



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

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**Committee on the Elimination of Discrimination  
against Women**

**Eighth periodic report submitted by Chile under article 18  
of the Convention, due in 2022<sup>\*,\*\*</sup>**

[Date received: 8 March 2022]

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

\*\* The annex to the present report may be accessed from the web page of the Committee.



## I. Introduction

1. The Government of Chile, in accordance with article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, hereby submits to the Committee on the Elimination of Discrimination against Women its replies to the list of issues and questions prior to submission, which will constitute the eighth periodic report of Chile.
2. This document covers the period 2018–2022 and has been prepared by the Ministry for Women and Gender Equity, assisted by agencies in the various government branches.

## II. Replies to the list of issues and questions prior to submission

### General comments

3. Sections 1 and 9 of the annex contain disaggregated data on the current situation of women and girls in Chile.
4. The Gender Statistics Subcommission, established by the National Institute of Statistics and the Ministry for Women and Gender Equity to enhance data collection, analysis and dissemination, provides technical guidance, systematizes, publishes and promotes the production and analysis of gender indicators for the formulation of public policies. An online data dissemination platform<sup>1</sup> has been developed with 49 indicators covering various aspects, including economics, education and gender violence.
5. With regard to the data collected through surveys, the wording used in the inputs has been reviewed and adjusted to ensure that inclusive language was used. For example, in the 2021 social welfare survey, the gendered term “jefe de hogar” was replaced by the gender-neutral term “jefatura de hogar” for “head of household”. Likewise, continuous monitoring at the data collection stage has made the data more representative, by ensuring that the sample is gender-balanced. Furthermore, with regard to the gender indicator of the Management Improvement Programme, described in paragraph 54, all entities have been asked to disaggregate their databases by sex and to include a gender analysis in their studies.
6. The Office of the Undersecretary for Crime Prevention conducted the fourth survey on violence against women in the home and elsewhere in 2019–2020, which measured the prevalence of violence against women in various spaces.<sup>2</sup> EUROsocial provided technical support in 2019 to achieve greater harmonization of gender-sensitive indicators. In 2021, a pilot survey was conducted that included rural representation.

### Women’s rights and gender equality in relation to the pandemic and recovery efforts

7. In July 2020, the Ministry for Women and Gender Equity joined the coronavirus disease (COVID-19) social round table along with participants from the government, the health sector and academia. Members of the round table work in concert to promote effective measures that mitigate the pandemic and incorporate a gender perspective; propose measures that reduce the impact of the pandemic on women; and prevent the violation of the rights of women.

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<sup>1</sup> [www.estadisticasdegenero.cl](http://www.estadisticasdegenero.cl).

<sup>2</sup> <http://cead.spd.gov.cl/centro-de-documentacion/>.

8. In August 2020, the Ministry for Women and Gender Equity convened the COVID-19 women's council, composed of 27 women from academic circles, civil society, professional associations, parliamentary bodies, and the public and private sectors, to work together on proposals for response and recovery with a gender focus. The Council prepared a document<sup>3</sup> with 31 proposals, including a proposed law on telework in the public sector, campaigns to promote shared responsibility and reduce violence against women, and support for women's entrepreneurship.

9. With regard to health, since 2020, the Division of Primary Health Care of the Ministry of Health has been disseminating recommendations for primary health care teams on reorganizing and ensuring the continuity of services during the pandemic, including safe and timely sexual and reproductive health services and guidelines for the management of COVID-19 cases in pregnant women. The Division has also promoted vaccination among pregnant women, who were not initially covered by the immunization plan. In addition, a special unit was established to provide support to women through the *Saludablemente* platform,<sup>4</sup> including information on violence, shared responsibility and self-care for pregnant women and new mothers.

10. A gender perspective has also been incorporated into State subsidies, benefits and remittances paid out in connection with the pandemic. A wage subsidy programme that comprises subsidies for rehiring, for new recruitment, for workers with children under 2 years of age and an emergency family income supplement has been designed to incentivize the rehiring of workers furloughed during the pandemic and new forms of employment through wage subsidies, including larger subsidies for women employees. As at 16 January 2022,<sup>5</sup> women accounted for 44 per cent of the beneficiaries of the rehiring subsidy (*Subsidio Regresa*); 41 per cent of the beneficiaries of the recruitment subsidy (*Subsidio Contrata*); 99 per cent of the beneficiaries of the subsidy for workers with small children (*Subsidio Protege*); and 46 per cent of the recipients of the emergency family income supplements. Another employment protection measure, the Employment Protection Act (Act No. 21.227 of 2020), provides unemployment insurance benefits under exceptional circumstances resulting from the implementation of public health measures. The State has provided support to small and medium-sized enterprises affected by the pandemic in the form of benefits for small and medium-sized enterprises (*Bono PYME*); pandemic relief benefits (*Bono Alivio*); and additional value-added tax benefits (*Bono Adicional IVA*). A 20 per cent supplement applies in the case of single-owner limited liability companies run by women. In addition, 58 per cent of the households that received the COVID-19 supplement were headed by women. The Government has also strengthened the Capital Abeja 2021 fund, a competitive grant fund that supports new ventures by women entrepreneurs and provided grants to some 2,000 women entrepreneurs in 2021, as well as the PAR Impulsa Mujer programme, which provides funding to restore or create new economic opportunities for women and held calls for applications in eight regions in 2020, benefiting 240 women.

11. The Universal Emergency Family Income supplement is an economic benefit aimed at supporting the households most affected by the crisis. The last time payments were made in November 2021, 53.2 per cent of beneficiary households, or a total of 4,400,000 households,<sup>6</sup> were headed by women. Similarly, the Emergency Family Income wage supplement is provided as an incentive for workers who were previously unemployed to become formally employed and consists of a monthly subsidy for each

<sup>3</sup> <https://juntasenaccion.cl/wp-content/uploads/2020/10/Propuestas-Consejo-Mujer-Covid-19.pdf>.

<sup>4</sup> <https://www.gob.cl/saludablemente/>.

<sup>5</sup> National employment survey (National Institute of Statistics), quarter October-December 2021.

<sup>6</sup> Emergency family income report of 31 November 2021, available at <https://www.desarrollosocialyfamilia.gob.cl/informacion-social/informe-ingreso-familiar-de-emergencia/descargar-informes-de-ingreso-familiar-de-emergencia>.

new employment contract. This benefit was extended until June 2022. For women, young people between the ages of 18 and 24, men over 55 years of age, people with disabilities and recipients of disability pensions, the supplement amounts to 60 per cent of the gross monthly taxable remuneration and is capped at Ch\$250,000 per month, while for men the supplement amounts to 50 per cent of the gross monthly taxable remuneration and is capped at Ch\$200,000 per month. As at 16 January 2022, 614,262 people have received this supplement.<sup>7</sup>

12. In 2020, Act No. 21.247 on protecting caregivers was adopted. The Act is aimed at protecting the jobs of fathers, mothers and other caregivers of preschool-age children who could not return to their jobs owing to their caregiving duties. Similarly, in order to safeguard the health and safety of newborns, parents were given the option to extend parental preventive medical leave by three to six months while the state of emergency was in effect. In addition, under Act No. 21.351 of 2021, workers who availed themselves of paternal preventive medical leave one or more times are eligible for benefits on an exceptional basis. The protection subsidy (*Subsidio Protege*), which consists of a monthly childcare subsidy of Ch\$200,000 for up to six months, was introduced to incentivize the return to work of employees and self-employed workers who are caring for children under 2 years of age and are not entitled to employer-paid childcare. As at 16 January 2022, the subsidy had benefited 50,040 workers.<sup>8</sup>

13. The National Service for Women and Gender Equity continued to implement the 4-to-7 Programme, which provides support to women caring for children ages 6 to 13 by helping them with searching for new jobs, staying in their jobs, undergoing skills training and completing their studies in order to enter the labour market. The Programme also provides after-school educational and recreational activities for their children. The Programme was suspended in 2020 and then relaunched in 2021 for both remote and on-site participants, in line with the Paso a Paso (step-by-step) plan.<sup>9</sup>

14. In 2020, the Ministry for Women and Gender Equity, together with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and Entel, conducted a rapid assessment survey to better understand how the crisis was affecting people's lives in terms of its socioeconomic impact, the distribution of care work, and access to basic goods and services, including the use of technology. The survey indicated that before and during the pandemic, women spent more time than men on household chores and childcare.

15. In order to address violence against women during the pandemic, women were granted access to all care facilities of the National Service for Women and Gender Equity, including 44 shelters that provide residential services to women survivors of severe intimate partner violence; 113 women's centres that provide outpatient services, 10 of which were opened between 2018 and 2021; three centres for women victims of sexual assault; and 16 re-education centres for men who use violence against their partners. In addition, as of May 2020, the capacity of the 1455 hotline to provide counselling and assistance to women victims of violence was increased by 20 per cent. In 2021, the hotline received 126,645 calls – an increase of 149.1 per cent as compared with 2019. In addition, silent communication channels were added to serve as alternatives for women during lockdowns: Web Chat 1455 and WhatsApp +569 9700 7000. These private and secure channels are staffed around the clock by trained experts who offer confidential guidance. In its first year, the WhatsApp number was contacted 18,923 times, reaching a peak of 4,656 chat sessions in May 2020.

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<sup>7</sup> National employment survey (National Institute of Statistics), quarter October-December 2021.

<sup>8</sup> National employment survey (National Institute of Statistics), quarter October-December 2021.

<sup>9</sup> <https://www.gob.cl/coronavirus/pasoapaso/>.

16. In 2020, the Ministry for Women and Gender Equity worked with the Carabineros (police) and the Office of the Public Prosecutor to streamline the process for reporting domestic violence during the health crisis. In the same vein, the National Service for Women and Gender Equity sought extensions and renewals of expiring protective measures before family courts. Together with the Carabineros, the Service also developed guidance to ensure that victims of domestic violence were not subject to penalties for breaking quarantine or curfew rules. In accordance with Act No. 53-2020 on the work of the judiciary during the public health crisis, a protocol was developed to facilitate the reporting of incidents of domestic violence and gender violence and included the requirement that court-ordered measures be put in place to protect children and adolescents.<sup>10</sup> The protocol included the introduction of new means of petitioning the courts using virtual hearings, proscribed the suspension of such hearings and provided for an ex officio review of current protective measures.

17. In 2021, the Ministry for Women and Gender Equity, in partnership with the Confederation of Production and Commerce, launched a set of tools to be disseminated among its members to raise awareness of efforts to prevent all forms of violence, harassment and abuse against women. The tools comprise a prevention guide, a handbook for addressing violence and a self-assessment kit. In 2021, in order to raise awareness of the various reporting channels and of the support and guidance available for addressing violence against women, the Ministry for Women and Gender Equity joined forces with various companies and organizations, including Walmart, Autopistas Concesionadas, COPEC, JetSmart, the Expreso Norte bus company, toll plazas operated by the Ministry of Public Works, BancoEstado, and the Chilean National Restaurant Association and its members.

18. In 2020, the Government passed Act No. 21.228, at the initiative of the Ministry of Justice and Human Rights, commuting prison sentences in connection with the COVID-19 pandemic. In line with paragraph 148 of the Act, the commutation applied to women who were pregnant or had children under the age of 2 years and met the legal requirements set out in the Act.

### **Visibility of the Convention and the Optional Protocol**

19. Chile ratified the Optional Protocol to the Convention on 20 January 2020 and deposited its instrument of ratification with the United Nations on 12 March that year. It was published in the Official Gazette on 31 May 2021.

20. In order to ensure the visibility of the Convention and its Optional Protocol, the judiciary and the Judicial Academy have included both instruments and the Committee's recommendations on access to justice in the course and training materials on the topics of gender and human rights. The Office of the Public Prosecutor has also included content from the Convention and the Committee's recommendations in official memorandums and documents<sup>11</sup> and has used it in training courses for civil servants.

21. The Carabineros have also developed capacity-building courses based on the national human rights programme, with members of the Investigative Police completing human rights training, including 350 officers in 2021, and also courses on

<sup>10</sup> <http://secretariadegenero.pjud.cl/index.php/protocolo-atencion-art-26>.

<sup>11</sup> For example, the policy on gender equality of the Office of the Public Prosecutor of Chile (2019); the manual for the investigation of incidents involved physical and psychological gender violence (2019); Official Memorandum No. 526 (2021), setting out the general guidelines for implementing Act No. 21.120 on gender identity within the Office of the Public Prosecutor of Chile; Official Memorandum No. 1032 (2021), setting out the general guidelines for criteria to be used when dealing with cases of gender and domestic violence; and the guide to initial steps in cases of femicide (2021).

gender issues, as required by the Ministry for Women and Gender Equity, which include references to the Convention.

22. The fourth national plan on equality between women and men for the period 2018–2030 is aimed at eliminating all forms of arbitrary discrimination against women and ensuring the full exercise of their rights and autonomy. The plan was developed based on international commitments undertaken by Chile on gender equality and is underpinned by the Convention. Its goals include addressing the Committee’s recommendations and exploring the ratification of the Optional Protocol. The national plan of action on violence against women for the period 2021–2030 also takes the international commitments undertaken by the State, including the Convention, as a frame of reference.

23. The Ministry for Women and Gender Equity engages in capacity-building to enable institutions and public services to mainstream a gender perspective when designing their programmes and public policies. To that end, since 2020, the Ministry’s capacity-building activities have reached more than 46,000 civil servants. One of its educational objectives is to ensure that participants understand the international legal framework to which Chile is committed, including the Convention and its Optional Protocol. This objective is also included in capacity-building and awareness-raising activities on the subject of gender equality and violence against women organized for the staff of the Carabineros and the Investigative Police, the armed forces of Chile and the councillors of the Foreign Office.

#### **Constitutional and legislative framework**

24. With regard to the legal framework in place to prevent discrimination, article 1 of the Constitution establishes the principle of equality before the law, and arbitrary discrimination is punishable under Act No. 20.609 (the Zamudio Act) when based on sex, maternity, breastfeeding, nursing, sexual orientation, or gender identity or expression.

25. The Executive has put forward a bill regarding the right of women to a life free of violence (Bulletin No. 11077-07), which is aimed at preventing, punishing and eliminating violence against women by instituting protection mechanisms, ensuring access to justice and providing support to victims. The bill includes penalties for new violent criminal offences, such as the recording and dissemination of material of a sexual nature and harassment and expands the concept of sexual abuse. At present, the bill is being accorded the highest priority and is in the second stage of constitutional review.

26. Consideration of the proposed constitutional amendment aimed at establishing the duty of the State to promote equal rights between women and men (Bulletin No. 11758-07), which explicitly establishes the duty of the State to promote equal rights by modifying article 1, is currently suspended until the constitutional process is completed.

27. Given the autonomous nature of the Constitutional Convention, the role of the Executive is limited to ensuring compliance with standards of the constitutional process, and it does not intervene in discussions regarding the text of the next Constitution.

#### **Women’s access to justice**

28. Counselling, social and legal services are available free of charge to victims of violence against women through the hotlines established by the National Service for Women and Gender Equity described in paragraph 15.

29. The Office of the Public Defender upholds the right of persons to legal representation to ensure due process. Any woman or adolescent who has requested legal assistance has been able to receive it, both at the trial stage and while serving their sentence. The Office of the Public Defender also has a manual on legal defence for indigenous and foreign women and women in detention,<sup>12</sup> in which it provides a comprehensive overview of the process with an appropriate focus on human rights and gender. The Office also has a manual on the minimum requirements for ensuring gender equality published in 2018, in which it set out a protocol for public defenders for dealing with various topics related to gender.<sup>13</sup>

30. The Legal Assistance Corporation, which provides free legal assistance and legal sponsorship, has sought to mainstream a cross-cutting gender perspective as part of its services. Women account for more than 70 per cent of the clients receiving the Corporation's victim-support services, mainly in the form of legal representation and psychosocial support for victims of sexual offences. In October 2020, the Ministry for Women and Gender Equity and the Corporation signed a collaboration agreement under which the latter will give priority to providing legal assistance in cases of violence referred to it by the Ministry for Women and Gender Equity and the National Service for Women and Gender Equity, which will in turn provide gender perspective training to the staff of the Legal Assistance Corporation and technical assistance relating to gender violence. In 2021, 200 staff members of the Corporation from across the country completed the training.

31. The Ministry of Justice and Human Rights has established the *Mi Abogado* (My Lawyer) programme, which provides free comprehensive defence services to minors and represents the infants of mothers deprived of liberty and in prisons. The programme is available in all regions and includes a staff of 550 professionals providing specialized services to more than 18,000 children and adolescents.

32. The Executive is participating actively in advancing a bill aimed at amending various legal texts to bolster procedural guarantees, protect the rights of victims of sexual offences and prevent revictimization (Bulletin No. 13.688-25, the Antonia Act). The bill provides for special rights for victims of sexual offences, such as the option to file an advance statement; due diligence investigations with a cross-sectoral perspective that incorporates a gender and human rights perspective; and measures such as prohibiting alleged perpetrators, defendants and convicted prisoners from approaching or contacting the victim, including through virtual or electronic means. Furthermore, under the bill on the right of women to a life free of violence (Bulletin No. 11077-07), currently in the pipeline, victims would be guaranteed access to legal assistance and representation and the National Service for Women and Gender Equity would be able to file complaints and sponsor or represent victims in cases that meet its criteria.

33. The judiciary views capacity-building as a cross-cutting institutional issue, as set out in its policy on gender equality and non-discrimination.<sup>14</sup> The Technical Secretariat for Gender Equality and Non-discrimination of the Supreme Court has developed, coordinated and delivered training courses on gender and violence to its staff. In 2020 and 2021, it offered online courses on gender mainstreaming in sentencing practices, reaching 467 participants. In addition, in 2019 and 2020, the judiciary, through the Technical Secretariat, conducted a study on access to justice for women victims of violence who use the services of the judiciary<sup>15</sup> to identify good

<sup>12</sup> For rulings up to 8 March 2021, see <http://www.dpp.cl/resources/upload/files/documento/4bb183558fad24f3001a110359190b0a.pdf>.

<sup>13</sup> <http://www.dpp.cl/resources/upload/24495cdd8233e67c41d1e50961aae875.pdf>.

<sup>14</sup> [http://secretariadegenero.pjud.cl/images/documentos/digitalpignd\\_10072018.pdf](http://secretariadegenero.pjud.cl/images/documentos/digitalpignd_10072018.pdf).

<sup>15</sup> <http://secretariadegenero.pjud.cl/index.php/estudio-acceso-a-la-justicia-vcm>.



practices and outstanding challenges. The Technical Secretariat has also provided tools such as a handbook of good practices for gender mainstreaming in sentencing practices, a review of access to justice with a gender perspective and a manual for the use of inclusive and non-sexist language.

34. In 2019, the Judicial Academy adopted a gender equality and non-discrimination plan, in which it set the mainstreaming of a gender equality and non-discrimination perspective in all training activities as a strategic objective. In 2020, the Academy developed a four-pronged strategy aimed at reducing gaps in that regard. In addition, the Academy offered courses on gender issues to more than 400 participants during the reporting period.

35. The intersectoral working group established as a result of the friendly settlement reached in case No. P-687–211 of the Inter-American Commission on Human Rights is developing a national training programme on the human rights of indigenous women and their access to justice for the staff of the Office of the Public Defender, the Legal Assistance Corporation, the Carabineros, the Investigative Police, the National Prison Service and the National Service for Minors.

36. The Office of the Public Prosecutor has also adopted a policy on gender equality, which is aimed at ensuring that women have access to, are able to take advantage of and benefit from all the areas of work of that Office on an equal footing with men, free of violence and discrimination, and that they have access to justice from a gender and human rights perspective.

37. With regard to jurisprudence, a number of judgments have been handed down that incorporate a gender perspective, as reflected in the judgment repository of the Secretariat for Gender Issues of the Supreme Court.<sup>16</sup> The Convention had been invoked either by the parties or by the Court in the context of the proceedings that resulted in those judgments.

38. The data collected by the judicial branch on arbitrary discrimination cases in accordance with Act No. 20.609 is aggregated and does not identify cases involving gender-based discrimination as it is not possible to extract this information for the purpose of statistical analysis from its case management software. See annex, section 2, for statistics on the number of cases filed and case outcomes.

39. On 29 October 2019, prompted by the social unrest, the Ministry for Women and Gender Equity issued Exempt Resolution No. 1413/2019 establishing a special team of experts from the Ministry and the National Service for Women and Gender Equity to execute a contingency plan with the following objectives: 1. maintain up-to-date databases and records in cooperation with the National Human Rights Institute, regional victim- and witness-support units and the Human Rights Unit of the Office of the Public Prosecutor, the Ministry of Health, the Ministry of Justice and Human Rights, law enforcement and the Office of the Public Defender; 2. centralize the collection of reports filed by women who received assistance from the National Service for Women and Gender Equity and its regional offices as well as those of the Ministry for Women and Gender Equity; 3. refer women reporting being victims of sexual violence to centres for women victims of sexual assault for restorative treatment and other recovery programmes offered by regional victim- and witness-support units; and 4. monitor and provide follow-up of referrals or assistance provided in cases of women reporting institutional violence and fact-check reports of action taken. The special team was reinstated in view of the possibility of disturbances at events to commemorate 18 October and 8 March.

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<sup>16</sup> <http://secretariadegenero.pjud.cl/index.php/repositorio-sentencias>.



40. In December 2019, the Ministry for Women and Gender Equity signed a cooperation agreement with the Office of the Public Prosecutor to facilitate the sharing of data on violence against women; strengthen institutional coordination; channel referrals between the Human Rights, Gender-based Violence and Sexual Offences Unit of the Office of the Public Prosecutor and the Programme for Care, Protection and Redress in Cases of Violence against Women of the National Service for Women and Gender Equity; and conduct relevant capacity-building activities. In addition, the Ministry signed a collaboration agreement with the Legal Assistance Corporation, described in paragraph 30.

41. The National Service for Women and Gender Equity developed an institutional protocol, which was updated in 2021, for telephone counselling services, women's centres, comprehensive rehabilitation support centres and centres for women victims of sexual assault to ensure timely response and care and referral of women reporting being victims of institutional violence to the National Institute of Human Rights and the Office of the Public Prosecutor. In addition, where a male aggressor has been identified by the victim, an attorney of the centres for women victims of sexual assault can provide legal representation and file the complaint. In 2021, psychosocial care in such cases and other cases of serious violence was available by referral from the National Service at seven comprehensive rehabilitation support centres in the Metropolitan Region, Linares, Valdivia, Iquique, Antofagasta, Temuco and Castro. More than 90 staff members of the Ministry for Women and Gender Equity and the National Service received training in October 2021 to encourage the application of the aforementioned protocol.

42. In 2019, the Ministry for Women and Gender Equity signed a cooperation agreement with UN-Women and the Office of the Undersecretary for Human Rights with a view to developing a short- and medium-term work plan to strengthen the defence of women's fundamental rights and prevent gender-based violence during the social crisis. Under the agreement, a UN-Women expert mission provided technical support to the National Service for Women and Gender Equity to assist in the care and recovery of women who reported being victims of institutional violence and with measures that ensure access to justice and promote the cessation and non-recurrence of violence. In 2020, UN-Women experts provided remote training in using tools that improve comprehensive care and recovery assistance for women victims of violence to 918 professional and technical staff of the Programme for Care, Protection and Redress in Cases of Violence against Women of the National Service for Women and Gender Equity. Training was also provided by the Follow-up Mechanism of the Belém do Pará Convention to National Service teams to bolster the provision of comprehensive recovery care through psychological care, support and legal assistance in gaining access to justice.

43. The Ministry for Women and Gender Equity has also developed a work plan with the Carabineros in order to advance gender mainstreaming in institutional development and policing. With the support of UN-Women, in October 2020, the Ministry began the implementation of a capacity-building plan focusing on human rights and gender issues in the following areas: raising awareness of gender-based violence and first response measures, law enforcement, torture and sexual violence prevention, border control, sexual diversity, secondary victimization and interculturality. To date, more than 15,000 public servants have completed training, including at least one for each of the 191 police stations in the country.

44. In addition, the Ministry for Women and Gender Equity, with technical support from UN-Women, has been taking part in the work of the Carabineros Reform Coordination Unit to ensure that the gender and human rights perspectives are mainstreamed into the process, including throughout the personnel training cycle, the selection, promotion and career development processes, and in the public-facing

activities of the Carabineros. Furthermore, the Ministry has worked to strengthen the protocols and procedures followed by law enforcement and security forces, both in the case of arrests and in measures aimed at maintaining public order, and has conducted training and capacity-building courses ahead of the 8 March and 18 October commemorations. In 2021, 1,027 members of the Carabineros completed the training. The Ministry has also developed support materials, including a video on the rights of women detainees and posters on this subject and on the procedures to be followed when detaining women. In October 2021, staff from the Ministry and the National Service for Women and Gender Equity distributed the posters on the rights of women detainees to the central police stations around the country.

45. In 2020, the Ministry for Women and Gender Equity and the National Service for Women and Gender Equity signed an agreement with the National Institute of Human Rights regarding statistical data on violence against women and the protection of the human rights of women in order to craft public policy and develop joint measures aimed at preventing and punishing violence against women and the violation of the human rights of women.

46. The Office of the Public Prosecutor established a register of complaints filed in connection with acts that may constitute institutional violence committed between 18 October 2019 and 31 March 2020. The register includes information on the sex of the victims and whether the complaint involved sexual violence in any form. The Office of the Public Prosecutor has taken steps to identify reported cases of stripping and count them as cases of sexual violence. The Office has also prepared technical guidance to assist prosecutors working on such cases. Based on this information, the Human Rights, Gender-based Violence and Sexual Offences Unit of the Office of the Public Prosecutor prepared a report on forced stripping of detainees in police stations and other places of custody to inform the work of the prosecutors conducting investigations of such cases. In addition, in July 2021, the Office of the Public Prosecutor issued Official Memorandum FN No. 575/2015 setting out general guidelines for handling crimes involving institutional violence, which includes a separate section on stripping and sexual violence as a form of torture and other forms of cruel treatment in places of detention or custody, and has conducted professional development workshops for teams tasked with investigating crimes involving human rights violations, with a focus on sexual violence against women.

47. For its part, in line with the mandate accorded to it by the Inter-Ministerial Committee on Human Rights, the Office of the Undersecretary for Human Rights had conducted periodic monitoring of the progress made towards the implementation of the recommendations of national and international bodies in connection with the social unrest of 2019. Its reports are public and freely accessible.<sup>17</sup>

#### **National machinery for the advancement of women**

48. Section 3 of the annex details the human, technical and financial resources allocated to the Ministry for Women and Gender Equity.

49. Since 1994, the State has developed national plans on equality and management and planning tools which ensure that the gender goals set out in the plans and policies of government agencies are aligned with the national development strategy, national human rights plans, international gender commitments and legal frameworks that safeguard women's rights. These plans constitute long-term policies of the State that are developed with the participation of civil society. The Fourth National Plan on Equality between Women and Men, 2018–2030, is currently being implemented, and

<sup>17</sup> <https://ddhh.minjusticia.gob.cl/informes-estado-de-avance/>.

its implementation and monitoring have continued during the pandemic. The health situation has, however, delayed the design and execution of some actions.

50. The process of drafting the Second National Human Rights Plan, mandated by Act No. 20.885, ensured the mainstreaming of a gender perspective. The Ministry of Justice and Human Rights, in coordination with the Ministry for Women and Gender Equity, prepared an analysis of women's rights, compiled the recommendations and observations made to the State by international and national human rights organizations to incorporate them into the process, and advised the participating institutions to mainstream a gender perspective across all the commitments contained in the Plan.

51. Chile has promoted various gender mainstreaming measures. Under Act No. 20.820 creating the Ministry for Women and Gender Equity, the Interministerial Committee for Equal Rights and Gender Equity was formed in 2018, comprising the 24 ministries and coordinated by the Ministry for Women and Gender Equity, with the objective of collaborating in the implementation of policies, plans and programmes in order to achieve equal rights of women and men and mainstream a gender perspective in State actions.

52. The Interministerial Gender Network is made up of gender policy advisors representing all ministries, who provide technical assistance and ensure that their respective policies and programmes include a gender perspective. To ensure coordination, each advisor has a counterpart within the Ministry for Women and Gender Equity. This structure is reflected at the regional level through the regional gender equality commissions, which coordinate regional offices and their various gender mainstreaming tools.

53. The Presidential Instruction on equal opportunities and the prevention and sanctioning of abuse, workplace harassment and sexual harassment, Gab. Pres. No. 006 (2018), sets out 12 points to promote gender equality and drive cultural change towards a more egalitarian society. It instructs all ministries and public services to meet seven commitments related to gender equality by 2022, including the development of annual plans to prevent workplace harassment and sexual abuse.

54. The purpose of the gender indicator of the Management Improvement Programme is to ensure that a gender approach is incorporated into the provision of strategic services and/or products and the information systems of public services so that they identify needs and provide differentiated responses for men and women. This ensures that the budget allocated to women beneficiaries of government programmes increases steadily and any gaps are identified so that decisions can be taken with a view to achieving gender equity. The Ministry for Women and Gender Equity acts as the technical counterpart, together with the Budget Directorate, in advising and supporting public services in the design and implementation of this indicator. By 2021, 157 public services had committed to using the gender indicator.

55. The 2030 Agenda has been incorporated into the plans of the Ministry for Women and Gender Equity and the programmes of the National Service for Women and Gender Equity, such as the Fourth Plan on Equality between Women and Men, 2018–2030, which was based in part on the Fourth World Conference on Women and its Plan of Action, and the National Plan of Action on Violence against Women, 2021–2030, which takes the 2030 Agenda and Sustainable Development Goal 5 as a frame of reference.

56. Moreover, to ensure that the design and implementation of social programmes are aligned with the 2030 Agenda, during the annual process of monitoring the delivery of social programmes, the Social Programmes Monitoring Department of the Ministry for Social Development and the Family instructs agencies to link the goods

and/or services delivered with one or more of the Sustainable Development Goals and their respective targets and indicators, and to submit disaggregated information, including on gender equity (Sustainable Development Goal 5).<sup>18</sup>

57. With respect to measures to improve coordination with civil society, Act No. 20.500 provides that the bodies of the State administration must establish consultative civil society councils made up in a diverse, representative and pluralistic manner by members of non-profit associations related to the competence of the respective bodies. The Ministry for Women and Gender Equity established its first civil society council in May 2019 and renewed its mandate in July 2021. It consists of 15 councillors whose function is to incorporate the voice of citizens in the design and implementation of public policies developed by the Ministry.

58. In 2021, the Ministry's advisory council was established pursuant to Act No. 20.820 to provide multidisciplinary advice to the Minister for Women and Gender Equity. The advisory council is made up of 10 members who have had eminent careers and demonstrated a commitment to promoting gender equity. The COVID-19 women's council, which prepared proposals to address the health crisis that incorporated a gender perspective, has also been involved.

### **Temporary special measures**

59. Chile is the first country in the world to carry out a constitutional electoral process with a gender parity mechanism for both lists of candidates and election results, as provided in 2020 by Act No. 21.216 on constitutional reform. The body currently has a membership of 77 women and 78 men. In addition, in 2020 the inclusion of 17 seats reserved for representatives of aboriginal peoples was approved, 9 of which are occupied by women.

60. Act No. 20.840 established a special temporary measure, to last until the parliamentary elections of 2029, under which neither sex may represent more than a 60 per cent share in the lists of parliamentary candidacies. It also provides that at least 10 per cent of the total amount contributed to each political party must be used to promote the political participation of women. Along the same lines, the draft law establishing gender quotas in elections of regional governors and councillors (Bulletin No. 11994-34), currently in the second stage of constitutional review in the Senate, provides that neither men nor women may make up more than 60 per cent of the candidacies.

61. Act No. 21.356 on gender representation on boards of directors of public enterprises and State-owned corporations, published in 2021, stipulates that in public enterprises created by law and State-owned corporations that are part of the Public Enterprise System, persons of the same gender may not exceed 60 per cent of the total number of board members.

62. Since 2020, the civil service has published on its open data website and has provided to the National Gender Statistics Commission of the National Institute of Statistics indicators of appointments and nominations to senior public service positions,<sup>19</sup> and of the composition of nominations submitted to the appointing authority.

63. Other sectoral initiatives include the national policy on gender equality in science, technology, knowledge and innovation, described in paragraph 99; the Women's Seal of ChileCompra (Chile procurement), which allows government procurement officers to include this distinctive mark as an evaluation criterion for

<sup>18</sup> <https://datasocial.ministeriodesarrollosocial.gob.cl/programas/ods>.

<sup>19</sup> <https://datastudio.google.com/reporting/1959c320-722c-44e9-9704-1b0ef0a719db/page/ZU7pB>.

direct purchases with a value of less than 10 monthly tax units,<sup>20</sup> benefiting companies led by women; Production Development Agency subsidies with a focus on women, such as the Reactivation Support Programme and the Seed Capital, Reactivate Yourself, and Consolidate and Expand programmes, among others; and the Women's Construction Seal being developed by the Ministry of Housing and Town Planning, which aims to increase female hiring by giving extra points to companies bidding for tenders when women make up at least 10 per cent of their personnel.

### **Gender-based violence against women**

64. The bill on women's right to a life free of violence (Bulletin No. 11077-07) has been progressing well through the legislative process, especially since being sent to the Senate Women's Committee, from which it was released in January 2021. The executive has actively participated in discussions of the bill and has always accorded it high priority. It is currently in the second stage of constitutional review in the Senate Committee on the Constitution, Legislation, Justice and Regulations. This bill states that the purpose of the law will be to prevent, punish and eradicate violence against women in all its various forms and that it establishes general obligations for prevention whose fulfilment will require that the specific needs and issues of women must be identified, with special consideration for women experiencing multiple forms of discrimination who are in a situation of greater vulnerability.

65. In 2019, Act No. 21.153 was published, criminalizing sexual harassment in public or publicly accessible places as a minor offence and establishing as a correctional offence the possession and dissemination of audiovisual recordings of a sexual nature obtained without the consent of the victim. In addition, Act No. 21.378, published in 2021, provides for the supervision, through electronic monitoring, of an order prohibiting a perpetrator from coming near the victim, her home, or her place of work or study in cases of violence against women. Such supervision will take place when the order is imposed by a family court as a protective measure or by a criminal court as a protective measure, a legal consequence or a condition of the suspension of proceedings.

66. The National Service for Women and Gender Equity, through the comprehensive Programme for Care, Protection and Redress in Cases of Violence against Women offers care, protection, rehabilitation and access to legal services through a network of outpatient centres, providing psychosocial and/or legal assistance to women victims of intimate partner or ex-partner violence (women's centres, centres for deaf women, legal representation at protective measures centres); specialized rehabilitation support for survivors of sexual violence (centres for women victims of sexual assault) and victims of grave violence (comprehensive rehabilitation support centres); counselling, information and referrals for women victims of grave and/or life-threatening gender-based domestic violence at the time the violence occurs (Enlace support centre); and re-educational support for men who use violence against intimate partners or ex-partners (re-education centres for men who use violence against their partners). In addition, it offers a residential protection service that provides psychosocial and legal support to women victims of severe violence (shelters) and victims of trafficking in persons and migrants in situations of exploitation (shelters for victims of trafficking). It also has an Extreme Violence Helpline, which provides specialized legal representation to women victims of attempted femicide and in cases of gender violence of a public nature and legal representation to family members of women victims of femicide. The remote assistance and guidance hotlines described in paragraph 15 have also been set up. In July 2020, a pilot project was carried out in which emergency bracelets were provided

<sup>20</sup> Monthly tax unit, equivalent to 54,171 Chilean pesos as of December 2021.

to women victims of violence, benefiting 500 at-risk women in the Metropolitan region. In 2021, 10,500 emergency devices were sent to the regional directorates of the National Service for Women and Gender Equity to be distributed to women in women's centres and shelters and, through agreements, to other institutions that require them for women victims of medium-level violence; these devices were supplementary to, not replacements for, the traditional channels of care.

67. With respect to measures to ensure access to justice, build the capacity of police, prosecutors and judges, and provide gender training for the judiciary, see paragraphs 33–37.

68. In 2020, Act No. 21.212 (“Gabriela Act”) was promulgated, broadening the definition of the crime of femicide to cover cases of intimate femicide, which applies to couples who do not cohabit and who have or have had a child together, and gender-based femicide, and also providing for heavier penalties in certain cases.

69. In 2020, the Ministry of Health distributed throughout the health sector guidelines for addressing gender-based violence detected in a health care setting and, in 2021, updated its health policy on addressing gender-based violence, following collaborative intersectoral work with input from civil society. In addition, in 2021, the National Service for Women and Gender Equity gave workshops to more than 2,600 staff members on how to address violence against primary health care providers.

70. The National Service for Women and Gender Equity is also conducting an e-learning training course on “Tools for addressing violence against women” for public officials in the justice, health care and police sectors, with the aim of providing tools to address violence against women and assist in the detection, initial reception and referral or reporting of situations handled by these institutions. Between 2018 and 2021, 2,251 individuals received certification for this training.

### **Trafficking in persons and exploitation of prostitution**

71. The Intersectoral Panel on Trafficking in Persons has been preparing a statistical report on trafficking in persons<sup>21</sup> annually since 2011, the year in which the offence was criminalized in Chile by Act No. 20.507, using information on investigations reported by the Public Prosecutor's Office, the Investigative Police and the Carabineros (police). Also included are cases addressed through the intersectoral procedure for care of victims of trafficking in persons reported on by the Victim Support Programme, and the visas granted to victims of trafficking by the Aliens and Migration Department of the Ministry of the Interior and Public Security. The data are disaggregated by sex, country of origin, age and purpose of trafficking, among other categories.

72. Funding for actions to raise awareness, assist victims and prosecute the crime of trafficking in persons has been provided by the institutions that make up the Intersectoral Panel on Trafficking in Persons, from their overall budgets. In the area of protection, funds were made available by the Public Prosecutor's Office through its regional victim- and witness-support units and by the Social Welfare Department of the Office of the Undersecretary of the Interior. The National Service for Women and Gender Equity has earmarked funding to operate the shelter for victims of trafficking in the Metropolitan region and provides places in shelters for victims of violence in other regions. International cooperation and funding from victims' countries of origin also play a role in the processes of assisted and protected return.

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<sup>21</sup> <http://tratadepersonas.subinterior.gov.cl/datos-estadisticos/>.

73. At the multilateral level, the State of Chile participated actively in the Forum for the Progress of South America, the South American Common Market, the Organization of American States and the Quito Process, which are taking action on trafficking in persons. Also noteworthy is the formal entry of Chile into the Group of Friends against Trafficking in Human Beings and its participation in the Working Group on Trafficking in Persons, both at the United Nations, and its status as a pioneer, as of March 2019, of the International Labour Organization's Alliance 8.7 to eradicate trafficking in persons and child labour. At the bilateral level, Chile has in place several memorandums of understanding for cooperation in matters such as prevention, investigation and control of trafficking in persons and smuggling of migrants, and assistance to victims, with Colombia (2013), Ecuador (2015), Peru (2017) and Argentina (2018). Memorandums of understanding have been signed with Paraguay (2021) and Bolivia (2021) and are at the final stage of the process for entry into force.

74. With respect to the national system for the identification, referral and follow-up of victims of trafficking, the Intersectoral Panel on Trafficking in Persons implements the Plan of Action against Trafficking in Persons through three subcommittees: the subcommittee on care for and protection of victims; the subcommittee on prevention; and the subcommittee on policing and criminal prosecution. Through the work of these bodies, the intersectoral procedure for care of victims of trafficking in persons (2013) was created to bring together public and/or private institutions that will address each individual case, to ensure the effective exercise of the rights of victims of crime, including women, girls and adolescents, through a coordination mechanism that gives them access to assistance, protection, housing, migration regularization, social and health services, as well as assisted return and shelter for crisis situations, compensation and return to their country of origin. The shelter for victims of trafficking maintained by the National Service for Women and Gender Equity is a residential shelter in an undisclosed location that provides psychological, social, legal and educational support to the women residents.

75. The Plan of Action against Trafficking in Persons includes ongoing commitments and activities in prevention and training that in the period 2019–2020 resulted in the training of 3,698 individuals. The annual training plan of the National Service for Women and Gender Equity included, most notably, talks for public officials and civil society organizations on the detection and referral of cases to the shelter for victims of trafficking, and the *#ChileSinTrata* (Chile without Trafficking) preventive campaign on the occasion of the World Day against Trafficking in Persons, during which material with a gender focus was disseminated.

76. For data on the prosecution and appropriate punishment of perpetrators of trafficking-related offences, see section 4 of the annex.

77. The State has several telephone lines available to help victims of trafficking in persons, which operate 24 hours a day and have remained active during the pandemic; these include the Victim Support Programme Helpline of the Office of the Undersecretary for Crime Prevention and the Better Childhood Service Helpline. In addition to receiving complaints, the following lines provide guidance and referrals: the phone line of the Investigatory Brigade against Trafficking in Persons; the Carabineros OS-9 phone line; the phone line of the Public Prosecutor's Office; and the Safe Complaints phone line. In addition, when the National Service for Women and Gender Equity is made aware of crimes of trafficking in persons through the Fono 1455 service, web chat and WhatsApp, the intersectoral procedure for care of victims of trafficking is activated.

78. As part of the afore part of the aforementioned procedure, women victims of trafficking are given access to education and training through the Ministry of



Education and the Ministry of Labour and Social Security and to training in trades and languages offered by civil society organizations.

79. The New Migration Act (Act No. 21.325 of 2021) provides that victims of trafficking who are not nationals or permanent residents of Chile may request a temporary residence permit for a minimum period of 12 months, during which time they may decide to bring criminal and civil actions or initiate proceedings to regularize their residence status. No order may be issued for the repatriation of victims requesting such authorization.

### **Participation in political and public life**

80. With respect to the evaluation of Act No. 20.840, since its entry into force the number of seats held by women in the National Congress has increased as follows: in the Chamber of Deputies, female participation rose from 15.8 per cent in 2013 to 22.6 per cent in 2017 and then to 35.5 per cent in 2021. In the Senate, female participation went from 20 per cent in 2013 to 26.1 per cent in 2017 and 22.2 per cent in 2021. In order to comply with the legal requirement that at least 10 per cent of the total amount contributed to each political party must be used to promote women's political participation, the Political Parties Subdirectorates of the Electoral Service has prepared instructions and various training sessions on how to apply this regulation.

81. As part of the parity-based constitutional process (referred to in paragraph 59), the Electoral Service monitored and oversaw proper compliance with the new gender parity rules in the process of acceptance and rejection of candidacies and in the formation of the constitutional body. As indicated in paragraph 27, given the autonomous nature of the Constitutional Convention, the executive is not involved in the discussions regarding the text of the next Constitution.

82. In the area of diplomacy, the Ministry of Foreign Affairs has promoted the appointment of women to decision-making positions at the national and international levels. The Ministry currently has 968 women on staff out of a total of 2,000 positions and 63 women in senior positions out of a total of 120. In addition, in the period 2018–2021, the first Undersecretary for Foreign Affairs and the first female ambassador to hold the position of Secretary General of Foreign Policy were appointed. In the Chilean foreign service, 126 staff members out of a total of 483 are women. The diplomatic career path has also been publicized to promote the participation of more women. During the period 2018–2021, the participation of women in the foreign service selection competition led to women being selected to fill a total of 15 posts: 7 women in 2018; 9 in 2019; 3 in 2020; and, in the most recent selection in 2021, 6 out of 11 available posts were filled by women.

83. Information on the promotion of parity at all levels, particularly the local and municipal levels, is provided in paragraphs 58 and 59. Similarly, the civil service has been implementing since 2019 the Network of Women Leaders in the State programme, a talent training initiative aimed at strengthening professional development to promote the participation of women in positions of responsibility and leadership. As of September 2021, three iterations have been rolled out and the network has 300 participants.

84. In addition, the Ministry for Women and Gender Equity has promoted initiatives such as a registry of women for boards of directors (2019), which includes more than 600 women with outstanding careers and leadership skills, and a report on gender indicators in companies in Chile, produced in conjunction with the Chile Women's Foundation, which provides a comprehensive analysis of the labour situation of women in companies listed in the securities registry of the Capital Market Commission.

85. In 2021, the Ministry for Women and Gender Equity launched the *Empoderadas* (Empowered) digital guide, developed in conjunction with the Association of Municipalities of Chile, as a tool for women interested in running for various leadership positions. The guide addresses gaps and obstacles faced by women in politics, transfers knowledge on how to run successful campaigns, and provides recommendations on public speaking and leadership. The Ministry for Women and Gender Equity sent all political parties in the country a model procedure prepared by the Inter-American Commission of Women for political parties to prevent, address, punish and eradicate violence against women in political life. In addition, as part of the *Chile Constituyente* (Constitutional Chile) platform,<sup>22</sup> the Ministry for Women and Gender Equity and UN-Women collaborated to provide the public with information on gender parity and its importance. In the same vein, the National Service for Women and Gender Equity has a programme on women and political participation, which delivers awareness-raising activities and training courses for political leaders and also has an Equity Fund.

### **Women human rights defenders**

86. With respect to measures taken to address allegations of human rights violations against women during the social demonstrations in October 2019, please refer to paragraphs 39 to 45.

87. The work plan of the Regional Attorney General Offices for investigating cases of human rights violations during social protests includes as high-priority victims the human rights observers of the National Institute of Human Rights and other civil society organizations. In July 2021, a goal was established for regional Attorneys General to review compliance with the general criteria for responding to crimes of institutional violence set out in the General Instruction of the National Prosecutor's Office FN No. 618/2021, with respect to investigations of human rights violations during the social demonstrations of October 2019. The goal included, among other things, the preparation of regional plans based on the aforementioned guidelines, to be implemented by 31 December 2021.

### **Nationality**

88. As a result of collaboration between the National Migrant Service, the civil registry, the National Institute of Human Rights, the Office of the United Nations High Commissioner for Refugees (UNHCR), the Jesuit Migrant Service and the legal clinics for migrants run by Diego Portales University and Alberto Hurtado University, the Chile Recognizes project was launched in 2017 as part of the I Belong campaign run by UNHCR, with the aim of eradicating statelessness. When the project was launched, more than 100 children and adolescents were able to obtain their Chilean nationality. Despite the fact that the project ended in 2018 and met the commitments made by Chile, in April of that year the Convention relating to the Status of Stateless Persons (1954) and the Convention on the Reduction of Statelessness (1961) were promulgated, and that concluded the process of adherence to both instruments. Section 5 of the annex includes a list of birth registrations made with the notation "child of a transient alien".

89. The New Migration Act (Act No. 21.325 of 2021) establishes the right to nationality as a fundamental right and incorporates new rules in line with international regulations to reduce statelessness. As a result, under the exception stipulated in article 10 of the Constitution, any person born in Chilean territory will be deemed Chilean by birth. In addition, the Act includes a presumption with respect to foundling children and adolescents in the national territory, who are presumed, unless proven

<sup>22</sup> <https://chileconstituyente.cl/ministerio-de-la-mujer-y-la-equidad-de-genero/>.

otherwise, to be of Chilean nationality. The new act also provides for the creation of a council for statelessness determinations.

90. Under Decree Law No. 1.094 (1975), foreigners whose birth certificates contain the notation “child of a transient alien” may submit a request to the National Migrant Service for a declaration of their nationality. To resolve these cases, the criterion established in 2014 by the Aliens and Migration Department (now the National Migrant Service), according to which the term “transient alien” is defined solely as the children of tourists and crew members, is applied, and the civil registry is requested to rectify birth certificates with the “child of a transient alien” notation, regardless of the migration status of the parents. This process has led to a reduction of cases of statelessness in our country from 2,821 in 2014 to 1,686 in 2021.

### **Education**

91. For enrolment rates of indigenous girls and adolescents in primary education (first to eighth grade) and secondary education (ninth to twelfth grade), see section 6 of the annex. Data on enrolment rates of indigenous women in tertiary education are not yet available. We are currently working to make progress and have this information available in the future.

92. The National Disability Service has several programmes aimed at overcoming inequality in access to education for women and girls with disabilities. In preschool, the Early Attention Programme contributes to social inclusion and equal opportunities for children with disabilities and delayed psychomotor development, ensuring equal access and equitable participation in the regular educational system (including kindergarten) and the health and social welfare system through counselling, technical support and local coordination. In primary and secondary education, the Educational Institutions Programme allocates resources to inclusive projects, awarding extra points to projects with a gender focus. In higher education, the Student Support Programme awards additional points to women with disabilities in the application evaluation process in order to promote their attendance and graduation.

93. The School Integration Programme of the Ministry of Education is an inclusive education strategy that promotes attendance in class, participation and student achievement of learning objectives, especially for students with special educational needs, whether permanent or temporary. Through this programme, additional human and financial resources are made available to provide support and equal opportunities for learning and participation.

94. With respect to the educational inclusion of migrant children and adolescents, the State ensures their access to education through the provisional school identifier, a unique identification number issued by the Ministry of Education to school-age children who do not have a national identification number and who wish to enrol in the Chilean school system. With the provisional school identifier, children can be admitted and enrolled by schools, their studies are certified, and they are guaranteed access to textbooks, food, school insurance and a national student card. In 2018, the Ministry of Education designed the National Policy on Foreign Students, 2018–2022, which provides for an institutional analysis of the needs of and demands on the educational system for the inclusion of migrant children and adolescents, the creation of a ministerial working group, and a review of national and international regulations on foreign students, and lays the foundation for approaches to educational policy geared towards foreign students. This information and other inputs have been collected and compiled on an institutional platform<sup>23</sup> where information is made accessible to students and parents.

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<sup>23</sup> <https://migrantes.mineduc.cl/>.

95. In the area of access to education for indigenous women and girls, the Intercultural and Indigenous Education Programme of the National Indigenous Development Agency's Culture and Education Fund aims to contribute to preserving the country's indigenous languages and cultures in children under 6 years of age in preschool who are enrolled in educational establishments where at least 20 per cent of students are indigenous. In the period 2018–2021, agreements were signed under this programme with the National Kindergartens Board, the Integra foundation and municipalities, benefiting more than 25,750 children. In addition, in 2021, Decree No. 97 of the Ministry of Education was promulgated, establishing the curriculum for the subject of language and culture of ancestral native peoples for grades one to six, thus bringing to fruition commitments made during the indigenous education consultations held in 2018 and 2019.

96. The Indigenous Training and Specialization Subsidy Programme supports people from indigenous communities and associations with scholarships awarded for postgraduate studies and technical and professional training by means of public competitions under agreements with universities for the training of professionals through intercultural bilingual education. From 2018 to 2021, regional public competitions were held in the Iquique, Metropolitan, Biobío, Los Ríos and Los Lagos regions, benefiting around 2,020 indigenous persons in Chile, more than 54 per cent of whom (1,071) were women.

97. With respect to providing adult education for women, the *Cumpliendo un Sueño* (Fulfilling a dream) Programme of the PRODEMU foundation is aimed at women who have dropped out of the educational system, in order to help them complete their secondary education through the upgrading and validation of their studies. In 2020, over a thousand women graduated under this programme. The Better Adult Plan, launched in 2018, promotes the continuing development, training and inclusion of older adults by, among other measures, eliminating the age cap of 65 years for training programmes, thus enabling the most vulnerable 60 per cent to access all courses offered by the National Training and Employment Service.

98. Regarding initiatives to eradicate gender stereotypes and promote educational options for women and girls in science, technology, engineering and mathematics (STEM) fields, as well as in information and communications technology, in 2019 the Ministry for Women and Gender Equity and the Ministry of Education signed the "Education with gender equity" work plan. The work plan covers three main lines of action: quality with equity, more opportunities and non-violence. A series of actions have been undertaken under this plan, including a national survey on gender equity for early childhood educators done in collaboration with UN-Women, the results of which are being compiled; the National Women in STEM Programme, which included the organization of mentoring sessions for students from grades eight to ten by women in these fields, with 1,000 mentoring sessions held, and the distribution of 2,000 kits for girls in grades six to eight to do self-study STEM activities at home; and the implementation of the STEM and Gender Advancement pilot project of the United Nations Educational, Scientific and Cultural Organization (UNESCO), which included preparation of a report on analysis of indicators and policies with a gender perspective developed by the State in STEM areas.<sup>24</sup>

99. In 2020, the Ministry for Women and Gender Equity and the Ministry of Foreign Affairs assumed joint leadership of the Action Coalition on Technology and Innovation for Gender Equality of the Generation Equality Forum, working together with partners such as Microsoft, Finland and the Rockefeller Foundation. This Coalition seeks to promote transformative actions to close the gender gap in access

<sup>24</sup> <https://minmujeryeg.gob.cl/wp-content/uploads/2021/08/Diagnostico-indicadores-politicas-genero-desarrolladas-Estado-STEM.pdf>.

to technology and digital skills; to increase the labour participation and leadership of women in the areas of technology and innovation; to eliminate gender-based violence and discrimination against women online; and to strengthen innovation for gender equality. As part of this endeavour, President Piñera announced in July 2021 the launch of the first national policy on gender equality in science, technology, knowledge and innovation,<sup>25</sup> promoted jointly by the Ministry of Science, Technology, Knowledge and Innovation, the Ministry for Women and Gender Equity and the Office of the Undersecretary of Higher Education, in collaboration with other institutions, and put forward a plan with more than 30 initiatives to achieve gender parity in these areas by 2030. These include gender mainstreaming in the Explora-UNESCO competition and the Early Childhood Inquiry Programme; the Female Scientific Leadership Programme (Li\*Fe), which aims to strengthen the competencies required to hold senior management positions in scientific fields; and the Higher Education Innovation Fund for Gender Equality (InES Género 2021), a competitive fund that provides sustained financing (three years) for universities to close gender gaps. The Ministry of Science, Technology, Knowledge and Innovation has also developed OBSERVA,<sup>26</sup> a public observatory of data from the science, technology, knowledge and innovation system containing sex-disaggregated data with a cross-cutting gender approach.

100. The Fourth National Plan on Equality between Women and Men, 2018–2030, includes several goals to promote gender equality in STEM, such as increasing female enrolment in higher education in technology to 40 per cent; encouraging women’s access to high-potential ventures; and promoting the participation of women in male-dominated careers.

101. In 2019, the Ministry for Women and Gender Equity, the National Service for Women and Gender Equity and the Office of the Superintendent of Education agreed on a procedure for referring complaints of irregularities involving violations of the rights of pregnant students in schools. These complaints may concern discrimination and abuse, sexual aggression or acts of a sexual nature, or the use of disciplinary measures. Work is currently under way to update the procedure in order to establish a standardized format for the referral of complaints and to generate greater coordination among counterparts, to be implemented in 2022.

102. In addition, the Office of the Superintendent of Education, through Circulars Nos. 482 and 193, ensures that all schools with official recognition have a procedure for the retention and support of pregnant students and student mothers and fathers. The procedure establishes academic measures aimed at keeping students in the educational system by making learning processes and curricula more flexible, and administrative measures aimed at making pregnancy, maternity or paternity compatible with being a student. It is also intended to establish support networks for students, such as school retention programmes and contacts with kindergartens and day-care centres.

103. Regarding the revision of curricula to eliminate gender stereotypes, in 2019 two sessions of the course on gender, sexuality and relationships were delivered to a total of 378 teachers by the Centre for Professional Development, Experimentation and Pedagogical Research of the Ministry of Education. In 2020, training on inclusive school management with a focus on gender equity and diversity was delivered to 178 teachers; a course on leading change and school culture through gender equity was taken by 173 teachers; a course on collaborative school coexistence and mediation in a context of change was taken by 161 teachers; and a course on gender equity for secondary technical and professional education with the Organization of Ibero-

<sup>25</sup> <https://www.minciencia.gob.cl/genero/>.

<sup>26</sup> OBSERVA can be accessed at <https://observa.minciencia.gob.cl/>.

American States for Education, Science and Culture and the Comunidad Mujer organization was delivered to 250 teachers.<sup>27</sup> In addition, actions were taken to ensure gender equity in the bidding process for the Curriculum and Evaluation Unit's School Textbook programme. A workshop on gender biases and stereotypes was held for professionals involved in school textbook bidding processes, which enabled them to gain a conceptual framework on this topic and apply it at the stage of revising and improving approved texts.

104. Regarding measures to increase the number of women in senior positions in academic institutions, in 2018, the Gender Equality Commission of the Council of Rectors of Chilean Universities, consisting of the Directors of Gender Equality from each university, was formally established. The purpose of the Commission is to provide technical support to this group of rectors and their executive bodies; to promote the design and implementation of gender equality policy measures in universities; and to promote studies, exchange of information and inter-university cooperation on gender equality. The Commission has agreed on criteria set out in an agenda of seven basic actions, including the establishment of gender balance in university governance. For its part, the Ministry of Education in 2019 invited all higher education institutions to sign onto to a commitment to move towards gender equity in governing bodies in higher education, according to which they undertake to implement programmes and encourage the participation of women in academia, institutional management and positions of authority. At present, 40 per cent of institutions have signed onto the commitment.

105. With the aim of maintaining distance education for children and adolescents during the pandemic, in 2020 the Ministry of Education launched the I Learn Online educational platform, an open space with more than 20,000 resources available to students and teachers. The Television Educates Chile Programme, a national channel broadcasting educational content from the school curriculum with more than 150 audiovisual modules, was also promoted. In addition, as part of the Technology, Information and Communication Scholarships, in April 2020 the delivery of 125,000 computers and free broadband to the most vulnerable seventh grade students was brought forward. The *Prendo y Aprendo* (I take and learn) device, which gives access to digital content without the need for an Internet connection, was also made available to rural schools. Lastly, progress was made in 2020 in providing an Internet connection to more than 3,000 classrooms, bringing to 10,000 the total number of classrooms with Internet by 2021.

106. In order to facilitate access to telecommunications services and thereby help children and adolescents from all regions of the country to connect and continue their education during the pandemic, in April 2020 the Office of the Undersecretary for Telecommunications coordinated, together with telecommunications companies, a Solidarity Connectivity Plan which allowed users in 80 per cent of low-income households to maintain access to telephone and Internet services if they could not afford to pay for them.

107. The First National Human Rights Plan, 2019–2021, developed and coordinated by the Office of the Undersecretary for Human Rights, included in its goals raising public awareness and promoting a culture of human rights, and implementing human rights education strategies in school systems. The second version of the Plan, launched in December 2021, covers three main areas: (i) universal rights, (ii) the principle of equality and non-discrimination, and (iii) promotion of human rights. The Ministry of Education has carried out various actions, such as updating the curriculum for grades eleven and twelve to incorporate a human rights approach and non-discrimination based on sex and gender; tools for inclusive education; and the

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<sup>27</sup> Source: Education with gender equity work plan (updated in June 2021).

development of procedures to address sexual harassment in the school system and higher education. Training was also provided to teachers and directors on human rights and gender issues in technical and professional education.

### **Employment**

108. The Ministry for Women and Gender Equity has spearheaded the Chilean Standard 3262, a public-private strategy that seeks to implement a set of measures that will generate cultural change to reduce gender gaps by promoting work-life balance, as well as shared responsibility, within organizations. Companies that meet this standard are certified with the *Iguala-Conciliación* (Equi-balance) Seal. As at December 2021, 47 organizations had been certified and nearly 50 were in the process of implementation. In addition, the purpose of the Gender Parity Initiative, an alliance promoted by the Ministry for Women and Gender Equity together with the Inter-American Development Bank and the World Economic Forum, is to change the conditions that perpetuate economic gender gaps in Chile and to promote the participation and progress of women in the world of work. By December 2021, more than 100 institutions were participating in this initiative.

109. Furthermore, in March 2022 the Ministry for Women and Gender Equity launched a Labour Equity Plan<sup>28</sup> together with the Ministry of Economic Affairs, Development and Tourism and the Ministry of Labour and Social Security, in order to build a roadmap to the year 2030 by gathering proposals and recommendations to reduce the gender gap in the labour market. The Plan is structured around four pillars – society, the labour market, employability, and inclusion and entrepreneurship – and sets out 12 specific goals with 55 measures, with the aim of reaching the average female labour participation rate of countries in the Organisation for Economic Co-operation and Development (63.8 per cent).<sup>29</sup>

110. Various initiatives have also been implemented to strengthen the representation of women in management positions in the workplace, including the Network of Women Leaders in the State programme, the Registry of Women for Boards of Directors and the report on gender indicators in Chilean companies, described in paragraphs 83 and 84.

111. From 2010 to 2019, female labour participation increased by 6.5 percentage points, reaching an all-time high of 53.3 per cent. In the first half of 2020, however, as a result of the health crisis that led to a contraction of the country's economy, there was a decline of approximately 10.6 points, dipping to 41.2 per cent at its lowest point. According to the latest national employment survey, conducted in October–December 2021 by the National Institute of Statistics, the labour participation rate for women was 48.1 per cent, with a gender gap of -21.3 per cent, and the unemployment rate for women was 7.4 per cent with a gender gap of 0.3 per cent. The estimated number of unemployed women was 289,442 in that quarter. The female employment rate was 44.5 per cent, with 4,238,662 (51.9 per cent).

112. According to the 2020 supplementary survey on income published by the National Institute of Statistics, which measures the average income of employed men and women in Chile, there is a wage gap of 20.4 per cent to the detriment of women. Another measurement used is the figure reported by the Office of the Superintendent of Pensions<sup>30</sup> indicating the gender wage gap for employed persons with average taxable remuneration, calculated as the percentage difference between the taxable remuneration of women and of men. For 2020 the calculated gap was -13.2 per cent,

<sup>28</sup> [https://minmujeryeg.gob.cl/wp-content/uploads/2022/03/Plan-de-Equidad-Laboral-2021\\_2030.pdf](https://minmujeryeg.gob.cl/wp-content/uploads/2022/03/Plan-de-Equidad-Laboral-2021_2030.pdf).

<sup>29</sup> [https://stats.oecd.org/viewhtml.aspx?datasetcode=LFS\\_SEXAGE\\_I\\_R&lang=en](https://stats.oecd.org/viewhtml.aspx?datasetcode=LFS_SEXAGE_I_R&lang=en).

<sup>30</sup> [https://www.spensiones.cl/portal/institucional/594/articles-14310\\_recurso\\_1.pdf](https://www.spensiones.cl/portal/institucional/594/articles-14310_recurso_1.pdf).



with an average taxable income of 919,966 Chilean pesos for men and 793,183 pesos for women; previously the gap had been 11.2 per cent in 2017, 10.3 per cent in 2018, and 9.7 per cent in 2019. In the 2020 report on gender indicators in Chilean companies, the entities reported on indicate that, on average, the gross salary of female employees is 10.2 per cent lower than the gross salary of men in administrative and middle management positions; at the executive level, women earn an average gross salary 10.9 per cent lower than that of men in the same sector.

113. There are currently two bills in the pipeline that amend the Labour Code in matters of discrimination and equal pay. Firstly, the draft law to amend the Labour Code (Bulletin No. 9.322-13) setting out a clear definition of the principle of equal pay for work of equal value is in the second stage of constitutional review in the Labour Committee of the Chamber of Deputies. Secondly, a draft law to amend the Labour Code in order to improve regulation of the principle of equal pay for men and women (Bulletins Nos. 10.576-13, 12.719-13 and 14.139-34), the outcome of an alternative proposal sponsored by all the deputies of the Women and Gender Equity Committee to merge the aforementioned bills, is currently in the second stage of constitutional review in the Labour and Social Security Committee of the Senate. In addition, a working group is being set up among different government agencies and legislative advisors in order to better define gender-based salary non-discrimination.

114. To counteract the disproportionate negative impact of the COVID-19 crisis on women in the labour market, the Government of Chile has implemented a series of emergency measures with a gender perspective, such as the Employment Protection Act, the Protected Caregivers Act, the Regresa and Contrata employment subsidies, and the Emergency Family Income wage supplement and Protege subsidy, with additional incentives for women, as described in paragraphs 11 and 12.

115. In addition, Act No. 21.391 on telework or remote work has allowed workers and employers to continue operating despite mobility restrictions, and this is currently a form of work focused on modernization and the use of technologies, labour market inclusivity, parental shared responsibility and work-life balance.

116. To address occupational segregation by gender, the Ministry for Women and Gender Equity, in addition to a round table with the Confederation of Production and Commerce, has also created public-private round tables with key sectors in the economic recovery that are traditionally male-dominated, to promote the development of procedures and good practices, conduct workshops and labour fairs, support the certification of Chilean Standard 3262 and coordinate the inclusion and reinsertion of women in the labour market in various areas, including energy, telecommunications, soccer, construction, finance and mining. The Office of the Undersecretary for Telecommunications also leads the + Women in Telecommunications Plan, an initiative that has the support of five of the main companies in the sector, with the aim of increasing female labour participation in telecommunications, improving gender indicators and contributing to a more inclusive digital ecosystem.

117. Moreover, the Government has promoted the inclusion of women in the digital economy through initiatives such as the Digital Woman Programme, launched by the National Training and Employment Service and the Ministry for Women and Gender Equity with the aim of training women in digital skills through online courses. During the first iteration of the initiative in 2020, more than 12,000 women were trained through the platform, and in 2021, 59 new courses were opened. The Ministry for Women and Gender Equity, together with the Laboratoria online training platform the Inter-American Development Bank and civil society, is also implementing the Connected Learning Programme to create a community that will enable 1,500 women entrepreneurs to strengthen their businesses, learn about new applied technologies and connect with other entrepreneurs. In addition, the Ministry for Women and

Gender Equity is one of the partners of the *Mujeres Emplea* (Women's employment) platform, promoted by the United Nations system in Chile, whose objective is to increase female labour participation and promote access to care services to enhance post-pandemic recovery by providing free training tools and promoting the current supply of care services.

118. In 2021, under the Chilean presidency of the Regional Conference on Women, the Ministry for Women and Gender Equity launched the Regional Alliance for Women's Digitalization in Latin America and the Caribbean with the objective of boosting regional cooperation to help close gender gaps in access, skills development and use of technology, and to promote the full participation of women in the digital economy. As part of those efforts, the collaborative virtual platform *TodasConectadas* (All connected)<sup>31</sup> was launched, where women in the region can access digital skills training, communities and economic opportunities. The platform is expected to provide digital skills to 3.8 million women in the region over the next three years through free Microsoft training courses, certified by UNESCO, with the goal of creating economic opportunities for 1 million women.

119. With respect to the inclusion of women working in the informal labour market, the employment subsidies mentioned in paragraphs 10 and 11, especially the Emergency Family Income wage supplement and Protege subsidy, are inclusive and focused on the insertion of women in the labour market – especially those working in the informal sector – given that the amount of the subsidies is higher for women. The Emergency Family Income wage supplement is specifically aimed at encouraging a transition to formal employment. Furthermore, the National Employment Exchange, a comprehensive job placement tool, has been strengthened through initiatives to support women in areas such as construction with the *Mujeres en Obra* (Women at work) platform, agriculture with the *Súmate al Agro* (Get into agro) platform and online job fairs. Also, municipal job centres have been strengthened with the aim of bringing the labour supply closer. These centres, which provide a local service to women seeking employment, operate in all regions of the country.

120. The government has ensured that the various support measures provided in response to the COVID-19 crisis apply to women domestic workers. For example, the Protected Caregivers Act and the Employment Protection Act expressly cover domestic workers and suspend the terms of their contracts owing to caregiving duties. Furthermore, as of April 2020, domestic workers have been eligible to receive unemployment insurance funds under the Employment Protection Act. They are also covered by a bill that extends the right to day care (Bulletin No. 14.782-13), which is currently being reviewed by Congress, as mentioned in paragraph 125.

121. With respect to the availability of social security for self-employed workers and entrepreneurs of micro and small businesses, Act No. 21.133, promulgated in 2019, modifies the rules for the inclusion of self-employed workers in social security schemes by requiring mandatory contributions in order to receive all social security benefits. It is estimated that this applies to a total of 527,902 workers.

122. In terms of caregiving, prior to the pandemic, Chile had made progress on policy measures such as allowing fathers to opt to take the last six weeks of leave during the six-month postnatal period. Moreover, in 2019 Act No. 21.155 on the protection of breastfeeding and nursing was enacted to ensure the right of mothers to freely breastfeed their children when they return to work. The mission of Chile Crece Contigo (Chile grows with you), the comprehensive child protection subsystem, is to accompany, protect and support all children and their families through an integrated system of universal social interventions. Benefits include free access to child care,

<sup>31</sup> <https://www.todasconectadas.org/>.

either in day care or kindergarten, for all children whose mother, father or caregiver is working, studying or looking for work and who belong to households in the most vulnerable 60 per cent of the population.

123. The Local Support and Care Network Programme has been strengthened to help households with people in a situation of dependency and to enable them and their caregivers to access respite care and services to support them in their various needs. The National Service for Women and Gender Equity also has the 4-to-7 Programme, described in paragraph 13, whose coverage was adjusted in response to the health emergency. In order to promote the recognition and valuation of unpaid work, the Central Bank quantifies it in the report on monetary policy, which indicated that in 2020 unpaid work accounted for 26 per cent of gross domestic product. In addition, in 2020 the Ministry for Women and Gender Equity was a partner in the Innova challenge of the Solidarity and Social Investment Fund, which targeted the work of caregivers by supporting three pilot programmes of community organizations, particularly in the areas of economic autonomy, empowerment, self-care and caregiver support networks.

124. The Ministry for Women and Gender Equity has also implemented awareness campaigns with the aim of eliminating gender stereotypes by highlighting actions aimed at promoting shared responsibility, such as the #TareasCompartidas (Task-Sharing) campaign in 2020, which encouraged people to celebrate national festivities by sharing household and family chores. In addition, in 2020, the first step-by-step guide to shared responsibility in households<sup>32</sup> was developed, which encourages awareness of domestic and caregiving tasks and how they can be more equitably distributed.

125. Act No. 21.389 was recently adopted, creating the National Registry of Maintenance Debtors, which improves the system for enforcing compliance with family maintenance obligations through the creation of a registry that will enable a system of measures and penalties to substantially enhance the enforcement of unpaid family maintenance. In addition, the Government submitted two bills on day-care centres. One of them (Bulletin No. 14.782-13) extends the right to day care to all female workers, thereby eliminating the existing discrimination in the Labour Code, which requires an employer to provide a day-care centre only when 20 or more women work for the company. It also provides for the establishment of a National Caregivers Registry to lay the foundations for a mixed care system that makes the current institutional system in Chile compatible with a local and neighbourhood system. In addition, in January 2022 the National Support and Caregiving Subsystem was created to provide home services and preferential care to people in a situation of functional dependency and their caregivers, thus strengthening the Local Support and Caregiving Network programme, which benefits people who are among the 60 per cent most vulnerable of the population, regardless of their age.

126. A bill on sexual harassment (Bulletin No. 11907-17) aimed at defining a broad criminal offence of sexual harassment that takes place in the workplace or in an educational, teaching, military, sports, or similar setting, an offence not currently defined in the Criminal Code, is in the second stage of constitutional review in the Senate. Along the same lines, in 2020, through Ord. No. 0305 of the Ministry of Labour and Social Security, the Executive submitted to the National Congress (the action prior to the ratification of a treaty) Convention No. 190 and Recommendation 206 adopted by the International Labour Organization. It was subsequently proposed that the ratification of Convention No. 190 should be addressed in the Superior

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<sup>32</sup> <https://minmujeryeg.gob.cl/wp-content/uploads/2020/11/GUIA-CORRESPONSABILIDAD.pdf>.

Labour Council, a tripartite consultative body, by setting up a commission to review the matter, and that action is pending.

127. In order to implement the Presidential Instruction on equal opportunities and the prevention and sanctioning of abuse, workplace harassment and sexual harassment (Gab. Pres. No. 006 of 2018), the civil service and the Ministry for Women and Gender Equity provided expert advice to more than 250 public services which prepared formal complaint, investigation and sanction procedures with a gender perspective. The civil service also does an annual review of the implementation of the personnel management and development standard on work environments and quality of work life, from which it obtains sex-disaggregated data on complaints.

### Health

128. The Department of Human Rights and Gender of the Ministry of Health was created through Exempt Resolution No. 706 of 2020 to strengthen ministerial management from a human rights and gender perspective in the area of health care.

129. With respect to the implementation of Act No. 21.030, which decriminalizes voluntary termination of pregnancy in three cases, as part of training and dissemination efforts, three courses have been conducted entitled “Model of comprehensive care for women who seek voluntary termination of pregnancy”, with 337 participants in the most recent course, and in 2020 a self-study course entitled “Continuous training on Act No. 21.030 for health technicians” was launched. In addition, more professionals have been hired to strengthen the implementation of the law, assisting 70 facilities in the network with this programme. In terms of indicators, the number of cases of voluntary termination of pregnancy is updated every three months and an annual national report on cases is prepared by the Department of Health Statistics and Information.<sup>33</sup> Information on professionals who are conscientious objectors is compiled twice a year by the Division of Health-Care Network Management and published on the Ministry of Health web page. Paying special attention to gender, intercultural and inclusive approaches, in 2021 the Ministry of Health had the information and informed consent documents for the implementation of Act No. 21.030 translated into various languages (Mapudungun, Aymara, Quechua, Rapa Nui, Creole, English, French, Portuguese and Braille) and disseminated in the health network throughout the country, so that migrant women, women with disabilities and women belonging to indigenous peoples are aware of and understand the information and are thus able to make informed decisions and exercise their sexual and reproductive rights under this law. However, in November 2021 the Chamber of Deputies rejected the bill that sought to decriminalize abortion consented to by the woman within the first 14 weeks of gestation (Bulletin No. 12.038-34), and the bill was shelved.

130. In 2021, technical guidelines on continuity of care in sexual and reproductive health in the context of the COVID-19 pandemic were published, setting out general recommendations for public and private health care providers to strengthen the delivery of emergency contraception. Guidelines issued by the Division of Health-Care Network Management were also published, including Ordinary Note No. 808/2020 and its amendment No. 1142, which provide recommendations for the COVID-19 Contingency Plan for the healthcare network; Ordinary Note No. 2388, which sets out guidelines for the management of SARS-CoV2 (COVID-19) cases in pregnant women, postpartum women and/or mother-infant dyads; and Ordinary Note No. 1336, which provides guidelines for local diagnosis and the sexual and

<sup>33</sup> [https://informesdeis.minsal.cl/SASVisualAnalytics/?reportUri=%2Freports%2Freports%2F382105c8-521f-4356-b1b8-6bad21ba8b08&sectionIndex=0&sso\\_guest=true&reportViewOnly=true&reportContextBar=false&sas-welcome=false](https://informesdeis.minsal.cl/SASVisualAnalytics/?reportUri=%2Freports%2Freports%2F382105c8-521f-4356-b1b8-6bad21ba8b08&sectionIndex=0&sso_guest=true&reportViewOnly=true&reportContextBar=false&sas-welcome=false).

reproductive health response plan. Through a tripartite agreement between the Ministry for Women and Gender Equity, the National Service for Women and Gender Equity and the La Tribu School, a certified course on menstrual health was held for 2,000 health care professionals, to provide up-to-date interdisciplinary knowledge on this subject in order to promote the autonomy, equality and overall wellbeing of girls, women and menstruating persons.

131. Steps were also taken to ensure the supply of contraceptive methods. The Health Services managed the direct purchase of critical stocks of products not distributed by the National Health Services System Supply Centre, to ensure that they were available for delivery free of charge in the primary health care system and to meet people's needs by coordinating distribution of the products in clinics and homes.

132. Regarding psychological support for women who have been victims of sexual violence, the care, protection, redress and access to legal services offered by the National Service for Women and Gender Equity through its network of centres, including shelters, women's centres, centres for women victims of sexual assault and comprehensive rehabilitation support centres, are described in greater depth in paragraphs 15, 28, 41 and 66.

133. Although the concept of "obstetric violence" is widely used in Latin America, it is not defined or described in Chilean law and the Ministry of Health has not yet conducted a formal and systematic survey of situations of disrespect in gynaecological-obstetric care. However, the bill on the right of women to a life free of violence (Bulletin No. 11077-07), described in paragraphs 25, 32 and 64, sets out in article 13 the duty of the Ministry of Health to prevent, detect and monitor violence against women in health care settings, especially in primary care and childbirth. Act No. 21.371 ("Dominga Act"), published in 2021, establishes a special standard for clinical management and support in cases where mothers and fathers have suffered the gestational or perinatal death of a child. The objective is for all health institutions to have a procedure in place, with clinical management and psycho-emotional support for the mother, father and immediate family members. The Ministry of Health will develop a technical standard that specifies the mechanisms to be put in place or concrete actions to be taken by health facilities to safeguard this right.

134. The Ministry of Health has implemented strategies such as the publication of a technical and administrative standard for monitoring indications for caesarean section, which is currently being implemented, and the drafting of technical guidelines for childbirth care and preconception control, among other items, which are expected to be published and put into practice in the short term. This technical and regulatory framework is complemented by actions such as strengthening curricula for the health care professions and postgraduate training in reproductive health care and providing training in competencies focused on the needs of women and their families. In 2021, Ministry of Health resolution No. 1397 approved the Health Policy for addressing gender-based violence, which deals with abuse and disrespect in gynaecological-obstetric care; this is the first document in the sector to address this issue and to state the aims and the actions taken to improve health care for women, newborns and their families. With the specific objective of reducing the overuse of health technologies in childbirth care, the Ministry of Health published in 2021 the technical and administrative standard for monitoring indications for caesarean section.

135. Regarding the protection of the life and health of female health workers during the pandemic, the Ministry of Health has since 2018 maintained communication with the professional organizations of the Health Care and Public Health Network through the working group on gender and women health workers, where work and coordination through the subcommittees on civil servant health, child care and gender

violence were given high priority in 2020 and 2021. Furthermore, the part of the Saludablemente (Healthy) Plan that supports the health workforce, coordinated by the Personnel Management and Development Division, provided greater access to tools to support the mental and psycho-emotional health of personnel in the health care networks, given the current needs.

136. The Ministry of Health has held a series of webinars and discussions with adolescents, young people and health care and interdisciplinary teams on health and sexual and reproductive rights, as well as on self-care and prevention of sexually transmitted infections and HIV transmission, and has provided information about the health services available for these groups, including in discussions on the topic of *Cuerpos sexuales: ¿Cómo disfrutamos? ¿Cómo nos cuidamos?* (Sexual bodies: how do we enjoy them and how do we take care of ourselves?),<sup>34</sup> an activity carried out in conjunction with the Adolescent and Youth Advisory Council and the Health Ministry's National Programme on Comprehensive Health Care for Adolescents and Youth and National Programme for the Prevention and Control of HIV/AIDS and Sexually Transmitted Infections. Ongoing dissemination strategies have been implemented, including a seminar entitled "Promotion of sexual and reproductive health and prevention of teenage pregnancy in Chile: Identifying challenges and proposing solutions" (2020).

137. The Women, Sexuality and Maternity Programme of the National Service for Women and Gender Equity is implemented through workshops aimed at young people aged 14 to 19, women over 20, pregnant women and teenage mothers, and also through one-to-one care, in which information and tools are provided on the prevention of sexually transmitted infections and HIV and on unplanned pregnancy from a gender perspective, the exercise of sexual and reproductive rights is promoted, and referrals are made to the local health network and other local entities that can address specific needs in the areas of sexual health and sexual and reproductive rights.

138. The Ministry of Education has carried out various initiatives to enhance sex education as part of its Relationships and Sexuality Programme,<sup>35</sup> which includes a sex education platform with content for teachers and parents. There are different topics for each level: kindergarten and prekindergarten (2 to 5 years old) "The rights of my body"; grade four (6 to 9 years old) "How my body changes"; grades five to eight (11 to 13 years old) "Puberty"; and grades nine to twelve (14 to 17 years old) "Sexual Health".

### **Economic empowerment of women**

139. Various initiatives have been undertaken to improve women's pensions. A reform of the pension system (Bulletin No. 12212-13), which was submitted in 2018 and is currently in the second stage of constitutional review in the Senate, provides for an additional contribution to the pensions of the middle class, with a higher amount for women to partially compensate for their lower labour force participation and lower salaries. It also provides for insurance to cover pension contributions during periods of unemployment. Furthermore, the Short Pensions Act was submitted and adopted in late 2019, raising the level of benefits under the non-contributory pillar by 50 per cent by increasing the basic non-contributory pension amount and the social security amount, thereby benefiting nearly 900,000 women (61 per cent).<sup>36</sup> This Act also established a guaranteed final pension benefit for beneficiaries under the

<sup>34</sup> <https://diprece.minsal.cl/con-gran-participacion-de-adolescentes-y-jovenes-se-realiza-conversatorio-cuerpos-sexuados-como-disfrutamos-como-nos-cuidamos/>.

<sup>35</sup> <https://educacionsexual.mineduc.cl/>.

<sup>36</sup> <https://www.spensiones.cl/apps/centroEstadisticas/paginaCuadrosCCEE.php?menu=sest&menuN1=sistpens&menuN2=pillar>).

non-contributory pillar, which applies to individuals who receive social security payments and retire under the planned retirement scheme as from the date when the law entered into force. In 2021, a bill was submitted to expand and strengthen the non-contributory pillar, again increasing the amounts and expanding the coverage, and this was replaced by a bill creating the universal guaranteed pension (Bulletin No. 14.588-13), which was adopted on 26 January 2022 and which creates a non-contributory old-age benefit that should go to 90 per cent of seniors aged 65 or older.<sup>37</sup> Fifty-nine per cent of projected beneficiaries in 2022 are women.

140. With respect to recreational and competitive sports, the Ministry of Sport does an annual gender-sensitive analysis on access to benefits under the regulations on the scholarship system for high-performance athletes, with a focus on social security contributions and maternity protection, which has helped reduce gaps in keeping high-performance women athletes in their sports and ensured support for maternity and childcare. Act No. 20.686 creating the Ministry of Sport makes it mandatory to establish a procedure to address sexual harassment, sexual abuse, discrimination and abuse in national sports<sup>38</sup> that defines the obligations of members of the sports community in preventing and sanctioning violence, in order to ensure that each organization is governed by these standards.

141. Also in 2020, a session of the Women's Soccer Board was held, with the participation of the Ministry for Women and Gender Equity, the Ministry of Labour and Society Security, the Ministry of Sport, the National Professional Soccer Association and the National Association of Women Soccer Players, with the aim of incorporating the principle of equality between women and men in soccer, in the areas of decision-making, resource allocation, broadcasting and promotion, among others. As part of these efforts, the X-ray of Women's Soccer study was launched in 2021, as well as free online training courses for women professional soccer referees. In addition to the above, in 2021 the National Professional Soccer Association announced the alignment of contracts of women and men referees for the Fédération Internationale de Football Association, with the aim of paying equal salaries for equivalent positions.

### **Women and girls in detention**

142. Section 7 of the annex includes disaggregated data on women's detention rates and prison overcrowding.

143. Women deprived of their liberty have access to State health services. With regard to adolescents and young women in detention centres, in 2007, the National Service for Minors approved Exempt Resolution No. 0308, based on the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules) and the Act on Adolescent Criminal Responsibility No. 20,084. The resolution covered health-related measures (health care, sexually transmitted infections, reproductive health and pregnancy and provision of personal hygiene items), as well as the nutritional, hygiene and sanitary needs of adolescents and young pregnant women deprived of liberty, procedures associated with maternal transfers, and arrangements for childbirth and maternal release. It also provides guidance for detention centre teams regarding breastfeeding, medical check-ups of children and children's stay in juvenile justice centres.

144. In 2021, the Ministry for Women and Gender Equity, the Human Rights Secretariat and the National Prison Service developed a protocol for the treatment of pregnant women deprived of liberty in the National Prison Service's closed and

<sup>37</sup> Source: Budget Directorate.

<sup>38</sup> <https://www.bcn.cl/leychile/navegar?idNorma=1149663>.



semi-open systems, which complemented Exempt Resolution No. 11.325 of 2016, covering aspects including pregnancy diagnosis, facilities and places of detention and the process of childbirth. In January 2022, the National Prison Service, together with the Human Rights Secretariat, launched the new protocol for pregnant women deprived of liberty (Exempt Resolution No. 6744 of 2021), recognizing as basic principles respect for humane treatment and inherent dignity at all times, particularly during childbirth and while caring for newborns, and access to specialized health care. The National Prison Service also has a protocol for the treatment of transgender persons deprived of liberty (Exempt Resolution No. 5716 of 2020) and provisions on respect and guarantees related to the gender identity of transgender persons who are subject to the institution's control, assistance and/or monitoring (Exempt Resolution No. 5551 of 2021).

145. The Social Reintegration Division of the Ministry of Justice and Human Rights, together with technical teams from the National Service for Minors, is developing a gender-responsive protocol that includes guidelines regarding transgender persons, women, pregnant women, nursing mothers and/or people with children in juvenile justice centres. The protocol is intended to provide a concrete tool to organize the procedures aimed at reducing gender barriers, with special emphasis on preventing any type of violence or discrimination against women, adolescents or girls in juvenile centres.

146. In 2019, Official Circular No. 171 of the National Prison Service was published, addressing the obligation to report and actions to be taken to assist victims and witnesses of acts constituting crimes occurring in facilities run by the National Prison Service, and providing a directive for protecting women deprived of liberty from violence and sexual abuse. In addition, there are manuals issued by the Office of the Public Defender (mentioned in paragraph 29), which provide a comprehensive approach to defence from a human rights and gender perspective.

147. In 2019, the National Service for Minors issued Circulars Nos. 5 and 6, indicating the procedure to be followed by management, technical and auxiliary teams in the event of acts constituting crimes against children and adolescents in the network's programmes and centres, in terms of protection and juvenile justice, including with regard to reporting acts of sexual, physical or psychological violence. The procedure involves implementing a protocol that includes filing a complaint with the Office of the Public Prosecutor and using measures of containment, listening and emotional support. In addition, the National Service for Minors developed a policy in 2021 for the consideration of sexual and gender diversity among the children and adolescents it serves, which is designed to promote relevant care and protection to prevent any discriminatory behaviour against LGBTIQ+ adolescents in the network's centres or programmes.

148. As mentioned above, Act No. 21.228 of 2020 was enacted in the context of the pandemic, granting a general commutative pardon for persons with COVID-19 who had not committed serious crimes and who met certain requirements, so that their prison sentence would be commuted to house arrest. The beneficiaries of the pardon include pregnant women and mothers of children under 2 years of age who have served a third of their sentence and have a remaining sentence of three years or less. Details of the beneficiaries of this pardon is attached in section 8 of the annex.

149. The State has introduced various legal amendments that have had an impact on the treatment of women in prisons. In 2019, changes were introduced to the parole system, incorporating, among other things, an express rule indicating that in the case of convicted women who are pregnant or have children under 3 years of age, lower compliance requirements would be required for eligibility for parole. In 2019, the Undersecretariat for Human Rights convened an inter-agency round table that has

proposed administrative and legislative measures to effectively safeguard the rights of children and pregnant women in detention. In order to enforce compliance with those measures, a follow-up commission was created, made up of representatives of the Undersecretariat for Human Rights, the Undersecretariat of Justice and the National Prison Service.

150. In line with the above, the “My Lawyer” programme, mentioned in paragraph 31, has been established to represent the infants of mothers deprived of liberty. The programme, together with the “Growing Together” initiative of the National Prison Service, facilitates and protects the mother-child bond, guarantees the provision of health care, nursery care and preschool services and identifies and empowers extended family caregivers. In the case of adolescents over 14 and under 18 years of age, the “My Lawyer” programme acts as guardian ad litem before the criminal justice system, connecting the family justice system with the criminal justice system to provide the latter with background information on the vulnerability and lack of protection of the adolescent in question.

151. The measures adopted for the treatment of women deprived of their liberty take the provisions of the Bangkok Rules as a guide and principle. In conjunction with the instruments already referred to, it is worth noting Exempt Resolution No. 30308 (2007) of the National Service for Minors, which approves a directive with procedures related to the special rules for women in detention centres.

152. The National Prison Service runs women’s prisons that are equipped with adequate spaces and conditions for pre- and post-natal care and treatment, as well as for the care of the inmates’ nursing infants. In facilities where there are no such centres for women, women will be held in areas that are separated from the rest of the prison population, although they may take part in joint activities with the male prison population. In addition, every time a woman with a nursing child enters the prison, the Better Childhood Service must be informed immediately so that it can process the respective subsidy and develop the necessary programmes or measures to ensure the proper care of the child.

153. The National Service for Minors has also made progress towards the development of gender-responsive programmes to improve the social inclusion of young women who have come into conflict with the law, which led in 2021 to the creation of the Operational Guide for Gender-Responsive Interventions and its dissemination to teams in detention centres.

### **Disadvantaged and marginalized groups of women**

154. Sections 1 and 9 of the annex include disaggregated statistical data on the situation of women belonging to disadvantaged or marginalized groups.

#### *Indigenous women*

155. The bill creating the Ministry of Indigenous Peoples (Bulletin No. 10687-06) was unanimously approved by the Senate in 2018 and is currently in the second stage of review. The objective of the Ministry will be to create and implement a new national indigenous policy in coordination with the National Council and the Councils of Indigenous Peoples, which are autonomous, representative and participatory consultative entities.

156. The 2021 National Police Intervention Training and Techniques Programme of the Carabineros addresses the protection of women and children and adolescents, and also makes specific reference to indigenous peoples. The Ministry for Women and Gender Equity, together with UN-Women and the Undersecretariat for Human Rights, is working closely with the Carabineros to ensure the protection of the rights of

women in all their diversity and the adoption of a gender perspective in all police work (see paragraph 43).

157. Regarding land tenure and ownership, the Indigenous Land and Water Fund of the National Indigenous Development Corporation has developed a series of instruments to meet the demands of indigenous peoples concerning land and water resources. In relation to indigenous women's access to land, by Exempt Resolution No. 1380 of 2020 of the National Indigenous Development Corporation, which approves the guidelines for the eighteenth land subsidy, extra points are awarded according to the number of women in the family group. A total of 75 per cent of the women have benefited from this subsidy.

158. Regarding mechanisms for consulting indigenous women on the use of land and natural resources, the National Indigenous Development Corporation relies on the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169), Unit, whose main function is to coordinate national work related to the implementation of the Convention, especially in terms of consultation processes and indigenous participation. It also coordinates the work of the Environment, Natural Resources, Climate Change and Coastline Units. Some regional and macro-regional initiatives have been financed that have enabled indigenous participation through support for various meetings and dissemination of topics associated with the promotion of indigenous women's rights and climate change, including two forums on ILO Convention No. 169 held in 2019, in which 200 indigenous women took part.

159. As a result of a collaboration agreement between the Ministry for Social Development and the Family (through the National Indigenous Development Corporation) and the Ministry for Women and Gender Equity, work began at the end of 2020 on an Indigenous Women's Agenda, which covers three main areas – indigenous women's leadership, economic enfranchisement and bodily autonomy – with more than 15 long-term actions to raise the visibility of, empower and provide new opportunities for indigenous women in Chile. A web page<sup>39</sup> with information on the development of the main initiatives under the agenda was also launched.

#### *Women with disabilities*

160. Act No. 21.331 on the recognition and protection of the rights of persons to mental health care was promulgated in 2021. This Act expressly prohibits the sterilization of children and adolescents as a fertility control measure and, in the case of adults, establishes the right not to be sterilized without free and informed consent.

161. The bill concerning the autonomy of persons with disabilities (Bulletin No. 12.441–17) is still at the stage of the first review. However, Act No. 21.331 addresses issues related to the legal capacity of persons with disabilities, such as free and informed consent, advance directives, intervention plans in cases of psycho-emotional crisis and other tools to protect the will and preferences of an individual in the case of future conditions that would prevent him or her from expressing consent. In January 2022, the executive submitted to the Senate a bill establishing the Statute for Facilitators and Assistants (Bulletin No. 14,783–07), which sets out a new procedure for determining the incapacity of persons with mental health problems, which is a step forward in terms of recognizing the legal capacity of persons with disabilities.

162. Since 2015 the National Disability Service, with the collaboration of the Legal Assistance Corporation, has been developing the Access to Justice Programme, which provides free specialized legal advice and legal sponsorship to persons with disabilities who are victims of discrimination and/or violation of their rights on

<sup>39</sup> [www.mujeresindigenas.gob.cl](http://www.mujeresindigenas.gob.cl).

account of their disability. In addition, a collaboration agreement between the National Disability Service and the judiciary has been in force since 2013, under which efforts are made to establish initiatives to protect the right to equal opportunities, such as improvements in the conditions of access to and infrastructure of the courts, training courses and seminars, among others.

163. In terms of employment, under Act No. 21,015, which came into force in 2018, the inclusion of persons with disabilities in the labour market was promoted by establishing that public agencies and companies with 100 or more workers must appoint persons with disabilities to at least 1 per cent of posts. A programme to foster the workplace inclusion of persons with disabilities has also been implemented, with the goal of strengthening the inclusive employment responsibilities of for work teams in entities that must comply with Act No. 21.015, in order to develop inclusive employment processes. In addition, the National Fund for Inclusive Projects of the National Disability Service has financed multiple projects in the area of employment inclusion.

164. In 2020, a standing tripartite working group was set up by the Ministry for Women and Gender Equity, the National Service for Women and Gender Equity and the National Disability Service, under which a collaboration agreement was signed to address priority issues of common interest for women with disabilities, including gender violence, the feminization of care work, sexual and reproductive rights, inclusive maternity, post-COVID-19 employment challenges for women with disabilities and access to the care channels and mechanisms of the National Service. Along those lines, the guidelines for the workshops provided by the women, sexuality and maternity programme of the National Service were reviewed by disability organizations, and specific recommendations were included for the participation of persons with various disabilities. Within that framework, training was provided to officials of the Violence against Women Team and the shelters of the National Service. The training covered inclusive care for women, first response and detection of violence, and tools were developed in the violence prevention programme for groups with specific needs.

165. The National Disability Service, together with the Faculty of Medicine of the University of Chile, launched an initiative on disability and sexual and reproductive rights, which was designed to address that issue through posters that express the views of persons with disabilities, their families and the organizations that represent them and through material compiled from various virtual meetings at which persons with disabilities from all over the country shared their experiences.

166. In 2019, the National Disability Service developed guidelines for the care of women with disabilities who are victims of violence. The guidelines provide tools for better care in such cases at all stages of the care process, and in the areas of orientation, care, reparations or other benefits. In addition, the National Disability Service prepared a study on the feminization of care and persons with disabilities (2019), which analysed the characteristics of caregivers of persons with disabilities based on a series of socioeconomic indicators with a gender perspective. In the same vein, the National Service for Women and Gender Equity provides guidance, information and psychological and legal assistance on gender violence to deaf women through the Centre for Deaf Women, which provides complementary services for Chilean sign language support.

167. With regard to ensuring the free and informed consent of women with disabilities with respect to treatment or treatment alternatives, Act No. 21,331 provides for the coordination of support for decision-making to safeguard their wishes and preferences. It also covers behaviour management and the use of restraints, which must be done with strict respect for human rights, and it incorporates strategies and

the person's preferences in that regard. Restraints may only be used in cases when they are prescribed by a doctor as part of the person's treatment and when there is no less restrictive alternative.

*Migrant, refugee and asylum-seeking women*

168. With the New Migration Act (Act No. 21.325 of 2021), significant progress has been made with regard to the promotion, respect for and protection of the fundamental rights of migrants, with emphasis on vulnerable groups, including women, girls and adolescents, and victims of trafficking in persons. Under this Act, which makes particular reference to foreign women, the State must foster respect for and protection of foreign women to ensure that they are not subject to discrimination or abuse because of their gender at any stage of the migratory process. Similarly, pregnant women, victims of trafficking in persons or of gender or domestic violence or of migrant smuggling will receive special consideration from the State and may apply for a visa that allows them to stay in the country. Persons who are temporary residents with dependent status and victims of domestic violence who have initiated legal proceedings that resulted in convictions may apply for temporary residence as principals, which will be granted without further formalities.

169. In refugee matters, in accordance with national legislation, when a formal application has been submitted, the applicant and his or her family members are granted a temporary visa for eight months, free of charge and renewable for the same period of time until the application is resolved. This type of residence permit allows access to all social services. In addition, the holder can obtain an identity card for foreigners for the duration of the visa. Applicants who are granted refugee status will be granted permanent residence and those who do not have a valid passport or other documentation that allows them to leave the country and enter foreign territory will have the right to apply for an official travel document.

170. There are also inter-agency collaboration agreements that benefit migrant women, asylum-seekers and refugees, such as the collaboration agreement between the Ministry of the Interior and Public Security and the Ministry of Health on maternity protection, which provides for the issuance of a temporary residence permit to those foreign workers who become pregnant during their stay in the country, which gives them access to health services for up to twelve months after giving birth. Since 2014, the Ministry of the Interior and Public Security, together with the National Health Fund, have implemented an agreement that provides access to health care for refugees and asylum-seekers, complemented by Decree No. 67 of the Ministry of Health, in which the lack of resources of migrants who are undocumented or lack regular residence in the country is considered an additional factor that entitles them to health benefits.

171. The National Migration Service has undertaken a series of social promotion initiatives, including the provision of information to migrant women, asylum-seekers and refugees on regularization and migration management; a network of social benefits; the rights of pregnant women and children and adolescents; and prevention and awareness efforts regarding domestic violence. In 2020, the Office of the Undersecretary of the Interior included a gender approach in the various initiatives taken to improve the quality of life for migrant women.

172. In addition, the Ministry for Women and Gender Equity is participating in an intersectoral working group to address social migration policy, convened by the Ministry of the Interior and Public Security together with the Ministry of Social Development and the Family, with the objective of producing proposals for the Council of Ministers on Migration Policy. Within that framework, the situation of migrant women in Chile was analysed, and measures were proposed to address their

needs and challenges. In addition, a pilot training workshop for women migrant leaders was held to strengthen leadership skills and provide information on the public services and programmes available to migrant women.

173. The Ministry for Women and Gender Equity is also implementing an agenda for women migrants, and the following activities have taken place in that context: an analysis of the services and mechanisms provided by National Service for Women and Gender Equity, which identifies the main barriers and challenges to access by migrant women; training for Carabineros on a gender approach to border control with the support of experts from UN-Women, the United Nations Children's Fund and UNHCR (1,085 attendees), as outlined in paragraph 43; training courses for the migrant community in first response in cases of violence against women together with the Division of Social Organizations (with over 30 participating groups); a workshop to train migrant women leaders, training for staff of the National Migration Service in a gender perspective for public policies; and training for the staff of the Ministry and the National Service on intercultural trafficking and refugee issues in conjunction with the National Migration Service (750 attendees). The campaign entitled "gender violence takes you out of your life and then takes your life", launched on 25 November 2021, provided material for social media in Mapudungun and Creole.

174. All the programmes and mechanisms of the Ministry for Women and Gender Equity and the National Service for Women and Gender Equity, including those related to violence prevention, are available to migrant women regardless of their migratory status, and work is ongoing to protect the exercise of women's rights in all their diversity. Along those lines, the National Service has a shelter for trafficking victims and has set up intersectoral initiatives with a view to carrying out strategic initiatives to find a permanent solution for discrimination affecting women of African descent and migrant women. These activities are carried out together with the Ministry of Health, the National Prison Service, the National Service for Prevention and Treatment of Drug and Alcohol Use, the Solidarity and Social Investment Fund and other agencies, in order to improve interventions and share programme options, training courses, awareness-raising activities and related study material.

175. Moreover, since 2019 the Aliens and Migration Department (now the National Migration Service) has a protocol for social cases, through which requests can be made to expedite residency procedures in cases of economic, social (including gender or domestic violence) or health vulnerability. The National Service for Women and Gender Equity is one of the agencies that follows that protocol, with trained focal points in each of the country's regions who can make requests on behalf of migrant women who are beneficiaries of any of the service's programmes or mechanisms who have been or are currently affected by violence.

### **Marriage and family relations**

176. Regarding the bill that modifies the marital community property regime (Bulletin No. 7.567-07), on which no progress had been made since 2013 and which was re-submitted in 2018, recommendations were made to establish indivisible and joint administration for relevant actions. It has reached the second stage of review, with specific discussion of the recommendations made by the executive branch in the Women's Committee of the Senate, and has been assigned an immediate debate rating.

177. In that connection, by Act No. 21,264, published in 2020, an impediment to remarriage was abolished with the elimination of the rules that prevented women from remarrying within 270 days of the dissolution of the previous marriage. In addition, with the publication of Act No. 21,334 in 2021 on the determination of the order of surnames by parental agreement, parents were allowed to determine by mutual agreement the order of their child's surnames when registering the birth.

178. The executive branch promoted and actively participated in the passage of the bill approving the marriage of same-sex couples (Bulletin No. 11422-07), promulgated as Act No. 21,400. The bill amending Act No. 19,947 on civil marriage and the Civil Code in order to increase the minimum age for marriage to eighteen years of age (Bulletin No. 9850-18) is at the first stage of review.

#### **Climate change and disaster risk reduction**

179. In the particular case of Site F, about 20,000 tons of toxic waste from Sweden were deposited there. By Act No. 20,590 an intervention program was established for areas where polymetals are present in the commune of Arica (2012) and by the corresponding Regulatory Decree No. 80 (2014) an action programme was launched for areas where polymetals are present, and the criteria, requirements and procedures to determine the beneficiaries (who are more than 14,000 to date) were established. As a result, the toxic material was extracted, transferred and deposited in Quebrada Encantada Baja. A layer of lime was applied to the area to neutralize the acidity of the material and then the ground was covered with inert material that was free of contamination. In addition, the dust suppressant Fitosoil Forte was applied to the site. Currently, the publicly-owned part of the land has been leased for five years to a truckers' association, which must comply with obligations that include stabilization of the material and the ground with concrete and hardening of the land.

180. The aim is to keep the area clean and eliminate all traces of polymetals in the area, with special care and concern for the situation of children, women and the elderly. According to recent measurements by the Toxicological Information Centre of the Catholic University (2021), the only mineral present in the area is arsenic, at low levels that comply with international standards.

181. There is currently no toxic waste deposit at Site F, as it was moved to Quebrada Encantada Baja, approximately one kilometre from the nearest human settlement. The National Geology and Mining Service of Chile selected that area after determining in situ that it consisted of impermeable rocky soil without underground water, which complies with health and environmental regulations and therefore ensures the well-being and protection of women, children and the elderly in the area where polymetals are present. In addition, the waste was buried under a layer of inert material, followed by a plastic cover, which was also coated with inert material to contain the waste. The area is enclosed by a 2-meter high perimeter fence to prevent access to the site. An Environmental Health Centre, specially designed to comply with the health programme of Act No. 20,590 and its Regulatory Decree No. 80, will soon be at the design stage and is expected to be fully operational by the end of 2022.

182. During the period, work has been carried out with the 17 presidents of the Neighbourhood Councils of the areas affected by polymetals, 14 of whom are women, with quarterly meetings of the leaders, and regular field visits and contacts with them to solve problems relating to the Act. In addition, there are regular activities and actions in health, education, housing and urbanization, and others with the National Board of School Aid and Scholarships and the Ministry of the Environment, in order to comply with the law.

183. In 2020, Chile submitted its nationally determined contributions to the United Nations Framework Convention on Climate Change (UNFCCC), which has established an unprecedented social pillar that considers the synergy of each commitment with the Sustainable Development Goals, and incorporates specific criteria and commitments regarding gender equity and equality, a just transition, active participation, ancestral knowledge and water security. In the same vein, Chile officially presented the country's Long Term Climate Strategy (2021), a road map that establishes specific sectoral objectives and goals that will enable Chile to be carbon neutral and climate resilient by 2050 at the latest, and which is based on the four pillars of sustainability (economic, social, institutional and environmental).



Specifically, the social pillar commitment includes targets for reducing gender gaps that have been identified in climate change management instruments at the national and regional levels in order to reduce women's vulnerability to climate change.

184. In 2020, the National Gender and Climate Change Round Table was established, led by the Ministry of the Environment, and convening 25 public institutions, including the Ministry for Women and Gender Equity, with the participation of gender and climate change focal points from the institutions represented. The results of the negotiations on gender issues that took place at the twenty-fifth session of the Conference of the Parties to UNFCCC and Chile's experience in incorporating a gender perspective in the document updating its nationally determined commitments on climate change were presented to the Round Table.

185. In 2021, the National Energy Policy was updated, and consideration was given to its goals, including the implementation of strategies for fair and sustainable energy transitions, with specific programmes for women. In terms of effective participation, the goal is to have gender equity and multi-stakeholder processes by 2030 in 100 per cent of policies, regulations, plans, programmes and instruments. In that context, the strategies for a just transition, electromobility and hydrogen were updated and presented in 2021. The strategies include public-private measures to address climate change and generate inclusive governance with an intercultural and gender focus, and also training and employability activities for women (which will be incorporated into local action plans). In addition, the climate change mitigation and adaptation strategies for the energy sector will be updated with a gender perspective with the enactment of the Climate Change Framework Law (Bulletin No. 13191–12), which is now at the stage of second review in the Chamber of Deputies.

186. In the area of environmental protection, the Indigenous Environmental Protection and Management Contest organized by the Ministry of the Environment has financed over 100 initiatives, with more than 50 per cent led by women. The Ministry of Agriculture has various training plans for women farmers in basic technical and legal aspects of irrigation and non-conventional renewable energies; and offers talks on sustainability and the circular economy.

#### **Additional information**

187. Chile has been a pioneer in the world in incorporating a gender perspective in trade agreements in order to boost women's access to international markets, and it reached a milestone in 2016 by signing with Uruguay the first free trade agreement that included a gender chapter. Since then, Chile has signed trade agreements including such chapters with Canada, Argentina, Brazil and Ecuador, and is currently in negotiations with new trading partners.

188. In 2020, the Ministry of Housing and Urban Planning, the Ministry for Women and Gender Equity and the National Service for Women and Gender Equity updated a 2016 agreement in order to address the urgent housing needs of women survivors of gender-based violence and domestic violence, thereby allowing preferential treatment in terms of a housing subsidy to women referred by the National Service who meet the requirements defined in the agreement. During the 2018–2021 period, more than 800 housing subsidies were provided under that framework. Also, in the context of the Government's Social Agenda, the Ministry of National Assets has prioritized the regularization of property titles for female heads of household as one of its main areas of work, and it delivered 2,814 titles in 2020 and 2021.

189. Also noteworthy is the publication of Act No. 21,129 of 2019, which amends various legal tests in order to establish maternity leave for women officers of the Armed Forces and the Public Order and Security Forces, ensuring that women officers with maternity leave are not required to retire for health reasons.