



Convention on the Rights of the Child

Distr.
GENERAL

CRC/C/CHL/Q/3
16 October 2006

Original: ENGLISH

COMMITTEE ON THE RIGHTS OF THE CHILD
Forty-fourth session
15 January-2 February 2007

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with the consideration
of the third periodic report of CHILE (CRC/C/CHL/3)

PART I

Under this section the State party is requested to submit in written form additional and updated information, if possible, before 24 November 2006

A. Data and statistics, if available

1. Please provide disaggregated statistical data (by sex, age groups, ethnic group, urban and rural areas) covering the years 2003, 2004 and 2005 on the number and percentage of children under 18 living in the State party.
2. In the light of article 4 of the Convention, please provide disaggregated data on budget allocations and trends (in absolute figures and percentages of the national and regional budgets) for the years 2004, 2005 and 2006 regarding the implementation of the Convention evaluating also the priorities for budgetary expenditures given to the following:
 - (a) Education (different types of education, i.e. pre-primary, primary and secondary education);
 - (b) Health care (different types of health services, i.e. primary health care, vaccination programmes, adolescent health care, HIV/AIDS and other health-care services for children, including social insurance);

- (c) Programmes and services for children with disabilities;
 - (d) Support programmes for families;
 - (e) Support for children living below the poverty line;
 - (f) Protection of children who are in need of alternative care, including the support of care institutions;
 - (g) Programmes and activities for the prevention of and protection from child abuse, trafficking in children, child sexual exploitation and child labour;
 - (h) Programmes and services for children belonging to indigenous peoples;
 - (i) Programmes and services for abandoned children, including street children;
 - (j) The administration of juvenile justice and the recovery and social reintegration of juvenile offenders.
3. Please indicate the estimated investment in the private sector, in particular for health and education.
4. Please explain what measures are undertaken to address regional and socio-economic disparities in budget allocations.
5. With reference to children deprived of a family environment and separated from parents, please provide disaggregated data (by sex, age groups, ethnic groups, urban and rural areas) for the years 2003, 2004 and 2005 on the number of children:
- (a) Separated from their parents;
 - (b) Placed in institutions;
 - (c) Placed with foster families; and
 - (d) Adopted domestically or through intercountry adoptions.
6. Please specify the number of children with disabilities, up to the age of 18, disaggregated by sex, age groups and, if possible, ethnic groups, urban and rural areas, covering the years 2003, 2004 and 2005:
- (a) Living with their families;
 - (b) Living in institutions;
 - (c) Placed in foster care;
 - (d) Attending regular schools;

- (e) Attending special schools; and
 - (f) Not attending schools.
7. Regarding health services, please provide disaggregated statistical data (by sex, age groups, ethnic groups, urban and rural areas) covering the years 2003, 2004 and 2005:
- (a) Rates of infant and child mortality;
 - (b) Rates of immunization;
 - (c) Rates of malnutrition;
 - (d) Children infected with and/or affected by HIV/AIDS; and
 - (e) In the area of adolescent health, rates of early pregnancy, sexually transmitted infections (STIs), drug, alcohol and tobacco abuse, suicide and other mental health problems.
8. With reference to child abuse and sexual exploitation, please provide disaggregated data (by sex, ethnic groups and types of child abuse reported) covering the years 2003, 2004 and 2005 on:
- (a) The number of reported child abuse cases and measures taken;
 - (b) The number and percentage of reports which have resulted in either a court decision or other types of follow-up;
 - (c) The number and proportion of child victims that have received counselling and assistance in recovery;
 - (d) The coverage of the programmes referred to in the State party report.
9. Please specify the criteria for “poverty” and indicate the number of children living below the poverty line. Please also specify the support for children living below the poverty line.
10. With reference to the right to education, please provide disaggregated statistical data (by sex, age groups, if possible ethnic and religious groups, urban and rural areas, immigrant children) covering the years 2003, 2004 and 2005 in percentage of the relevant age group on:
- (a) The rates of literacy, below and over 18 years;
 - (b) The enrolment in pre-primary schools, primary schools and secondary schools and in vocational training;
 - (c) The percentage of children completing primary and secondary education;

- (d) The number and percentage of dropouts and repetitions; and
 - (e) The ratio teacher per children and number of children per class.
11. Please provide disaggregated statistical data (including by sex, age and type of crime) covering the years 2003, 2004 and 2005, in particular on the number of:
- (a) Persons below 18 who have allegedly committed a crime that was reported to the police;
 - (b) Persons below 18 who have been charged with a crime and of those the number who are sentenced, and the type of punishment or sanctions related to offences, including length of deprivation of liberty;
 - (c) Detention facilities for persons below 18 in conflict with the law and their capacity;
 - (d) Persons below 18 detained in these facilities and persons below 18 detained in adult facilities;
 - (e) Persons below 18 kept in pretrial detention and the average length of their detention;
 - (f) Reported cases of abuse and maltreatment of persons below 18 which occurred during their arrest and detention; and
 - (g) Persons under 18 tried and sentenced as adults.
12. With reference to special protection measures, please provide statistical data (including by sex, age, if possible ethnic groups, urban and rural areas) for the years 2003, 2004 and 2005 on:
- (a) The number of children involved in sexual exploitation, including prostitution, pornography and trafficking; the number of them who received recovery and/or reintegration support; and how many of the perpetrators were prosecuted;
 - (b) The number of unaccompanied minors and asylum-seeking and refugee children, as well as the number of children awaiting expulsion;
 - (c) The number of children involved in labour who are under 16, indicating the type of work;
 - (d) The number of street children and the type of assistance given to them; and
 - (e) The number of child victims who suffered torture between 1973 and 1989 and who received reparations during the reporting period.

B. General measures of implementation

1. The Committee would appreciate receiving information on activities related to recommendations contained in the Committee's previous concluding observations on the second report of Chile (CRC/C/15/Add.173) which have not yet been fully implemented, in particular regarding: legislation (para. 9), non-discrimination (para. 27), respect for the views of the child (para. 30), the physical and sexual abuse of children within and outside the family (para. 38), regional disparities in access to health care (para. 40), reproductive health (para. 42), refugee children (para. 48), sexual exploitation and trafficking (para. 52) and juvenile justice (para. 54).
2. Please inform the Committee on the progress made to reform the Juvenile Act No. 16.618 of 1967 and to replace it with comprehensive legislation which adequately takes into account the provisions of the Convention.
3. Please indicate step taken to assess and restructure the Servicio Nacional de Menores (SENAME).
4. Please indicate the status of the Convention on the Rights of the Child and whether it has been invoked directly in domestic courts, and if so, please provide examples of such cases.
5. Have there been steps taken to disseminate and evaluate the National Policy and Integrated Plan of Action in favour of Children and Adolescents 2001-2010?
6. Please inform the Committee of progress made towards the establishment of an independent national human rights institution, in accordance with the Paris Principles, in order to provide a complaint and redress mechanism accessible to children.
7. Please provide updated information on efforts to disseminate the Convention and the State party report.
8. Please provide updated information on efforts made to provide training, awareness about the Convention and on human rights in general to children, parents, teachers, social workers and other professionals working with and for children.
9. Please indicate the role of non-governmental organizations in the implementation of the Convention.
10. Please provide further updated information on the implementation and results of efforts and programmes to combat economic and sexual exploitation.
11. Please inform the Committee of developments with regard to implementation of the reformed juvenile justice system. Please indicate whether components of restorative justice have been incorporated in the administration of juvenile justice. Also, please provide information on the criteria applied in determining whether to apply deprivation of liberty for child offenders.

12. Please indicate the issues affecting children that the State party considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention.

PART II

Please provide the Committee with copies of the text of the Convention on the Rights of the Child in all official languages of the State party as well as in other languages or dialects, when available. If possible, please submit these texts in electronic form.

PART III

Under this section, the State party is to briefly (3 pages maximum) update the information provided in its report with regard to:

- New bills or enacted legislation;
- New institutions;
- Newly implemented policies;
- Newly implemented programmes and projects and their scope.

PART IV

The following is a preliminary list of major issues (that does not contain issues already covered in Part I) that the Committee may take up during the dialogue with the State party. They do not require written answers. This list is not exhaustive as other issues might be raised in the course of the dialogue.

1. The implementation of national legislation relating to the rights of the child.
2. Non-discrimination in general and in particular discrimination against girls, indigenous peoples, refugee children, children living in poverty, street children and children living in rural areas, child victims of sexual exploitation and children in conflict with the law.
3. Budget allocations at the national, regional and local levels.
4. Standard of living and regional disparities in this regard.
5. Violence against children, including domestic violence, corporal punishment in the family, schools, the workplace, childcare and other institutions.
6. Institutional care and adoption.
7. The educational system and its reform, including equal access to education by all children and efforts to improve quality of education.
8. Access to social and health services.

9. Adolescent health concerns and reproductive health issues including adolescent pregnancies, HIV/AIDS, substance abuse, suicides and mental health-care services and efforts to raise awareness among parents of the need for reproductive health education.
10. Different forms of exploitation, including economic exploitation, child labour, in particular children working in the informal sector, sexual exploitation and child pornography, trafficking in children. Results and evaluation of government initiatives and programmes, including rehabilitation for victims.
11. Reform of the administration of juvenile justice, inter alia, the minimum age of criminal responsibility, the (monitoring of the) conditions of detention facilities for juveniles and social reintegration services.
12. Refugee children.
13. Children belonging to indigenous peoples.
