and whether any qualitative differences in their approach to the principles had since been noted.

38. **Ms. Ameline** said that she would appreciate an explanation as to how the State party would ensure systematic implementation of the special temporary measures provided for under Chilean law, given that the law covered such a wide range of issues, including the rights of indigenous women, domestic violence and women's access to positions of responsibility. Was a structured, integrated approach envisaged? She was concerned that, despite increases in women's active participation, not enough women were moving up into decision-making roles. She wished to know what particular temporary measures the State party might take to address that issue.

39. **Ms. Pascual Grau** (Chile) said that the law establishing the Ministry for Women and Gender Equity had established the principle of respect for diversity in Chilean law for the first time and that the Ministry's policies were developed within a multicultural framework that took the interests of indigenous women into account. The combined budget of the National Service for Women and Gender Equity and the Ministry for Women and Gender Equity was 52 billion Chilean pesos.

40. A more programmatic approach had been taken to the implementation of the latest National Gender Equality Plan, which covered the period 2018–2030, and incorporated the gender equality and sustainable development commitments made by various government ministries. As far as coordination with National Congress was concerned, the Ministry had held a series of discussions with parliamentarians to move bills forward and promote a more cross-cutting approach between government ministries, departments and agencies. The latter was particularly important following the introduction of the new electoral system, which had replaced the binominal system created by Augusto Pinochet and aimed to promote greater diversity. Consultations were held with civil society whenever a new bill was presented to parliament to ensure that their views were taken into account. Moreover,

all government ministries and public services were required to set up advisory civil society councils to ensure cooperation with civil society.

41. **Ms. Fries Monleón** (Chile) said that the Office of the Undersecretary for Human Rights, established in January 2017, had incorporated a gender perspective into all its programmes and activities and gender parity had been achieved throughout the Office; in fact, women occupied some 70 per cent of its management roles.

42. The seminar on equality and non-discrimination organized by the Office of the Undersecretary for Justice in 2016 had not only served to raise awareness of gender issues but had also provided an opportunity to update Ministry of Justice protocols to take account of the gender perspective. A Ministry of Justice website was being launched in March 2018 so as to provide public officials with continuous training on human rights and on gender and intercultural perspectives.

43. Other mechanisms in place to implement the Committee's recommendations included the 2018–2021 National Human Rights Plan. The gender perspective had been incorporated into all areas of the National Human Rights Plan, but 64 actions were aimed specifically at women. A mechanism to monitor implementation of the Plan comprised members of the civil society councils and representatives of organizations registered with the National Human Rights Institute. The Office of the United Nations High Commissioner for Human Rights also had observer status.

44. **Ms. Narváez Ojeda** (Chile), replying to Ms. Bethel's question regarding the inclusion of sexual minorities, said that the Office of the Minister and Secretary General of Government had introduced measures to ensure that public and administrative policies took account of the challenges faced by transgender persons, in particular in areas such as health, employment and education. Progress had also been made towards the adoption of a bill on gender identity. A social media campaign and microsite had been launched to educate the public not only about the bill but also about issues relating to gender identity in general.

45. In April 2017, the Ministry of Education had issued a circular, drafted in consultation with NGOs, on the rights of transgender children in education. Similarly, the Ministry of Health had issued a circular on the provision of health care to transgender and intersex persons, which had established a requirement for public health service providers to use a transgender person's chosen, rather than legal, name. Efforts were now being taken to ensure that the circular was implemented across the board. Lastly, the Ministry of Labour and Social Security had established a working group, comprising representatives of the Ministry and of the civil service, on the inclusion of sexual minorities in the labour market.

46. **Ms. Pascual Grau** (Chile), replying to Ms. Bethel's question regarding the Ministry of Women's particular achievements, said that, in her view, the adoption of the law decriminalizing voluntary terminations or pregnancy was the single most important accomplishment for women's human rights in recent times in Chile, in particular because it had been a long and challenging process. The interministerial and collaborative approach adopted during the drafting of the bill to combat violence against women and safeguard women's right to a life free of violence had also been an important achievement, since the process had not only involved almost all government ministries but also representatives of civil society, the Public Prosecution Service, the Public Criminal Defender Service and United Nations organizations with offices in Chile.

47. **Ms. Walker Echenique** (Chile) said that a number of temporary special measures had been introduced following recent labour reforms, including a one-third gender quota for boards of directors of trade unions. Regarding transgender women in the labour market, the civil service had pledged to include a field in application forms to allow transgender persons to apply with their chosen, rather than legal, name. As things stood, applications by transgender persons could be rejected because their legal and chosen names did not match.

48. **Ms. Halperin-Kaddari** said that, despite the impressive example set by the outgoing president, Ms. Bachelet, stereotypes and macho culture were still pervasive in Chile. She wished to know what measures were being taken to sensitize law enforcement officials and the judiciary to those issues. She wondered what action had been taken to improve the collection of disaggregated data on criminal offences, such as data

disaggregated by type of complaint and rates of indictment, conviction and sentencing, and what had been done to improve the identification and recording of cases of femicide.

49. Referring to paragraph 26 of the State party's report, she asked whether the State party had drafted new legislation dealing with violence against women in all its forms and whether the planned amendments to Act No. 20.066 on Domestic Violence had been made. Noting that, according to alternative reports, family courts could only refer cases of domestic violence to the criminal courts if there was a history of abuse, she asked how the two parts of the judicial system — the civil and criminal courts — handled cases of domestic violence and exchanged information; what civil and criminal recourse victims had against their aggressors; what re-education programmes were available for men convicted of violence against women; and whether such programmes were voluntary or used as an alternative to imprisonment. She would also welcome an update on the current status of plans to make sexual harassment in the public sphere an offence and further information on the reference made in the opening statement to recognition of sexual violence as a form of torture. Lastly, she invited the delegation to comment on reports that complaints of sexual exploitation of girls in children's homes run by the National Service for Minors had not been investigated.

50. **Ms. Bethel** said that, despite sustained efforts to prosecute persons involved in human trafficking and to assist trafficking victims, Chile remained a source, transit and destination country for the trafficking of women and girls for sexual or labour exploitation. She wished to know what measures were being taken to reduce the demand for commercial sex and forced labour; ensure that persons convicted of trafficking received dissuasive sentences commensurate with the gravity of the offence; provide trafficking victims wishing to seek redress with access to legal representation; and encourage the judiciary to order damages on behalf of victims. Regarding services for victims of trafficking, she wondered what steps had been taken to improve access outside the country's capital to specialized centres for women and girl victims; increase the availability of health-care and rehabilitation services for victims; and ensure that appropriate mechanisms were in place to reintegrate victims and reunite them with their families. She asked whether law enforcement officials had any guidelines on how to screen potential trafficking victims in police or protective custody in order to prevent them from being prosecuted for offences they had been forced to commit. Lastly, she would be interested to know whether the State party had considered tracing and confiscating assets derived from trafficking in persons as an additional means of deterrence.

51. **Ms. Pascual Grau** (Chile) said that efforts to combat violence against women included campaigns to break down gender stereotypes, which were often used as justification for such violence; encourage women and men to choose non-traditional career paths; raise awareness of domestic violence and femicide; and promote new perceptions of masculinity.

52. **Ms. Muñoz Sánchez** (Chile) said that, in the judiciary, a policy to combat sexual harassment and challenge gender stereotypes had been introduced and a related information campaign had been launched. Among other activities, an online portal had been established to provide information on how to recognize sexual harassment and brochures had been distributed in all courts. The campaign, which had also been disseminated over social networks, had proved so effective that it was now to be used in other administrative areas.

53. **Ms. Vega Vallejos** (Chile) added that the Ministry of Education had likewise carried out a number of campaigns, including through a civic training plan, to address stereotypes, combat violence against women and promote gender equality.

54. **Ms. Pascual Grau** (Chile) said that Act No. 20.066 on Domestic Violence had been amended to incorporate the offence of physical ill-treatment so as to better protect vulnerable groups, such as children and adolescents, older persons and persons with disabilities. In addition to increasing penalties for habitual domestic violence, the amendment also removed the requirement for family courts to establish the existence of a consistent pattern of abuse before a case could be referred to the criminal courts. The bill on women's right to a life free of violence also contained amendments to the Act on Domestic Violence, broadening the concept of domestic violence so that it was no longer restricted to married or cohabiting partners. Among other aspects, the bill also set out the various forms



of violence against women — such as physical, psychological, sexual and economic violence and sexual harassment — that took place in both the public and private spheres. Lastly, steps were being taken to broaden the definition of femicide contained in the Criminal Code to include non-cohabiting partners.

55. **Ms. Sepúlveda Sánchez** (Chile) said that the National System on Femicide had been set up to facilitate and coordinate intersectoral cooperation and to prevent femicide. Its achievements had included the creation of a risk-assessment protocol aimed at identifying whether a victim of violence was at risk of femicide. Where such risk was deemed to exist, preventive measures were initiated. A unit within the Public Prosecution Service monitored the incidence of femicide and had a database of all such cases that had occurred since the offence had been expressly criminalized in 2010.

56. **Ms. Pascual Grau** (Chile) said that a database of cases of violence against women had been created in 2017 and was in the process of being made accessible to the public. It currently contained data collected from the Public Prosecution Service and other ministries and police data would hopefully be added in the near future.

57. There were 15 centres around the country for re-educating men who had resorted to violence against women. Aggressors were enrolled either voluntarily or by order of the courts. The bill on women's right to a life free of violence contained a proposal to allow an aggressor to enrol in a re-education programme as an alternative to prosecution; however, efforts to ensure the sufficient guarantees of compliance would be needed to support such an approach.

58. **Ms. Fries Monleón** (Chile) said that the definition of torture adopted in the new legislation, which was in line with the standards established in the Inter-American Convention to Prevent and Punish Torture and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, encompassed physical, psychological and sexual violence. Following the new law's adoption, public officials who had committed acts of torture against women, children or adolescents could be tried in a criminal court as opposed to a military court.

59. The President had acknowledged that, for many years, Chile had failed to protect children and adolescents from abuse in State-run residential homes. For that reason, major structural reforms had been announced to improve the protection regime. A bill establishing a system of guarantees for the rights of children had been tabled, and separate bills establishing the Office of the Undersecretary for Children and the Office of the Defender of the Rights of Children had been adopted.

60. **Mr. Álvarez Alarcón** (Chile) said that, since 2014, measures had been taken to ensure that all public officials likely to encounter cases of trafficking in their work had been trained to monitor and collect data on the phenomenon. For example, under the national capacity-building plan, the Aliens and Migration Department of the Ministry of the Interior and Public Security had conducted intercultural awareness-raising activities specifically for public officials who worked with migrants; since 2014, the Public Prosecution Service had conducted workshops on the gender dimension of trafficking and sexual exploitation for 92 of its officials; and the Intersectoral Panel on Trafficking in Persons had supported a seminar on human rights, gender and intercultural awareness.

61. Government agencies had standing to join criminal proceedings as an additional complainant in certain exceptional circumstances and the Government had taken the position that the Ministry of the Interior and Public Security was authorized to exercise that right in trafficking-related cases. Only 14 convictions had been secured in the 33 cases formalized to date but the adoption of measures to improve the interpretation of relevant laws should make it possible to secure a larger number of convictions in the future.

62. **Ms. Pascual Grau** (Chile) said that Chile had only one dedicated shelter for women victims of trafficking for the purposes of sexual exploitation or forced labour. The shelter was operated by an NGO under the authority of the Ministry for Women and Gender Equity. It was acknowledged that additional funding for women's shelters was needed. The Ministry for Women and Gender Equity worked in coordination with the inter-institutional system in place to ensure that appropriate services were available to victims.

63. **Ms. Halperin-Kaddari** said that it was unclear whether the various legislative initiatives mentioned by the delegation, such as, for example, the initiative concerning economic violence and the initiative concerning the redefinition of femicide, had already been adopted. With regard to domestic violence, she wished to know whether the pre-qualification previously required to refer a case to the criminal courts had been eliminated for all cases. Lastly, she would appreciate data on prosecutions for the offence of torture, as recently redefined.

64. **Ms. Bethel** said that she would appreciate a response to her earlier question on the guidelines issued to enable law enforcement officials to screen for victims of trafficking. In view of the lucrative nature of the crime of trafficking in persons and the need to strengthen the deterrent effect of the penalties imposed on convicted perpetrators, she wondered whether the Government had considered the possibility of prosecuting traffickers under anti-money-laundering legislation. The Argentinian authorities had recently begun to move in that direction.

65. **Ms. Acosta Vargas** asked whether a man who had killed a woman with whom he had never been in a partner relationship could be prosecuted for the offence of femicide.

66. **Ms. Pascual Grau** (Chile) said that the amendment to Act No. 20.066 on Domestic Violence eliminating pre-qualification had already been adopted. The bill on women's right to a life free of violence (Bulletin No. 11.077-07), which provided, inter alia, for amendments to Act No. 20.066 to incorporate the concept of economic violence and redefine the offence of femicide to include murders committed in the context of partner relationships, had not yet been adopted. She was unable to provide data on prosecutions for the offence of torture, as recently redefined to include sexual violence.

67. **Mr. Álvarez Alarcón** (Chile) said that most of the cases of trafficking in persons that had come to trial had involved small organizations, and there had been insufficient evidence in those cases to expand the investigations to encompass money-laundering. In coordination with the Public Prosecution Service, the general policy that had been adopted was to refrain from prosecuting victims of trafficking under criminal law, even in cases in which the victims had been involved in illegal activity. No complaints had been received regarding that policy.

68. **Ms. Sepúlveda Sánchez** (Chile) said that the murder by a man of a woman with whom he had never been in a partner relationship or to whom he had never been married did not qualify as femicide, as defined in article 390 of the Criminal Code. In certain cases, such as those in which a man had murdered the mother of his child, the act would constitute a murder committed in a domestic violence context under Act No. 20.066. Those distinctions notwithstanding, the Public Prosecution Service sought to prosecute all murders of women to the fullest possible extent of the law.

69. **Ms. Pascual Grau** (Chile) said that the bill on women's right to a life free of violence included a proposal to amend the definition of femicide in the Criminal Code. However, even if that bill were adopted, the definition would remain limited to murders committed in the context of partner relationships. She recognized that the legislative situation remained a challenge. The possibility of introducing further amendments to the definition of femicide set out in the Criminal Code was under discussion. It could be expanded further to include, for example, murders committed in the context of a same-sex partner relationship.

#### *Articles 7 to 9*

70. **Ms. Ameline** said that the State party should maintain its efforts to increase the political representation of women. In that connection, she wished to know whether any evaluation of the responsibilities of women in parliament had been conducted; the establishment of a dedicated parliamentary commission would make it possible to ensure that women held positions of responsibility in all sectors. She would also be interested to know how civil society's role might be extended beyond the purely consultative.

71. Significant results had been achieved in terms of increasing the representation of women in the civil service, in particular in the diplomatic service. Nevertheless, it was important to monitor human resources management and training to ensure that women continued to feel prepared to accept such positions. In the private sector, a policy of

professional equality was needed to ensure that women and men were equally represented in decision-making positions. What were the State party's priorities in that regard?

72. It was encouraging to hear that women, including women from minority groups, had begun to play a greater role in the democratic process, but it was important that they also became direct actors in that process. It was unclear what measures had been planned to improve the political participation of women at the local level, where the results achieved in recent years had been less impressive. On a more general point, she wondered how the political sphere could be consolidated with a view to further improving the position of women.

73. **Ms. Schulz** said that she wished to commend the State party for having taken steps to ensure that the children of non-resident aliens received Chilean nationality through the rectification of their birth certificates and for having ratified the Convention relating to the Status of Stateless Persons and the Convention on the Reduction of Statelessness. She encouraged the State party to maintain its efforts to protect the children of non-resident aliens and stateless persons.

74. **Ms. Pascual Grau** (Chile) said that the President had been in favour of the adoption of a law stipulating that women should hold at least 40 per cent of seats in parliament. The law that had ultimately been adopted (Act No. 20.840) stipulated that neither men nor women should account for more than 60 per cent of the total number of candidates declared by a political party and that women should account for at least 40 per cent of candidates. The elections held in November 2017 had been the first to fall under the new quota system. Once the appropriate bodies had finalized their evaluations of the impact of the new system during those elections, the possibility of adopting further legislation aimed at increasing the number of women elected to the parliament could be considered. Political parties were still adapting to the new requirements.

75. Under the new system of political financing, at least 10 per cent of the total State funding allocated to a political party would have to be spent on fostering women's participation in politics. The National Service for Women and Gender Equity worked to promote the political, social and cultural participation of women. It organized leadership training schools for women and training workshops on the exercise of citizenship rights at the local level. Moreover, political participation was covered in the citizenship training that had recently been introduced in schools.

76. **Ms. Maurás** (Chile) said that, in recent years, the Andrés Bello Academy for Diplomats had taken measures to increase the number of women among its students. For example, it had made efforts to encourage women to apply for admission to the competition for entry to the foreign service. In addition, the list of university degrees accepted for admission to the competition for entry to the diplomatic service had been expanded, and candidates who had been awarded a university degree in subjects such as social work or languages, which tended to be "female" subjects, could now be admitted to the competition. In the period 2014–2017, 30 of the 59 candidates selected to enter the Academy had been women. The proportion of the country's ambassadors who were women had increased from 2.2 per cent in 2004 to 15.2 per cent in 2018.

77. **Ms. Pascual Grau** (Chile) said that a bill had been tabled to establish that neither men nor women could account for more than 60 per cent of the directors of a public company.

78. **Mr. Álvarez Alarcón** (Chile) said that the competent authorities worked in coordination with one another to ensure that the children of non-resident aliens received Chilean nationality. Every year, around 2,000 such children received Chilean nationality through the rectification of their birth certificates. In July 2017, the "Chile Te Recibe" (Chile welcomes you) programme had been launched to replace the original "Chile Reconoce" (Chile recognizes you) programme and ensure that, in terms of migration, no child in Chile was left in an irregular situation. As at 8 January 2018, the situation of some 20,000 children and adolescents had been regularized.

*The meeting rose at 1 p.m.*