



Economic and Social Council

Distr.: General
15 June 2015

Original: English

Committee on Economic, Social and Cultural Rights Fifty-fifth session

Summary record of the 34th meeting

Held at the Palais Wilson, Geneva, on Tuesday, 9 June 2015, at 3 p.m.

Chairperson: Mr. Sadi

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The meeting was called to order at 3 p.m.

Consideration of reports

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant *(continued)*

Fourth periodic report of Chile (E/C.12/CHL/4; E/C.12/CHL/Q/4 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Chile took places at the Committee table.*

2. **Mr. Barraza Gómez** (Chile), in introducing his country's fourth periodic report (E/C.12/CHL/4), said that, since its return to democracy in 1990, Chile had aimed to consolidate a society in which human rights and fundamental freedoms were respected, to reduce inequality and to improve the population's quality of life. He would like to pay tribute, in that connection, to the work of the regional office of the Office of the High Commissioner for Human Rights in Chile.

3. Between 1990 and 2000, the percentage of the population living in poverty had decreased substantially, and social protection and benefits had been strengthened. Social expenditure had doubled in the space of that decade and currently represented 68 per cent of the national budget. As a result of the strides that it had made, Chile currently occupied the forty-first place on the 2014 Human Development Index of the United Nations Development Programme (UNDP), which was higher than the ranking of any other country in the Latin American and Caribbean region. The country was making steady progress in transitioning from a welfare-orientated approach in its social policy to a rights-based approach. Since 2002, the Government had introduced a social protection system, a scheme of health-care guarantees and a comprehensive child protection system known as *Chile crece contigo* (Chile grows with you), as well as having reformed the social security system. With a budget of US\$ 26,444,254, the *Chile crece contigo* system had provided a range of services to 192,629 pregnant women and 678,292 children. The Government was also expanding the system of health-care subsidies. Over a two-year period, another 340,000 people, in addition to the existing 1,200,000 pensioners, would be brought into the system.

4. The nation's courts had developed progressively more inclusive interpretations of the law that reflected the universal, indivisible and interdependent nature of all human rights. That shift had strengthened the enforceability of the Covenant rights even in the case of rights not expressly mentioned in the present Constitution, which was to be replaced with a new Constitution in the future. Training for the judiciary concerning economic, social and cultural rights had also been reinforced in line with the Committee's recommendations.

5. The Government was striving to overcome the inequalities that persisted in Chilean society. Doing so would entail sweeping reforms in the educational system and improvements in the public health system. To that end, in 2014 Congress had approved a tax reform that would raise an additional US\$ 8.3 billion, or 3 per cent of gross domestic product (GDP), for spending on education, health, pensions and other social benefits. With the adoption of the Inclusion Act in May 2015, student screening and discriminatory systems in publicly funded schools had been done away with. Beginning in 2016, the poorest 60 per cent of students in various types of vocational institutes and universities would receive their education free of charge, and that figure would rise to 70 per cent by 2018. Later in 2015, a bill would be submitted to Congress that would be aimed at overhauling the university system so that higher education would be provided free of charge. As for the health system, the 2015 budget included an 84.8 per cent year-on-year increase in funding for the US\$ 4 billion infrastructure investment plan for 2014–2018.

6. The newly created Ministry for Women and Gender Equity would strengthen policies aimed at breaking down the discriminatory barriers faced by women. A bill for the establishment of an office of the under-secretary for human rights was before Congress. The newly created Office of the Under-Secretary for Preschool Education and Intendency for Preschool Education would start their work in 2016. The year 2015 would also see the introduction of a bill for the establishment of an office of the under-secretary for persons with disabilities, a bill on safeguards for the rights of children and adolescents and a bill to strengthen the National Service for Older Adults.

7. Since 2014, the Government had been working to forge a new relationship with the indigenous peoples of Chile based on individual rights and the promotion and protection of collective rights. Consultations were being held with a view to the creation of a new institutional framework for issues of importance to indigenous peoples. Bills for the establishment of a ministry for indigenous peoples and an indigenous peoples' council would be submitted to Congress before the end of 2015. In addition, the largest-ever budget for the purchase and restitution of land and water resources — 76 per cent more than the previous year's allocation — had been made available. Amendments to the bill for the establishment of a new ministry of culture, art and heritage would also come before Congress in 2015. Action being taken to bring cultural assets within the reach of all included a new television channel providing free social and educational programmes, a new policy and plan to encourage people to read more, the introduction of creativity centres for children and the provision of entry to museums free of charge.

8. A bill had been introduced in 2015 that would provide for the option of terminating a pregnancy under specific, delimited circumstances. Action had also been taken over the past decade to support vulnerable sectors of the population, including children, older adults, persons with disabilities, immigrants, members of indigenous peoples, people living in poverty and the lesbian, gay, bisexual, transgender and intersex (LGBTI) community. The new Civil Union Act, which governed both heterosexual and same-sex unions, would come into force in October 2015. The coverage of child rights protection offices had been extended, with 6 new offices opened in 2014 and another 80 to be added in 2015, bringing the total to 206 across the country. Data were being compiled to serve as a basis for a comprehensive strategy for the social inclusion of persons with disabilities. In the area of poverty, existing cash transfer programmes had been augmented in 2014 with a new family allowance for 3,300,000 households, and the Winter Bonus had been reintroduced for 2 million pensioners. Public funding for housing had been increased in 2015, with 41,000 subsidies for persons in vulnerable sectors and 38,000 subsidies for persons in middle-income sectors.

9. A bill had been submitted in 2014 to amend the Labour Code in order to ensure the full exercise of trade union rights and comply with the country's commitments under International Labour Organization (ILO) conventions ratified by Chile. The bill was of particular importance in a country where inequality of income distribution was among the highest in the world. A series of laws to safeguard the individual and collective labour rights of various specific categories of worker had also been adopted. Chile had ratified the ILO Domestic Workers Convention, 2011 (No. 189) and had begun to implement the ILO Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187). Unemployment insurance had been improved and measures had been introduced to facilitate a speedy return to work for beneficiaries. Under pension system reforms introduced in 2008, the State funded the insurance contributions of persons unable to do so in order to ensure that they could obtain benefits. A presidential advisory commission had been appointed in 2014 to propose solutions for the funded pension system's structural problems. The commission would present its proposals in August 2015.

10. In closing, he would like to assure the Committee of the Chilean Government's firm commitment to upholding human rights on a progressive basis and in conformity with its obligations under international law.

11. **Mr. Ribeiro Leão** (Country Rapporteur) said that the State party was to be commended on the reforms carried out over the past 10 years, including its health-care system and social security reforms, the establishment of the Ministry of the Environment, the Environmental Assessment Service and the Supervisory Authority for the Environment, and the founding of the National Human Rights Institute within the framework of the Paris Principles. He wondered, however, whether the Institute had sufficient funding to carry out its mandate and how the independence of its members was ensured.

12. It was clear from the information contained in the annexes to the replies to the list of issues that legal protection for Covenant rights was limited, partly because the Constitution, which dated from the time of the military government, included only some economic, social and cultural rights; the right to adequate housing and the right to water, for example, were not expressly mentioned. Moreover, only those rights set out in article 19 of the Constitution were protected. The new Constitution should therefore cover the full range of economic, social and cultural rights.

13. The Committee had a number of other concerns. It wished to know whether indigenous peoples would be expressly recognized under the new Constitution and what mechanisms would be put in place to ensure that their free, prior and informed consent on matters, such as mining or development projects, that could affect them would be obtained. As for education, it appeared that Chile had one of the most highly privatized educational systems in the region. Another question was the almost total prohibition of abortion. Gender discrimination was also a problem, as illustrated by the fact that there were six times as many men as women in Congress and the fact that, on average, women earned 30 per cent less than men. Discrimination on the grounds of sexual orientation and gender identity was also a concern. It appeared that asylum seekers and refugees had difficulty in exercising their economic, social and cultural rights. There was also an urgent need to combat poverty, inequality and social segregation. Lastly, the progress made by the State party in developing its social security system notwithstanding, that system needed to be bolstered with the help of suitable public policies and budget allocations.

14. **Mr. De Schutter** said that, curiously, Chile had reduced poverty between 1990 and 2006 but had then found it difficult to maintain the pace of progress in that regard. Since, as noted by the delegation, Chile had one of the highest levels of inequality in the region, as well as among the member countries of the Organization for Economic Cooperation and Development, he would like to know whether the Government considered inequality to be a problem as such, over and above the urgent need to reduce absolute poverty. If so, what action had been taken? He noted that the Constitution provided for freedom and equality in dignity and rights and that Anti-Discrimination Act No. 20.609 of 2012 provided broad coverage, although, in its replies to the list of issues, the State party had said that Act No. 20.609 was under review. He wished to know whether differentiation in treatment, or indirect discrimination, on the grounds of social or economic status was prohibited under either the Act or the Constitution. If that prohibition were solely implicit, then it would be a good idea to make it explicit. The upcoming amendment of the Act would provide an opportunity to screen all legislative proposals and policy initiatives based on their impact in terms of inequality. He feared that, otherwise, Chile would become an increasingly fragmented society.

15. **Ms. Bras Gomes** said that two countries seemed to co-exist in Chile, as there was a two-tier system for health care, for education and for social protection. The apparent paradox lay in the Government's commitment to using economic growth as a vehicle for social progress while, at the same time, the extent of inequality in the country was on the

rise. She would be interested to hear the delegation's views in that regard. She wondered whether the State party would consider undertaking a comprehensive review of its anti-discrimination laws based on article 2, paragraph 2, of the Covenant and the Committee's general comment No. 20 on non-discrimination in economic, social and cultural rights. She would like to know how the State party perceived its role in terms of the protection of those rights. Could the delegation describe the regulatory framework for Chilean companies operating abroad and explain how the Government ensured that its obligations under the Covenant would be fulfilled when it concluded free trade and investment agreements? She would like to know what progress had been made since 2009 in the formulation of proposed constitutional provisions relating to indigenous peoples' rights.

16. **Mr. Mancisidor** said that he would welcome further details on public consultations regarding constitutional reform. What changes were being proposed in order to ensure that economic, social and cultural rights would be fully recognized under the new Constitution and that they would be enforceable? He would be interested to learn how many court decisions had cited the Covenant or any of the Committee's general comments. Was the State party planning to ratify the Optional Protocol to the Covenant? He was eager to hear the delegation's replies to his colleagues' questions concerning the action taken by the Government to reduce inequality. He wondered whether the fact that the head of the National Human Rights Institute had been called before Congress to account for a decision that she had taken was at odds with the Paris Principles. On the question of social security coverage, he would like to know whether pension fund administrators were subject to a code of conduct and whether their investments in Chile and abroad were monitored.

17. **Mr. Atangana** said that the questions he had intended to raise on implementation of the Covenant in Chile had already been asked by his fellow Committee members.

18. **Mr. Kedzia** said that he wished to state for the record that information provided by the State party in the annexes to its replies to the list of issues was of limited value if a translation was not provided for Committee members who did not have a command of the language in which it had originally been submitted.

19. In response to the Committee's request for additional information on the return of ancestral lands to indigenous peoples, the State party had cited the number of hectares of land that had been restored, but the Committee would require more information in order to evaluate how much progress had been made in that respect. More specific information on the implementation of Supreme Decree No. 124 of 2009 would also be welcome. Did the provisional procedure for consultations with indigenous peoples provide for a human rights impact assessment of the various options being considered?

20. The Committee had received information that Colombian asylum seekers and refugees, and especially those of African descent, often fell victim to discriminatory attitudes and practices that interfered with their enjoyment of their rights to an adequate standard of living, housing and health care. Were steps being taken to address that problem? It would be helpful to know what stage in the legislative process had been reached by the immigration bill.

21. **Ms. Shin** said that, under the leadership of the first female President of Chile, Michelle Bachelet, who had been the first Executive Director of UN-Women, the Government had made great strides in achieving gender equality. Nevertheless, the Committee would have found it helpful if the State party had provided further statistics on gender equality in an annex to its report. With reference to the reply to paragraph 6 of the list of issues, she wished to learn whether the full title of the State party's Ministry for Women was Ministry for Women and Gender Equality or Ministry for Women and Gender Equity, since the Covenant addressed the issue of gender equality. Chile had achieved a great deal in terms of gender equity, although many laws were still discriminatory and

reflected deeply ingrained gender roles. For instance, the Civil Code stated that the husband was responsible for the management, sale and purchase of communal property. Greater efforts to challenge gender stereotyping were therefore called for. The country's laws, policies and programmes should be reviewed in order to identify any discriminatory provisions, and more temporary special measures for women should be introduced throughout the government structure. Finally, she would like to know whether men and boys had been encouraged to become more involved in household and childcare responsibilities.

22. **Mr. Uprimny Yepes** said that he wished to delve more deeply into the Government's general approach to economic, social and cultural rights. Chile had many admirable qualities; the State was efficient and had low levels of corruption. The country was overcoming the legacy of dictatorship and was witnessing strong economic growth. Some of the indicators for economic, social and cultural rights in Chile were comparable to those of developed countries; it had low maternal and infant mortality rates and it had reduced the level of absolute poverty. However, despite democratic reforms, the authoritarian stance of the dictatorship was still apparent in some provisions of the Constitution, and social policy was influenced by an over-reliance on a free-market approach which tended to lead to greater inequality and to hamper social mobility. Chilean society had not yet fully embraced cultural diversity, and its education system had not succeeded in overcoming segregation and social exclusion. He wished to know whether all the Covenant rights were included in the Constitution and whether they could be invoked in the courts. Some trade union rights did not appear to be protected under the Constitution. He would welcome examples of how the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169) had been applied in practice, since the right to prior consultation did not appear to be consistently upheld in respect of mining concessions. He wished to know how indigenous communities' land rights and autonomy were protected and to learn more about the progress made in the constitutional reform process in general.

23. Information had been brought to the Committee's attention concerning charges that certain Chilean companies and foreign companies operating in Chile were implicated in violations of the right to health and intellectual property rights. He also wished to know what measures the Government was taking to address income inequality and the lack of social mobility in Chile.

24. **The Chairperson**, speaking in his capacity as a member of the Committee, said that it was of paramount importance that the Covenant should be legally enforceable. If it was not, then a State party was not fulfilling its obligations. He would also like to urge the State party to ratify the Optional Protocol.

25. **Ms. Bras Gomes** said that she would be interested to learn whether the steps taken to combat youth unemployment had been successful. She noted that the labour participation rate for women had risen and would like to know what kinds of jobs had accounted for the increase. She wished to know how the Government intended to promote the principle of equal pay for work of equal value. Did the Labour Code place limitations on the right to strike?

26. It appeared that the shift towards privatization that had been in evidence ever since the 1970s had not proved to be entirely successful, since the Government had been obliged to subsidize the privatized pension system. In the light of that situation, she would be interested to hear the delegation's views on the outcome of the move towards privatization and on what the Government's vision for its social security system in the future was. How was the right to social security to be guaranteed by the State? Was the Government considering the solution proposed by Marco Kremerman of a pension system based on intergenerational cost-sharing? She wondered whether the various programmes for fighting

poverty and raising the standard of living would give rise to a coherent social protection system or whether they were too fragmented.

27. **Mr. Kedzia** asked whether the fight against gender discrimination in the field of labour was viewed as a task for the Government as a whole or only for the Ministry of Labour and Social Security. He would appreciate further information about specific measures being taken in that regard. Did the State party consider collective bargaining at the company level to be sufficient to safeguard workers' rights? He wished to learn more about the current status of the bill on collective bargaining that was intended to achieve a better balance between the parties to negotiations. More detailed information would be appreciated on the specific steps taken to address violations of trade union rights and on the extent to which asylum seekers and refugees actually had access to the social security system.

28. **Mr. Martynov** said that more detailed information about measures being taken to reduce unemployment would be helpful. Could the delegation also provide the figures for unemployment rates from 2011 to 2014 and explain the situation with respect to long-term unemployment more fully? He would like further information and statistics on the size of the informal economy in Chile, the percentage of workers employed in the informal sector and the extent to which those workers were covered by social security schemes. Lastly, he wished to know how much the current unemployment benefit was and how that amount compared with the minimum cost of living.

29. **Mr. Uprimny Yepes** said that the issue of constitutional safeguards to protect collective labour rights was complex and problematic. The constitutional provisions that, according to the State party, implicitly guaranteed the right to strike, in actuality set quite rigid restrictions on strikes and collective bargaining and actually weakened labour rights. He would therefore like to know what steps the State party was taking to make sure that guarantees for collective labour rights were actually in line with the Covenant. Lastly, he wished to know how the State party was implementing the ILO conventions that it had ratified given that its Constitution seemed to run counter to those conventions.

The meeting was suspended at 4.30 p.m. and resumed at 4.50 p.m.

30. **Mr. De Schutter** asked what the amounts of the various conditional cash transfers were and how changes in the cost of living were taken into account when setting those amounts. He wished to know how the State party ensured that the conditions to be met in order to qualify for those transfers did not hinder inclusion and that the job of complying with those conditions did not fall solely on the mother of the family.

31. **Mr. Barraza Gómez** (Chile) said that his Government had made a determined effort to incorporate a rights-based approach into its public policies, but the institutions currently in place were not conducive to such an approach. While some members of society favoured solidarity in social relations, others had a more individualistic understanding of economic, social and cultural rights. The Constitution had been established within an illegitimate framework, and it was true that it restricted economic, social and cultural rights and was not conducive to their enforcement. The authorities currently in office were therefore committed to adopting a new, democratic Constitution on the basis of a participatory process. In September 2015, the President would announce the establishment of a mechanism for debate on the subject. The new Constitution would address not just political reforms but also the problem of inequality. It was true that the level of income inequality was high, although that was mitigated somewhat by the provision of social welfare benefits. While the policies that had been adopted to combat inequality had been effective up to a point, structural change was needed to fully address the problem. Taxation measures were one part of the solution, but by themselves would not solve the problems of the country's fragmented social security system.

32. A constitutional amendment to accord recognition to indigenous peoples was currently at first reading in the Senate, and his Government could assure the Committee that such a provision would be included in the new Constitution. The National Unit for Indigenous Participation and Consultation had been established in 2014, and the Ministry of Labour and Social Security and the Ministry of the Environment had adopted decrees governing consultation processes with indigenous peoples. To date, 36 such consultations had been held on various subjects. Consultations on the establishment of the Ministry of Indigenous Peoples and the Indigenous Peoples' Council had been held with representatives of more than 6,800 indigenous persons from all nine indigenous groups in Chile. The budget allocated to the National Indigenous Development Corporation had been increased significantly in 2015, and a large portion of that budget was earmarked for the restitution of lands traditionally held by indigenous peoples and for subsidies for irrigation and other land development projects.

33. **Ms. Muñoz Sánchez** (Chile) said that, despite the incomplete protection afforded for economic, social and cultural rights by the Constitution and by the existing remedy of protection, the Chilean courts clearly understood that their main objective was to protect the dignity of persons under their jurisdiction, and the judiciary had developed a range of safeguards for economic, social and cultural rights. Rights that were not expressly enshrined in the Constitution could be protected by invoking other rights, such as the right to life or the right to physical integrity. Her Government recognized the interrelatedness and interdependence of all human rights and believed that the enjoyment of economic, social and cultural rights was often a prerequisite for the enjoyment of civil and political rights.

34. A constitutional amendment had been introduced under which the international instruments ratified by Chile were directly applicable and could be directly invoked by the courts. The courts had referred to the Covenant and to the Committee's general comments in decisions upholding rights such as the right to water and the right to housing. In 2014, more than 100,000 remedies of protection had been filed in connection with the price hikes introduced by health insurance institutions. Even though the remedy of protection was not directly applicable to the right to health, the courts had based their decisions on the fact that the private health-care system was under an obligation to respect the constitutional provisions on social security. Despite the limited protection afforded by the Constitution for labour rights, recently the Supreme Court had consistently favoured workers in its decisions; for example, it had ruled that employees on strike could not be replaced under any circumstances.

35. **Ms. Salinas Vega** (Chile) said that, pursuant to the Anti-Discrimination Act (Act No. 20.609), the Government had an obligation to ensure that all persons could exercise their human rights, including their Covenant rights. It had therefore taken a number of steps to promote social change and the creation of a more inclusive society. Those steps included awareness-raising and training initiatives, such as workshops for members of civil society and civil servants, and the establishment of working groups at the regional level. Act 20.609 empowered the courts to nullify discriminatory measures and to levy fines for acts of discrimination; it also established gender as a prohibited ground of discrimination. The list of such grounds set out in that law was not exhaustive and could be added to in the future. An amendment to Act No. 20.609 was currently being drafted which would establish it as a framework anti-discrimination law.

36. **Ms. Walker Echeñique** (Chile) said that the work of the Ministry for Women and Gender Equity was focused on three pillars of action, namely, promoting gender equality, guaranteeing equal rights for women and men, and combating discrimination against women. The legal framework for the Ministry provided for a number of general approaches for combating sexual stereotypes. One such approach focused on overturning stereotypes,

prejudices and social and cultural practices that were based on a belief that one sex was inferior to the other. Another involved highlighting the importance of domestic and child-rearing tasks and promoting the idea that men and women should share that kind of work.

37. The Government also intended to set up a national system for providing special assistance to persons with disabilities and older adults. In addition, a bill had been submitted to Congress to amend the provisions of the Labour Code that made women's access to nursery facilities contingent upon them working for a company that employed more than 20 women and that precluded non-working mothers from accessing child benefits. In order to increase the participation of women in the political affairs of the country, the electoral reform law passed in January 2015 had included a gender quota for electoral candidates. Under that quota system, electoral candidates of either sex could not account for more than 60 per cent or less than 40 per cent of the total number of candidates on the electoral lists. The Government was also committed to increasing the participation of women and moving towards gender parity in the leadership of political parties, public institutions and companies. A bill designed to achieve that goal would be submitted to Congress in the near future.

38. **Mr. Atangana** said that he would like additional information on the results of the measures taken by the State party to combat domestic violence. Since the corporal punishment of children was legal and remained prevalent in Chile, he wished to know whether the State party planned to amend its legislation to outlaw all forms of corporal punishment of children.

39. **Mr. De Schutter** said that he welcomed the range of initiatives launched by the Government to encourage the Chilean population to adopt a healthy diet and lifestyle. He would like to know whether the Government had involved local small-scale farmers in the Supplementary Food Programme or in the School Meals Programme, as such programmes could provide them with an opportunity to increase their productivity and raise their incomes. Additional information would be appreciated on government support for small-scale farmers and on efforts to implement the Voluntary Guidelines to Support the Progressive Realization of the Right to Adequate Food in the Context of National Food Security, adopted by the Food and Agriculture Organization of the United Nations (FAO) in 2004. A number of other Latin American countries had already begun to work towards the adoption of framework laws on food security and nutrition and had set up consultative bodies for the purpose of lobbying their Governments to do more to uphold the right to food. Did Chile plan to follow suit? He also wished to know how the National Council for the Promotion of Health encouraged good nutrition and a healthy lifestyle in practice. Lastly, he would be interested to learn whether the State party had considered levying higher taxes on unhealthy food products or providing price subsidies for healthy food products to encourage good eating habits among consumers.

40. **Ms. Shin** asked what the offence of "habitual abuse", which had been mentioned in the context of the implementation of the Domestic Violence Act (Act No. 20.066), actually entailed. She also wished to know when Congress was expected to pass legislation that would authorize abortions when the pregnancy was the result of rape, when it endangered the life of the mother or when the foetus would be severely malformed. What measures had the State party taken to curb the high teenage pregnancy rate and to ensure that teenagers had access to information on family planning and to contraceptives? She also wished to know what the State party was doing to prevent the forced sterilization of women and girls with disabilities. She invited the delegation to comment on reports that intersex children often underwent operations without parental consent.

41. **Mr. Chen** said that the State party's efforts to reduce extreme poverty did not appear to be delivering consistent results, as the extreme poverty rate continued to fluctuate from year to year. He would like to know how the State party was attempting to ensure that

all persons residing in Chile benefited from the country's recent economic growth on an equal footing. What specific measures had the State party taken to work towards the Millennium Development Goal of eradicating extreme poverty and hunger?

42. **Mr. Mancisidor** requested additional information on the Ethical Family Income Programme and on the social benefits that it provided. How did the Government intend to reduce the alarmingly high rate of violence against children in the State party? The Committee had received reports that child labour had become more prevalent over the last six years. If those reports were accurate, how did the State party plan to reverse that trend?

43. **Mr. Pillay** said that he would like to know what the State party was doing to tackle the problems associated with the current housing shortage, which included overcrowding in dwellings where living conditions were already poor, social segregation in urban areas and the shortfall of social housing for disadvantaged persons or marginalized groups in rural areas. He also wished to know more about the laws governing forced evictions and whether they were in line with international standards. What kind of protection was afforded to the many people living in illegal settlements, who could easily fall victim to forced evictions?

44. **Mr. Uprimny Yepes** asked what measures the State party had taken to alleviate the poverty of indigenous groups, who were among the most impoverished in Chilean society. He also wished to know how the State party planned to do away with the marked inequalities in the Chilean health-care system. There still seemed to be some uncertainty over the legality of the use of emergency contraception in the State party, and he would appreciate it if the delegation would provide additional information on that subject.

45. **Mr. Ribeiro Leão** said that the Committee had received reports that there was limited access to drinking water and that sanitation services were inadequate in rural areas. If that was the case, how did the State party plan to remedy that situation? What measures did the State party envisage taking to prevent the privatization of water services from driving up the cost of water?

46. **Mr. De Schutter** said that he would welcome additional information on the impact of the privatization of the Chilean education system and on the discrimination in access to education associated with that process. Since the majority of students attending public schools, which were not as well-equipped or resourced as private schools, came from low-income families, the Committee was concerned that the gap between public and private education in Chile would hinder social mobility in the long term. He would like to know how the State party planned to address that issue.

47. **Mr. Mancisidor** requested additional information on the State party's efforts to guarantee the right of all persons residing in Chile to enjoy the benefits of scientific progress and its applications.

48. **Mr. Uprimny Yepes** said that the Committee had received reports that, in many instances, no official recognition was accorded to the gender identity of transgender children. He invited the delegation to comment on those reports. The Committee welcomed the fact that the Indigenous Peoples Act provided for the development of a bilingual, intercultural education system but harboured some concerns over the seemingly insufficient funding allocated for the effective application of that law. Additional information on the budgetary resources earmarked for that purpose and on any policies to promote the use of indigenous languages in the State party would be appreciated.

49. **Mr. Kedzia** said that the Committee welcomed the recent advances made in fostering cultural diversity, in raising awareness of the relationship between the cultural heritage of indigenous communities and their ancestral lands and in creating an enabling environment for them to preserve, develop, express and disseminate their identity, history, culture, language, traditions and customs. The Committee would therefore like to receive

more information on the results of those efforts. The State party should make every effort to ensure that those types of initiatives bore fruit and improved the situation of indigenous peoples in Chile. It was heartening to learn that, in 2014, 70 per cent of the population had Internet access. However, in the future, the State party should focus its efforts on making the Internet more accessible to members of disadvantaged or marginalized groups.

50. **Mr. Kerdoun** asked what progress had been made in restructuring the Chilean education system. Would the reform address problems such as socioeconomic discrimination and the persistence of gender stereotypes in Chilean schools? He would like to know whether the reform would include a change in existing public policy so as to guarantee a free, quality education for all that would meet the specific needs of persons with disabilities and at-risk groups.

51. **Mr. Ribeiro Leão** asked what measures the State party intended to take to prevent indigenous languages from dying out.

52. **The Chairperson** said that the State party should be wary of allowing the gap between public and private education to widen even further, as to continue along that path could promote segregation on the basis of education and ultimately undermine social cohesion in Chile.

The meeting rose at 6 p.m.