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Committee on Economic, Social and Cultural Rights Seventy-eighth session

Summary record of the 40th meeting*

Held at the Palais Wilson, Geneva, on Monday, 15 September 2025, at 3 p.m.

Chair: Ms. Saran

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* No summary records were issued for the 38th and 39th meetings.

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The meeting was called to order at 3.05 p.m.

Consideration of reports *(continued)*

(a) Reports submitted by States Parties under articles 16 and 17 of the Covenant
(continued)

Fifth periodic report of Chile ([E/C.12/CHL/5](#); [E/C.12/CHL/QPR/5](#))

1. *At the invitation of the Chair, the delegation of Chile joined the meeting.*
2. **A representative of Chile**, introducing her country's fifth periodic report, said that, against a backdrop of global uncertainty and tensions in the multilateral system, human rights and democracy must remain central at all times.
3. Since the previous review, Chile had faced a number of challenges, including the social protests of 2019 and the coronavirus disease (COVID-19) pandemic. It had also twice undergone a democratic process aimed at the adoption of a new constitution. In its quest to strengthen its institutional architecture in the area of economic, social and cultural rights, the Government had adopted legislation on parental rights and the payment of alimony and the Framework Act on Climate Change and increased the minimum wage and the universal guaranteed pension to record levels. It had instituted the "Zero Co-pay" programme in the healthcare system and eliminated school fees.
4. Despite the progress made, challenges remained. For example, greater efforts were needed to consolidate the national support and care system, which encompassed gender-sensitive health, education, social protection and economic development policies, and to reform the financial model used in the higher education sector, with the aim of eliminating student debt. Other challenges persisted in the areas of security, integration, border control and inclusion for persons with disabilities and Indigenous Peoples.
5. **A representative of Chile** said that in recent years, legislative reforms had been enacted and cross-cutting policies adopted to increase social protections and open up opportunities. For example, long-awaited reforms had been made to the pensions and social security system, including the introduction of a universal guaranteed pension and measures designed to bring women's pensions into line with those received by men. The Government was committed to building a more equal and sustainable society.
6. **A representative of Chile** said that in October 2023, the Supreme Court had created the post of Minister for Human Rights. A number of coordination mechanisms had subsequently been established to take action in areas including training and awareness-raising, data analysis and follow-up to the recommendations issued by human rights treaty bodies.
7. Between 2015 and 2024, the Covenant and the Committee's general comment No. 15 (2002) on the right to water had been invoked in a number of court judgments. The provisions of the Covenant that had been referenced most frequently included those concerning the right to education, the right to an adequate standard of living, the right to form and join trade unions and the right to social security.
8. All judges were trained at the Judicial Academy, which offered a wide range of courses on human rights, including one focused on economic, social and cultural rights. The judiciary had participated in the drafting of the National Human Rights Plan and the National Action Plan on Business and Human Rights.
9. **Ms. Lemus de Vásquez** (Country Rapporteur) said that she would like to know about any progress that had been made in the constitutional reform process that had begun in 2019 and about the expected time frame for the constitutional recognition, accompanied by full administrative and judicial safeguards, of the rights to water, health, education and social security. She also wished to know when the State Party expected to achieve constitutional recognition of Indigenous Peoples and whether there were any plans to set up administrative and judicial mechanisms to protect their collective rights and ensure their political participation and the restitution of their lands.

10. The delegation might give an account of the measures being taken to uphold the land ownership rights of Indigenous Peoples, including the Mapuche, to ensure that such Peoples could report violations of their land rights and receive compensation and to guarantee that no legal reforms or new pieces of legislation would place restrictions on those rights. She would like to know how the authorities guaranteed that industrial and extractive projects affecting Indigenous Peoples and communities underwent effective free, prior and informed consent processes and that those processes complied with international standards, in particular with respect to reasonable time frames and the provision of information in a culturally appropriate format and in the language of the People concerned.

11. She was curious to know how the authorities ensured that the National Institute of Human Rights and the Office of the Children's Ombudsman received sufficient and sustainable financial resources and whether there were plans to strengthen the mandates of those bodies, for example by rendering their recommendations binding in nature.

12. The delegation might provide details of any plans to ratify the Optional Protocol to the Covenant and of the measures that had been or would be taken to ensure that the courts recognized and took full account of the binding nature of the Covenant. She wondered whether the authorities intended to include in the National Human Rights Plan indicators that would help to monitor the courts' application of the Covenant.

13. She would like to know what concrete measures the State Party intended to take to bring the Anti-Discrimination Act into line with the Covenant and to make provision for effective redress mechanisms to be used in cases of discrimination. It would be useful to know whether there was a reporting mechanism in place to deal with such cases. She wondered how the authorities planned to ensure that the enforcement of the Act on Migration and Foreign Nationals did not result in the persecution, criminalization or mass expulsion of migrants with irregular status.

14. The delegation might provide details of any concrete measures the authorities planned to take to reverse the increase in multidimensional poverty, particularly among the most vulnerable groups, and the expected time frame for their implementation. It might also explain how the Government ensured that any policies designed to tackle inequality and discrimination provided an effective and sustainable response to the issues that had given rise to the 2019 social protests.

15. She would welcome information about any plans to adopt binding regulations on due diligence in the area of human rights for Chilean-owned businesses operating inside and outside the country. She would like to know what would be done to ensure adequate compensation for the Pehuenche People in the light of the reported breakdown of their agreement with the Government on the construction of a power plant.

16. She wished to know what action the Government was taking to prevent acts of enforced disappearance, attacks and threats directed at human rights defenders, including those who worked on Indigenous or environmental rights. She wished to receive details of any existing legislative or regulatory framework aimed at protecting human rights defenders and of any steps that were being taken to avoid the criminalization of such persons and reprisals against them.

17. The delegation might describe how the Government ensured the effective application of the safeguards set out in the Framework Act on Climate Change, in particular with respect to communities and the environment in areas, including salt flats in the high Andes, affected by mining projects. She wondered whether the authorities might consider amending the Act to introduce measures to protect glaciers from mining activities.

18. She wished to know what legislative, institutional or other measures the Government might take to prevent and address cases of corruption and to ensure that such cases did not have a negative impact on the allocation of public funds or on the effective enjoyment of Covenant rights. She wondered whether an independent mechanism was in place to receive reports of corruption.

19. She would like to know how the authorities were addressing the low numbers of women participating in political life and financial decision-making processes and what

measures they were taking to promote the appointment of women to decision-making positions in the public and private sectors.

The meeting was suspended at 3.30 p.m. and resumed at 3.40 p.m.

20. **A representative of Chile** said that the constitutional review process had been conducted in a democratic manner. Following the rejection, in a referendum held in 2022, of the text that had been drafted by the Constitutional Convention established for that purpose, a second text had been put before the electorate by an interdisciplinary working group that had brought together representatives of all political parties. The second text had also been rejected in a referendum in 2023. The Government had indicated that a third round of the constitutional review process would not be undertaken during the current term of office.

21. The Presidential Commission for Peace and Understanding, an advisory body that included representatives of the Mapuche People and enjoyed broad political support, had recommended constitutional recognition of Indigenous Peoples, a goal that the Government was fully committed to achieving. A draft constitutional amendment had been submitted to Congress in July 2025 setting out the principle of interculturality, recognizing all individual and collective rights of all the Indigenous Peoples in Chile and defining the format for their participation in political decision-making bodies.

22. Pursuant to the Indigenous Act of 1993, two mechanisms were in place to subsidize the acquisition of lands by Indigenous Peoples and to provide redress in historical cases of land disputes. An estimated 42,000 Indigenous families were still waiting for their applications to those mechanisms to be resolved. In the previous three years, 54 communities had been provided with more than 17,500 hectares of land. Further institutional reforms would be necessary in order to coordinate the response to land claims.

23. Preparatory work was under way for dialogue with Indigenous Peoples with respect to amending Decree No. 66, which regulated Indigenous consultation processes, with a view to giving effect to the relevant recommendations of the Presidential Commission for Peace and Understanding. Consultation processes involving Chilean tribal peoples of African descent were regulated by Decree No. 12 of November 2023. The obligations arising from the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169) had been incorporated into the activities of the environmental impact assessment system.

24. **A representative of Chile** said that institutions such as the National Institute of Human Rights and the Office of the Children's Ombudsman worked with the Ministry of Finance to prepare their own budget proposals, which were then submitted to the National Congress for adoption as part of the annual Budget Act. The Government was committed to securing the approval of the budgets as proposed by those institutions, with a view to ensuring that they would have sufficient resources to fulfil their mandates. The recommendations made by such institutions were key in shaping, inter alia, the National Human Rights Plan and the National Action Plan on Business and Human Rights. The Ministry of Foreign Affairs was working with the Office of the Undersecretary for Human Rights to establish an interministerial committee to follow up on the implementation of those recommendations. The committee would use a monitoring system that was due to be operational by the end of 2025, in line with the commitment made by Chile in the context of the fourth cycle of the universal periodic review. A presidential advisory committee mandated to formulate recommendations for strengthening the National Institute of Human Rights in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) had operated throughout the first half of 2025. The committee, which had been made up of members of the National Congress from across the political spectrum, had issued a final report setting out 44 recommendations, the implementation of which was already under way.

25. The Anti-Discrimination Act was currently being amended to ensure that judicial proceedings involved the provision of redress to individuals who had been found to have fallen victim to discriminatory acts. The amended Act would also provide for the establishment of a body to strengthen work and government coordination in that area. The Office of the Undersecretary for Human Rights had taken steps to prepare a preliminary draft bill on due diligence and human rights, the content of which had been informed by the

Guiding Principles on Business and Human Rights and the outcome of consultations with public and private companies, trade unions, civil society and academics. The preliminary draft bill was currently being worked on by various ministries, which had been tasked with agreeing on a final version of the text that would enable the country to fulfil its obligations in the area and could thus be submitted to the National Congress for approval.

26. In late 2024, the Government had adopted a protocol on the protection of human rights defenders in order to give effect to its obligations under the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement). The protocol set out a broad definition of the term “human rights defender” and provided for the creation of an interinstitutional coordinating committee in the justice sector and an information portal to promote respect for such persons’ rights. The Office of the Undersecretary for Human Rights had developed an online course for the staff of government institutions and the wider public in order to inform them of the State’s obligations in the area.

27. Efforts were currently under way to develop the third National Action Plan on Business and Human Rights, which would set out the relevant commitments assumed by most public companies and the action to be taken in order to ensure the implementation of the Guiding Principles on Business and Human Rights.

28. **A representative of Chile** said that the applicability, in the national legal order, of the economic, social and cultural rights enshrined in the Covenant had been recognized by the courts of appeal and the Supreme Court, which had highlighted that article 5 of the Constitution established that the exercise of sovereignty was circumscribed by the obligation to respect the essential rights guaranteed by the Constitution and by the international treaties ratified by Chile, which all State bodies had a duty to promote. The norms established in the Covenant and the Committee’s general comments were also used by the courts as a means of interpreting national law and had been invoked in habeas corpus and *amparo* proceedings.

29. The new Migration and Foreign Nationals Act had superseded the previous law on the matter, which had been in contravention of the relevant international migration treaties. The Act provided for the direct incorporation into national law of the rights established in those treaties and also acknowledged a number of principles, such as family reunification and the protection of migrant children and adolescents, set out in the Covenant and other human rights instruments. On many occasions, the Supreme Court had admitted *amparo* applications in order to prevent the deportation of migrants where that measure would result in a violation of the principles recognized in the international treaties ratified by Chile.

30. **A representative of Chile** said that the Framework Act on Climate Change set out the legal framework for tackling and adapting to climate change and achieving carbon neutrality. The Act was grounded in the principles of equity and climate justice, promoted a gender-based approach and paid particular attention to the most vulnerable communities, sectors and systems. It established the duty of the Government to consider the impact of climate change and take into account the standards set out in the Escazú Agreement when conducting environmental assessments, in which citizen participation was guaranteed.

31. The national strategy on lithium mining provided for the establishment of a network of protected salt flats, which currently covered 8 per cent of all such areas in the country. There were plans to expand the network by incorporating an additional 27 lagoons and salt flats. Parties involved in mining were legally required to determine the impact of their activities on glaciers and to take measures to mitigate that impact and compensate for any damage. The Government had signed the Escazú Agreement and developed a national action plan for its implementation in order to promote access to information, citizen participation and transparency in environmental assessments. The Supervisory Authority for the Environment had recently been accepted to join the country’s anti-corruption alliance to further boost efforts to combat corruption.

32. No steps had been taken towards the ratification of the Optional Protocol to the Covenant during the reporting period. The Government was of the view that its ratification of the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights meant that a mechanism for safeguarding those rights was already in force in the country.

33. **A representative of Chile** said that inequalities remained despite the progress made in reducing poverty. In December 2023, a presidential advisory committee had been established to improve the methodology for measuring poverty and ensure that it was tailored to the country's level of development. The recommendations issued by the committee were currently being reviewed and would be used to develop more targeted public policies. A number of policies and programmes were in place to support families living in poverty and guarantee the rights of children and adolescents affected by the phenomenon. While steps had been taken to strengthen those programmes, develop relevant laws and make public healthcare free, inequalities persisted in areas such as education, social protection and care. A bill that would establish a national care system had been drafted to address some of those inequalities. A number of the measures described had been taken to address the concerns raised during the protests of 2019; the Government recognized that much work remained to be done in that respect but was also of the view that the reforms introduced were helping to tackle inequality and build a more integrated society.

34. While the Government acknowledged the issues surrounding the implementation of the law designed to protect Indigenous communities' right to use coastal areas, it was concerned that the proposed amendment to that law would result in the withdrawal of the instrument's most substantive provisions and had thus decided to challenge its constitutionality. With regard to gender equality, it was clear that significant inequalities remained in certain areas, such as the labour market. The Government hoped that the establishment of the national care system would help promote the more equal sharing of certain responsibilities between men and women. The creation of quotas for female candidates in elections had helped enhance women's participation in political decision-making spaces. Another measure of note had been the recent adoption of a law aimed at guaranteeing the representation of women on the board of directors of private companies.

35. **Ms. Lemus de Vásquez** said that she wished to know what measures the State Party had taken to ensure that the constitutional states of exception in the region of Araucanía and the provinces of Arauco and Biobío, which had been declared in 2022 and later extended, did not unduly limit individuals' enjoyment of their economic, social and cultural rights and that any restrictions imposed were proportionate, temporary and strictly necessary. She wondered what oversight and accountability mechanisms had been put in place to monitor the impact of that measure on the realization of economic, social and cultural rights and whether structures had been set up to enable members of the communities concerned to file complaints and obtain reparations for any violations committed.

36. **Mr. Fiorio Vaesken** (Country Task Force) said that he would welcome information on the oversight and transparency mechanisms that had been put in place to guarantee the effectiveness of the carbon credit system and on the concrete steps being taken to address the societal and environmental impact of megaprojects in the energy and mining sectors, in particular the Alto Maipo hydroelectric project. It would be helpful to know what measures, other than the organization of consultations, the State Party took to guarantee respect, both in law and in practice, for the right of Indigenous communities to free, prior and informed consent.

37. The delegation might explain what factors had prevented the State Party from paying in full its contributions to the budget of the United Nations for 2024 and 2025 and when it planned to honour its obligations in that regard. A more detailed explanation of the reasons for which the State Party had not yet ratified the Optional Protocol to the Covenant would be appreciated.

38. **Mr. Windfuhr** (Country Task Force) said that he would be curious to know whether the State Party was planning to take steps to increase the share of its revenue derived from direct taxes and what was being done to more effectively tackle tax evasion. He would be grateful for updated statistics on expenditure in areas such as housing, water, sanitation, health and education and wished to know how that expenditure would evolve in the coming years.

39. **A representative of Chile** said that the Alto Maipo hydroelectric project had begun following the completion of the corresponding environmental impact study. The study had

involved an examination of the environmental effects of the work to be conducted at each stage of the project, which had been duly addressed through various mitigation and compensation measures. The decision to issue the resolution authorizing the project had been made in view of those measures and the fact that the project would create up to 2,500 direct jobs for local workers. That decision had subsequently been challenged after it had been found that the volume of groundwater rising to the surface during the construction phase was greatly exceeding the amount originally forecast. In 2021, the Environmental Assessment Service had ruled that the resolution authorizing the project should be modified to address that issue.

40. **A representative of Chile** said that the declaration of the constitutional state of exception was just one of a number of measures that had been introduced to address the deep-rooted conflicts in the areas concerned. Other such measures had included the establishment of the Presidential Commission for Peace and Understanding and the implementation of a plan to promote development in those areas.

41. **A representative of Chile** said that the declaration of the constitutional state of exception had helped reduce violence by almost 70 per cent in the rural areas concerned between 2021 and 2024. The positive impact of the measure had been further demonstrated by the fact that the number of violent incidents recorded in those areas thus far in 2025 was down 50 per cent on that which had been recorded at the same point in 2024. Restrictions such as curfews had been imposed on a limited number of occasions and for no more than two days. The areas under the state of exception had been constantly monitored by the independent mechanisms and government bodies responsible for protecting human rights, which had not received any reports of significant restrictions on the exercise of those rights.

42. **A representative of Chile** said that the Government had issued separate decrees on respect for Indigenous Peoples and for Chilean tribal people of African descent. The consultations held with those groups were not simply a formality; they were an opportunity to obtain the groups' consent and reach agreements with them. While the binding nature of those agreements had been recognized by the Office of the Comptroller General, the Government acknowledged that it would be useful to amend the relevant regulations to reflect that fact.

43. Approximately 80 per cent of the Government's revenue came from taxes. Of that tax revenue, the shares generated by income tax, value added tax and other indirect taxes stood at 42 per cent, 49 per cent and 9 per cent, respectively. In 2024, public spending had accounted for 24.6 per cent of gross domestic product. The share of that spending that had been allocated to health, education and social protection services had reached 70 per cent, representing an absolute increase that was attributable to inflation.

44. **A representative of Chile** said that, in response to the budget deficit caused by the COVID-19 pandemic, the Government had adopted a law tightening controls on tax fraud and tax evasion by criminalizing certain forms of tax evasion and strengthening cooperation and alignment with other countries in that area to ensure that perpetrators were held to account.

45. **A representative of Chile** said that Chile had paid its full assessed contribution, amounting to US\$ 13.2 million, into the United Nations regular budget for 2024, but did not appear on the budget honour roll for that year because it had done so late. It had already paid US\$ 12.7 million towards its assessed contribution for 2025 and had only US\$ 800,000 left to pay.

46. Chile, which had not yet ratified the Optional Protocol to the Covenant, was of the view that the mechanism for the examination of individual petitions by the Inter-American Court of Human Rights, whose jurisdiction it recognized as binding, provided for by the Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights, with which it complied fully, offered greater protection of human rights than the Optional Protocol.

47. **Mr. Windfuhr** said that he would welcome more information on the outcomes of the National Human Rights Plan for the period 2022–2025, particularly those relevant to articles 6 to 9 of the Covenant, and on the newly available disaggregated data on income poverty,

particularly those relating to workers in the informal economy. He wished to know what steps the State Party would take to recognize the principle of equal remuneration for work of equal value performed by men and women, including LGBTIQ women, Indigenous women, women with disabilities and self-employed women, who had very little access to social security; to eliminate structural barriers to the implementation of that principle; and to address women's overrepresentation in lower-paying sectors with less job stability. He would appreciate an update on the status of the four bills that had recently been submitted to address those issues and of the anti-discrimination bill that the Senate had rejected on 4 June 2024. It would be useful to hear about the impact of the 2021 law providing that 40 percent of the board members of public and State-owned companies must be women.

48. He would like to know what steps had been taken to promote equal access to employment, the living wage and pensions for women. He wished to know the status of the bill on the expansion of childcare for workers with children under 3 years of age, what targeted and culturally appropriate steps were being taken to ensure that Indigenous women had access to the labour market and what the outcomes of those steps had been. He wondered what action was taken to prevent and combat gender-based violence and sexual harassment in the workplace. It would be helpful to hear what steps the State Party had taken to reduce informal employment across all population groups, particularly women, older persons, young people, migrants, Indigenous and Afrodescendent persons, particularly in the area of domestic work; what incentives it had developed to encourage employers to create formal employment opportunities; and how it planned to extend social protection and occupational safety coverage to workers in the informal sector.

49. He would appreciate more information on the extent of forced labour in the State Party and the measures that had been taken to combat it in all of its forms. He wished to receive up-to-date data on the prosecution and conviction of perpetrators of commercial and sexual exploitation of children and on planned measures to reduce child labour, in which 15.5 per cent of children were reportedly engaged. He wondered what measures the State Party had taken to ensure that private companies complied with recruitment quotas for persons with disabilities and workplace accessibility standards and, given that 60.3 per cent of women with disabilities were reportedly economically inactive, to ensure that women with disabilities, as well as persons with disabilities from Indigenous, rural and ethnic communities, benefited from projects to promote and incentivize efforts to ensure equal employment opportunities. He wished to know how the State Party ensured that migrant workers, particularly those who were undocumented or in an irregular situation, benefited from labour protections in accordance with the principle of just and favourable conditions of work. He would welcome the delegation's comments on how Act No. 21.643, known as Karin's Law, had been implemented, and whether it had helped to protect LGBTIQ and members of other particularly vulnerable groups, including Afrodescendent and Indigenous persons.

50. He would be interested to know what steps the State Party had taken to enforce regulations on wages and working hours in the informal sector and what mechanisms it used to assess the value of the minimum wage taking into account inflation. He wondered what action the State Party planned to take in response to reports of violent protests against anti-trade union reforms, detentions of trade union leaders, structural hurdles to unionization and the low unionization rate. Lastly, given reports that 50 per cent of retired women received a pension equivalent to only half of the minimum wage, while men received the equivalent of 75 per cent on average, he wished to know what measures had been taken to increase the average amount received by pensioners, eliminate discrimination based on the sex of contributors and ensure that Indigenous persons and workers in the informal sector enjoyed access to social protection on an equal footing with others.

51. **A representative of Chile** said that the Observatory for Civic Participation and Non-Discrimination had taken steps to improve inclusion of and prevent discrimination against historically excluded groups. Between 2022 and 2024, it had trained more than 14,000 civil servants on specific human rights and topics related to migrants, asylum-seekers and refugees. Modules related to persons with disabilities and the LGBTQA+ community had also been offered, and 18 thematic workshops had been held at which more than 1,000 participants had discussed topics including gender, childhood, interculturality,

historical memory, migration and disability. Six nationwide campaigns had been held to raise awareness of gender and sexual diversity, revitalize Indigenous languages and eradicate all forms of violence. The anti-discrimination bill was under review by a commission of representatives from the Chamber of Deputies and the Senate with a view to reaching a cross-cutting agreement on the reform of anti-discrimination legislation that would improve the ability of the State to take legal action in that area, provide reparations to victims more rapidly and promote anti-discrimination efforts.

52. **A representative of Chile** said that, after identifying significant remaining gaps regarding the inclusion of persons with disabilities, the Government had amended labour legislation to raise the quota for persons with disabilities in businesses with more than 100 employees and in public institutions from 1 per cent to 2 per cent and provide for improved compliance monitoring by the Ministry of Labour and enhanced enforcement. The child labour rate of 15.5 per cent had been determined using a definition of child labour that had been expanded to include domestic and non-remunerated care and dangerous child labour with a view to obtaining a fuller appreciation of the issue. While that figure did not represent an increase in the child labour rate, it highlighted the extent of the challenge faced by the Government in that area and the importance of sharing responsibility for providing care.

53. **A representative of Chile** said that a series of labour regulations had been adopted in recent years that had improved workers' standard of living. As a result of efforts to ensure that nobody who worked full-time on the minimum wage lived below the poverty line, the minimum wage had risen by 35 per cent in real terms to 539,000 Chilean pesos (Ch\$). That progress had been made possible through a social dialogue organized by the Ministry of Labour, as well as enhanced fiscal responsibility, including consideration of the needs of small and medium-sized businesses. Since 2022, approximately 600,000 new jobs had been created, of which 96 per cent were high-quality jobs in the formal sector with associated rights and social security protection; 65 per cent of those jobs were held by women. Such figures indicated that the formal sector had fully recovered since the COVID-19 pandemic. Although the unemployment rate had steadily increased over the previous 11 years in line with a fall in the economic growth rate from 6.4 percent in 2012 to between 2 and 3 per cent in 2025, and despite women being particularly affected, informal employment was at a historic low of 26 per cent, perhaps partly due to recently adopted regulations such as those on digital platforms. The Government planned to encourage workers to join the formal economy by facilitating access to social security through a simplified taxation system.

54. The gender pay gap had narrowed from approximately 11 per cent in 2019 to 5 per cent in 2025. While a national survey conducted by the National Institute of Statistics had revealed that, between 2015 and 2025, the gap between women and men with respect to time spent on non-remunerated domestic and care work had narrowed, women continued to spend twice as much time as men on those tasks. Legislation had been adopted under which caregivers benefited from special working hours, rest days and other entitlements. To further improve women's labour participation, it was necessary to further strengthen care provision and caregivers' rights and ensure that men and women benefited from equal employment opportunities. The Ministry of Labour was bringing together employment subsidies for young people and women into a single instrument aimed at helping workers with limited experience to remain in jobs in the long term. It was hoped that the subsidy would be approximately Ch\$ 190,000 per month and would be adapted over time in line with the labour market.

55. The Government was concerned about the rate of informal employment in the domestic sector in particular and, despite challenges posed by the opacity of that sector, was working with trade unions to develop strategies to address that issue. It was also developing a national action plan to eradicate forced labour that would be implemented by a special committee comprising representatives of different ministries and services. The adoption of Karin's Law had brought about a significant change in workplace culture. Behaviour that had previously been tolerated was now no longer accepted. To deal with the increase in the number of complaints submitted, the Ministry of Labour had allocated more resources to processing them, developed mechanisms to make them easier to file and provided relevant training to civil servants. The Ministry was evaluating Karin's Law with a view to making any necessary amendments. As most of the complaints about workplace and sexual

harassment were submitted by women, it was important for State and company personnel investigating them to be properly trained in the application of a gender perspective.

56. **A representative of Chile** said that pensions had two components: a basic pension worth between US\$ 200 and US\$ 300 that people received when they reached the retirement age of 65 years, and a second component determined by workers' contributions. Under amendments that would enter into force on 1 January 2026, women, who, irrespective of their contributions, currently received 11 per cent less in pension payments than men in the light of women's longer life expectancy, would receive the same payments as men for the same savings. In addition, women who had contributed to the pension scheme for at least 10 years would benefit from supplementary pension payments to take into account the income typically lost by women through caring for children and parents; men would benefit from the same arrangements after 20 years of contributions.

57. **A representative of Chile** said that the Government had made progress in protecting child victims of sexual exploitation and punishing perpetrators of such offences. In that regard, offences punishable under the Criminal Code included the sale or production of pornographic material involving persons under the age of 18 years, the trafficking of persons under the age of 18 and the coercion of persons under the age of 18 into performing a sexual act. Since 2022, 97 convictions had been handed down for the offence of promoting or facilitating the sexual exploitation of persons under the age of 18. The majority of the perpetrators had received sentences ranging from 15 years' to life imprisonment.

58. **A representative of Chile** said that the Government had adopted the fourth framework for action against the commercial sexual exploitation of children and adolescents. The framework was included in the latest national policy and action plan for young and adolescent girls, which had legal status. An intersectoral approach would be taken to the prevention and timely investigation of sexual exploitation and to the monitoring and implementation of integrated measures to combat offences related to it.

59. **A representative of Chile** said that more than 14,000 trade unions were active throughout the country. The Ministry of Labour engaged in ongoing dialogue with the unions in developing public policies. For instance, specific mechanisms for restricting the length of the working week for miners and domestic workers had been developed in coordination with their representative organizations.

60. Although the rate of union membership was higher in Chile than in a number of European countries with a long tradition of trade unionism, the Government acknowledged that greater efforts would need to be made to promote the use of collective bargaining, which was not prohibited but generally took place at the company level rather than at higher levels. The rate of participation in the labour market among foreign workers was more than 20 percentage points higher than the national average, while their unemployment rate was slightly lower and their informal employment rate was slightly higher. Mechanisms were in place to enable persons working in the informal sector, including migrant workers, to obtain access to social security.

61. **Mr. Windfuhr**, noting that a number of miners had been killed by a collapsed tunnel in August 2025, said that he wished to know what measures were taken to ensure the safety of workers and whether the State Party employed sufficient numbers of labour inspectors to ensure their safety. Information on the particular problems facing migrant workers, and any measures being taken to identify migrants working in the informal sector, would also be welcome. He would appreciate details of any steps being taken to allow public sector workers to join trade unions and take industrial action.

62. **Ms. Pérez** said that she would welcome information on the challenges surrounding the provision of care in the State Party, including in relation to funding, and the progress made in developing a system for registering carers.

63. **A representative of Chile** said that the profile of care work had been raised in Chile and now occupied an important place in public discussions. The Government had committed itself to establishing a national support and care system in order to address problems such as the unequal distribution of care work between men and women, which adversely affected women's enjoyment of their economic, social and cultural rights. The Government had

recognized the advisory opinion recently issued by the Inter-American Court of Human Rights, recognizing the existence of a stand-alone human right to care.

64. The Government was developing a bill that would provide for recognition of the right to receive care, the right to provide care and the right to self-care. The bill would also provide for the establishment of a national support and care system that would promote shared responsibility for care work in society and between men and women. The bill was currently being considered by the Senate. It was hoped that it would become law within the coming months.

65. A registry of carers had been established within the Social Registry of Households to grant accreditation to persons who provided unpaid care to persons with a moderate or severe degree of dependency. The registry had been launched in November 2022 and already contained details of over 200,000 carers, 86 per cent of whom were women. The provision of public care services had been expanded and the resources allocated to the care system had been increased significantly during the term of the current Government.

66. **A representative of Chile** said that the Government had recently deposited the instrument of ratification for the ILO Occupational Safety and Health Convention, 1981 (No. 155), thereby completing the ratification of the 10 fundamental ILO conventions. In 2023, the Government had also deposited the instrument of ratification for the ILO Safety and Health in Mines Convention, 1995 (No. 176), which addressed the right to consultation and participation in the development of health and safety measures in the mining industry. The ratification of that Convention had led to the formation of a tripartite committee responsible for developing a national policy on safety and health in mines, in collaboration with a number of bodies and technical organizations. The draft policy had now been submitted to the Higher Labour Council.

67. The Government had updated the National Policy for Health and Safety in the Workplace for the period 2024–2028. The Policy set out 115 specific measures for strengthening the prevention of occupational risks in all productive sectors. In July 2024, regulations on the preventive management of occupational risks had been adopted, enhancing employers' commitment to the preventive management of such risks.

68. In the mining sector, the accident rate was low and the average wages were relatively high. The Government had identified the need to update the Accidents at Work and Occupational Illnesses Act in response to trade union demands for the establishment of an independent commission responsible for classifying occupational diseases.

69. The Labour Code prohibited public sector workers from forming trade unions. However, they had the right to establish associations of civil servants, which had been recognized as trade union organizations by the national courts and by international bodies such as the ILO. Consequently, rates of trade union membership were significantly higher in the public sector than in the private sector, including for female civil servants. Associations of public sector workers were active in higher-level organizations and made up a majority of the bodies that constituted the Unified Federation of Workers.

70. The right of the associations to negotiate was not formally established in law. In practice, however, they participated in negotiations, including in relation to a list of demands drawn up every year by the Public Sector Committee. The issues that were discussed included retirement incentives, childcare, safeguards for public sector workers, teleworking, the reduction of the working week to 40 hours, decent work and gender equality.

71. In addition to the Public Sector Committee, a number of other universal and sector-specific committees represented public sector workers, including in the healthcare and education sectors. Public sector workers' right to strike was not formally established in law but had been exercised in practice on a number of occasions. On 28 November 2024, for example, public sector workers had called a 24-hour national strike in order to demand better salaries.

72. Steps were being taken to make it easier for self-employed workers to make contributions to the pension system. Such workers also benefited from another mechanism whereby a proportion of their tax payments was paid into an insurance scheme covering occupational accidents and diseases.

73. **A representative of Chile** said that, in 2023, five days of dialogue with civil society organizations had been held as part of efforts to develop a protocol for the protection of human rights defenders. The protocol set out a broad definition of human rights defenders, covering any persons or group of persons who promoted, protected and defended fundamental rights, including workers' representatives and trade unions. As part of the strategy for implementing the protocol, an online training course on the protocol and the rights of human rights defenders had been launched. As of August 2025, almost 1,000 officials from different institutions had participated in the course.

74. The Office of the Undersecretary for Human Rights would shortly be launching a new online training course on the promotion and protection of the right to work and labour rights. The course would cover subjects such as basic concepts of human rights, the importance of international agreements in guaranteeing decent working conditions, and tools for protecting and defending labour rights.

75. **Ms. El Yedri Afailal** (Country Task Force) said that she wished to know whether the State Party would consider reforming laws governing marriage in order to eliminate all forms of discrimination against women and to guarantee legal equality between spouses. She wondered what measures were being taken to ensure equitable access to childcare services with a view to promoting shared responsibility for parenting and reducing gender inequalities in the workplace.

76. It would be interesting to hear about any steps being taken to assist refugee, migrant and Indigenous children and adolescents affected by multidimensional poverty, malnutrition, school dropout and difficulties in gaining access to healthcare, housing and decent living conditions. She would be grateful for further information on measures taken to prevent girls and adolescents from engaging in dangerous, unregulated and unpaid forms of work, including in the care and domestic work sectors. How did the State Party ensure that the gender and ethnicity perspectives were taken into account in policies to combat child poverty, particularly among Indigenous communities?

77. She would appreciate details of any measures taken to recognize the right to drinking water and sanitation services as fundamental rights in national law and to guarantee equitable, dignified and sustainable access to those services. Given that the privatization of water services had hindered access to drinking water in remote and rural areas, she wondered why such services had been privatized and what measures had been taken to recognize water resources as a public asset.

78. She would be grateful for an explanation of the causes behind the social and environmental conflicts relating to the extractive industries. She would be interested to know what measures had been taken to ensure that the energy and mining sectors incorporated a social and environmental assessment system based on the rule of law, in accordance with the State Party's commitments under international instruments such as the Escazú Agreement.

79. She would like to know what measures had been implemented to ensure that energy transition projects fully respected human rights, including the right of Indigenous Peoples to be consulted about the use of their land and to receive tangible benefits for their communities, including access to electricity. It would be useful to learn about any steps being taken to address the logistics crisis and put an end to unsanitary housing, informal settlements and homelessness, which affected more than 1.4 million people.

80. In view of the housing deficit, the forced evictions recently carried out and the threats directed at informal settlements, it would be useful to have additional information on the measures taken to prevent forced evictions and ensure that, when they were unavoidable, they were carried out in accordance with international standards. She would be grateful for information on any measures taken to facilitate access to housing for refugees and migrants, particularly those in an irregular situation.

81. She would also welcome information on any measures being taken to address food insecurity, which particularly affected households headed by women, Indigenous communities, children, adolescents, migrants and refugees. What policies had been implemented to ensure equitable access to adequate, nutritious and affordable food?

82. She wished to know what steps had been taken to improve the quality of healthcare and to ensure equitable access to care, particularly for the most vulnerable communities, including by reducing waiting times, increasing the budget allocated to the health sector, increasing the number of healthcare workers and reducing regional disparities in healthcare provision.

83. It would be interesting to learn about any steps being taken to provide full reparation to persons subjected to violence during the nationwide protests that had taken place in 2019 and 2020. In particular, she wished to know what had been done to guarantee their access to physical, mental and reproductive healthcare and to justice.

The meeting rose at 5.50 p.m.