



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

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## Committee on the Elimination of Discrimination against Women Eighty-ninth session

### Summary record of the 2100th meeting\*

Held at the Palais des Nations, Geneva, on Tuesday, 15 October 2024, at 10 a.m.

Chair: Ms. Peláez Narváez

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*Eighth periodic report of Chile*

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\* No summary records were issued for the 2097th to 2099th meetings.

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*The meeting was called to order at 10.05 a.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention (continued)**

*Eighth periodic report of Chile (CEDAW/C/CHL/8; CEDAW/C/CHL/QPR/8)*

1. *At the invitation of the Chair, the delegation of Chile joined the meeting.*
2. **A representative of Chile**, introducing her country's eighth periodic report (CEDAW/C/CHL/8), said that the road map for equality policies in Chile was the Fourth National Plan on Equality between Women and Men, which required the application of the gender perspective in all public institutions. It had been devised in cooperation with specially protected groups such as Indigenous women, rural women, environmental defenders and women with disabilities. Six billion Chilean pesos had been allocated in 2023 and 2024 to support its implementation.
3. During the reporting period, the Comprehensive Act on Gender-Based Violence had been enacted, after seven years of debate. It obliged the State to guarantee women, girls and adolescents a life free from violence. Among other measures, it extended protection to victims of gender-based violence outside sexual or intimate relationships, established a judicial oversight mechanism, recognized children and adolescents as victims and not only witnesses and provided for an integrated system for handling information and for the management of cases.
4. In the past two years, three other major pieces of legislation had been adopted, one to enhance procedural guarantees and protect the rights of victims of sexual crimes; another to improve the prevention, investigation and punishment of harassment and sexual harassment in the workplace, in compliance with the Violence and Harassment Convention, 2019 (No. 190) of the International Labour Organization (ILO); and a third establishing a comprehensive protection and compensation regime for victims and the families of victims of femicide, women's suicide and attempted suicide. The corresponding measures included a pension for children, which by August 2024 had benefited 126 children of victims of femicide.
5. The range of services available aimed at reducing violence against women under the programmes of the National Service for Women and Gender Equality, which had previously been provided only in the context of intimate partner and ex-partner violence, had been expanded to cover other forms of gender-based violence. They now included various types of support, taking into account the context, the nature of the violence, the level of risk and the gender identity of the persons in question.
6. Victims of sexual violence were now covered by the Explicit Healthcare Guarantees regime, and budget resources allocated to preventing cases of violence against women and supporting its victims had increased by over 20 per cent since 2022.
7. A law prohibiting the marriage of minors aged under 18 had been enacted in 2022. Since then no such marriages had been recorded.
8. Under the latest National Action Plan against Trafficking in Persons, which was to run until 2026 and which focused on prevention, victim protection, prosecution and intersectoral coordination, the Government's capacity to support adult victims had doubled. By May 2024, the cases of 30 women had been handled under the new protocol, including 21 who had received humanitarian visas.
9. As for measures to provide for women's financial independence, progress had been made in ensuring the payment of child support. The National Registry of Maintenance Debtors made it possible to restrict delinquent parents' access to certain benefits, while the Payment Enforcement Act allowed funds to be transferred directly to children's bank accounts. More than US\$ 333 million in child support had thus been recovered by May 2024, benefiting more than 50,000 families, nearly all of them in households headed by single women. A bill was also being drafted to address the persistent gender pay gap, which currently stood at just over 23 per cent.

10. In line with the Buenos Aires Commitment of the Regional Conference on Women in Latin America and the Caribbean, Chile recognized the right to care and to be cared for and, since 2022, the Government had focused on care as the fourth pillar of the social security system. A bill had been proposed to establish a national system of support and care, and in the meantime the implementation of the National Support and Care Policy had resulted in a 40 per cent increase in resources for support and care in the period running up to 2025. The ultimate goal was to assist 75,000 dependents and their caregivers and to extend by about half the coverage of the Local Support and Care Network Programme.

11. As part of efforts to eradicate gender stereotypes and promote educational options for women and girls in the fields of science, technology, engineering and mathematics (STEM), the More Women Scientists programme had granted places in STEM programmes in higher education. As a result, the number of women selected under the programme had increased by around 17 per cent in the past biennium, and women's representation in such courses had increased by 3 per cent in the past year alone.

12. The strengthening of sexual and reproductive rights was illustrated by developments under the Act on Voluntary Termination of Pregnancy. Five years after the Act's entry into force, local authorities were now empowered to inspect health facilities under its provisions. Advances in contraception included a reduction in the prices of oral, vaginal and long-acting contraceptives.

13. In 2023, the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) had placed Chile in sixth place worldwide in terms of women's participation in political life, with 58.3 per cent of the membership of the Cabinet of Ministers being female. Even so, the Government continued to promote the idea of gender quotas in local and regional elections. The increase in women's involvement in the evaluation and transformation of public policy was illustrated by the organization of national dialogues on the care system, in which over 80 per cent of some 12,600 participants had been women. Dialogues had also been held on pension reform and, for rural women and for the LGBTIQA+ community, on sexual and reproductive rights.

14. In the past two years, Indigenous children had benefited from the hiring of 119 new Indigenous language and culture educators and the promotion of intercultural education, starting from early childhood. In addition, the *Buen Vivir* ("Good Living") Plan promoted the involvement of the Mapuche community and of rural women in political and social decisions.

15. Efforts to combat the dual discrimination faced by women and girls with disabilities had included a doubling of the hiring quota for persons with disabilities in companies and public institutions with 100 or more workers.

16. The National Policy on Migration and Foreigners, which incorporated the gender perspective, had facilitated cooperation between the National Service for Women and Gender Equality and the Migration Service in the provision of comprehensive support for foreign women who were victims of gender-based violence. In the first half of 2024, over 2,500 services had been provided.

17. The Protocol for the Treatment of Pregnant Women in Detention had helped guarantee the rights of a total of 321 women between 2022 and May 2024. The Gender Identity Support Programme had served more than 2,500 transgender and/or gender non-conforming children and adolescents across the country since 2023. Despite the adoption of the Protocol for the Protection of Human Rights Defenders in 2024, it remained a challenge to provide an adequate response, especially when the situation of human rights defenders intersected with other factors of discrimination, such as membership of an Indigenous group.

18. Several challenges remained. Regarding the decriminalization of abortion, a presidential mandate had been issued for the Ministry for Women and Gender Equity to submit a bill on legalization in the coming months. The marital partnership regime needed modification in order to guarantee the full right of women to administer their property. The Government was also committed to the adoption of the Act on the Protection of Mothers and Children in order to put an end to situations where women were accompanied by very young children in prison.

19. **A representative of Chile** said that women deputies and senators in the Chilean Congress had successfully promoted the establishment of the parliamentary Women and Gender Equity Committee, an important forum for the discussion of policies to prevent discrimination and violence against women.

20. In addition to the legislation described by the previous speaker, she drew attention to the Work-Life Balance Act, which guaranteed that staff with a dependent such as a child under the age of 14 or a person with a disability had the right to telecommute; and a law known as Karin's Law, aimed at eradicating violence, harassment or sexual harassment in the workplace, which had been named after a female health service employee who had committed suicide in 2019 after being subjected to harassment at work.

21. Since 2023, the Senate, with support from the United Nations Development Programme, had been working to implement a gender equality programme for public institutions. The aim was to increase the Senate's compliance with international standards in the management of family, personal and working life and in the provision of employment opportunities. In May 2023, the Congress had created its first breastfeeding space, and in 2024 the Senate had implemented the provisions of Karin's Law internally, establishing new protocols for investigating and penalizing workplace harassment, sexual harassment and violence, strengthening reporting mechanisms and reinforcing the prevention of psychosocial risks. Other initiatives within the Senate included a leadership programme for staff members who were not part of senior management, a diversity and inclusion policy and a protocol on the reconciliation of personal, family and work life, with the aim of supporting staff who had family and care responsibilities.

22. Efforts to combat discrimination continued to encounter resistance. The amendments to the law on the matrimonial regime were still pending in part because the changes involved were not only legal but cultural, involving the recognition of spousal equality in the administration of assets, of the joint and several nature of the marital relationship and of women's right to obtain credit without seeking authorization.

23. There was also resistance to moves to update the Anti-Discrimination Act. After 12 years of implementation, the Act needed strengthening in order to protect the rights of women and to ensure the inclusion of all persons and groups living in the country.

24. Without funding for implementation, policies amounted to no more than good intentions. The Government was committed to supporting public budgeting with a gender focus in order to ensure that resources were available to prevent gender-based violence and promote women's economic empowerment.

25. **A representative of Chile** said that, in addition to institutional advances, the most important indicators of progress in women's access to justice were on the one hand the gradual understanding of the need to eliminate barriers and stereotypes in the administration of justice and in the investigation, defence and trial of cases involving violations of women's rights, and on the other hand, the development of new forms of reasoning that had made it possible to challenge deep-rooted beliefs about the presumed impartiality or neutrality of the law. That cultural change had not yet spread widely or taken strong hold, but it was reflected in certain instruments and judgments, was finding expression in every sector of the justice system and was being fostered by new legislation on the subject. The Supreme Court itself had a policy and a technical secretariat on gender equality and non-discrimination.

26. Over the six years since the introduction of that policy, there had been a significant trend in the Court towards judgments that upheld women's human rights. In cases of violence against women, there had been increased awareness of issues such as the withdrawal of complaints, the weight to be given to victims' testimony and the recognition of forms of violence that were not traditionally foregrounded, such as vicarious violence, obstetric violence, violence used by women in self-defence following years of suffering and even forms of economic violence, such as the failure to pay maintenance.

27. Some cases had addressed the right of access to health of women deprived of their liberty, and there had been a fairly consistent pursuit of alternatives to prison for pregnant or breastfeeding women. Certain judgments had also helped pave the way for recognition of gender identity, even before the current legislation on the topic had been adopted, and some

judgments still played a significant role, for instance in cases involving certain situations not covered by the legislation, such as those involving minors under the age of 14, non-binary persons and diverse families, and filiation in same-sex relationships. A 2019 study on access to justice for women victims of violence who were involved in judicial proceedings had highlighted broad areas for improvement both in women's experience of the judiciary and in the justice system in general. Its findings had subsequently been incorporated into the Comprehensive Act on Gender-Based Violence, which had recently entered into force.

28. **A representative of the National Institute of Human Rights, Chile** said that the Institute was concerned about the lack of disaggregated statistics on violence against women. It had recommended that all State bodies responsible for producing statistics should include a breakdown by membership of Indigenous community, rural or urban residence, disability, sexual diversity and migration status in order to facilitate the formulation of relevant public policies. The Institute was also concerned about the lack of regional focus in the follow-up to violence-prevention programmes and the problems faced by migrant women, rural women, Indigenous women and women with disabilities in bringing complaints or accessing support mechanisms.

29. Despite the improvements in the constitutional and legislative framework, it was a matter of some concern that little substantive progress had been made in the draft reform of the matrimonial property regime, which had been before the Congress for 13 years, and the amendments to the Anti-Discrimination Act.

30. There was still a wide gap in representation between men and women, particularly in local government and the Senate, where women held only 17 per cent and 24 per cent of seats, respectively. There were no rules on gender balance in municipal elections, and the current requirements in respect of congressional elections would apply only until 2029, or for two more elections, despite the rules on parity agreed in the recent constitutional reforms.

31. With regard to trafficking in human beings and commercial sexual exploitation, insufficient policing resources had been allocated in the north of the country. There was a need to formulate and adequately fund a public policy to combat trafficking, taking account of issues of access to health, residence permits and education for victims.

32. In the 34 university courses on primary teaching, only 15 covered gender-based violence, women's rights and the gender perspective. There was no discussion in the Congress of comprehensive sex education in the school curriculum. Pay and employment gaps between men and women persisted; the unemployment rate among women was higher than among men, and men's pensions were on average nearly 80 per cent higher than women's. There were barriers to access to voluntary termination of pregnancy owing to a lack of training for health teams and a lack of information on the law. It was a matter of concern that the right to voluntary termination of pregnancy could not be exercised in certain State hospitals because the entire staff claimed to have moral objections in respect of one or more of the permitted grounds for abortion.

33. The National Institute of Human Rights was concerned about the situation of pregnant women and women with children in prisons. It recommended that the Government should promote the use of non-custodial measures and make it clear that it was inappropriate for such women to be placed in pretrial detention. As for the situation of women defenders of human rights, there had been attempts to dismiss three women directors of independent human rights organizations, including herself, merely for discharging their mandates.

#### *Articles 1–6*

34. **Ms. Bethel** said that she wished to know which national mechanism was used to monitor implementation of the Committee's recommendations. More generally, it would be useful to know what measures were taken to ensure overall compliance with international obligations and standards and whether the Government had put in place a permanent accountability mechanism. The Committee would also be interested to know what measures were taken to educate the public and women's non-governmental organizations about the specific protection and reporting mechanisms provided for under the Optional Protocol. It would be helpful to hear whether the Government worked with civil society to raise awareness of the Convention and the Optional Protocol, whether those instruments had been

translated into all the minority languages spoken in the country and whether action was taken to promote them in rural areas and the country's various regions.

35. The Committee would welcome updated information on all the steps that were currently being taken to incorporate the protection of women's rights into the Constitution. It would also be useful to know what measures had been taken to amend Act No. 20.609 on discrimination in order to bring it into line with the Convention and what judicial mechanism had been put in place to adjudicate cases of discrimination against women. The Committee would be interested to know how many prosecutions had been brought under the Act in relation to acts of gender discrimination and discrimination against lesbian, bisexual, transgender and intersex women, women with disabilities, Indigenous women and women of African descent. She wished to know what measures the Government planned to take to address the shortcomings in that law concerning the threshold of evidence required for prosecution, victims' redress and preventive measures.

36. She invited the delegation to explain whether the Government would consider requesting the technical support of the United Nations to strengthen access to justice for women. It would also be useful to know whether the Government planned to take steps to strengthen gender mainstreaming and to increase the budget allocated for implementation of the Second National Human Rights Plan. She wished to know what steps were taken to improve the access of rural, Indigenous, refugee and migrant women, women with disabilities and transgender persons to high-quality and culturally appropriate legal services delivered in a language they understood. It would also be helpful to hear what measures the Government was taking to establish ongoing training for officials in the criminal and civil justice institutions to ensure that human rights standards were safeguarded in their everyday work and to eradicate the gender-based prejudices and discrimination that affected care, judicial proceedings and investigation processes. The Committee would be interested to hear more about the impact made by the intersectoral working group that had been established to develop a national training programme on the human rights of Indigenous women and to ensure their access to justice. Lastly, she wished to know what steps had been taken to establish mandatory training and periodic reporting on equality and gender mainstreaming at all levels of the judiciary.

37. **A representative of Chile** said that the Government was committed to strengthening the ways in which its implementation of human rights recommendations was monitored. The Office of the Undersecretary for Human Rights had received technical support from the Office of the United Nations High Commissioner for Human Rights (OHCHR) to help it to put in place the Recommendations Monitoring System, a mechanism inspired by one that had been developed by the Government of Paraguay. The Office of the Undersecretary for Human Rights had not taken specific measures to disseminate the Optional Protocol. However, it worked with OHCHR to develop public consultations prior to the drafting of reports and to prepare for the constructive dialogues with the treaty bodies.

38. **A representative of Chile** said that the judiciary had made significant efforts in recent years to develop and implement training on the issues addressed in Convention, the Optional Protocol and the Committee's recommendations. From 2022 to 2024, some 7,500 members of the judiciary, 3,000 prosecutors, 4,750 public criminal defenders and 12,000 Carabineros (police) had taken gender-related training courses. In 2022 alone, 908 members of the investigative police and 11 per cent of all personnel in the Prison Service had received training on gender issues.

39. Act No. 207-2022 provided for mandatory training on gender-based violence for criminal and family judges. By the end of 2024, a total of 155 judges would have already taken the mandatory course, and it was expected that all judges would be fully trained on the subject within five years. The mandatory training programme put in place by the Public Prosecution Service for new prosecutors included a module on gender-based violence and family violence, and the Convention was covered in the training received by police officers. Each year, the Public Criminal Defender Service amended its annual training plan to incorporate new legislative developments.

40. **A representative of Chile** said that the support of the Public Criminal Defender Service was available to all Chileans, regardless of their economic situation, and that the

Service represented women in around 17 per cent of the cases it handled. A special programme had been put in place under which foreign and Indigenous women deprived of their liberty received support from intercultural facilitators and social workers as well as criminal defenders, thereby taking into account the intersectional discrimination and obstacles to justice encountered by those groups. In 2022 and 2023, the programme had benefited 635 Indigenous women, 358 of whom had been held in pretrial detention, and 96 per cent of those cases had been located in the country's northern regions.

41. **A representative of Chile** said that, on the Committee's recommendation, the Government had drafted an amendment to strengthen Act No. 20.609 on discrimination. The bill had been approved by the Senate, but it had been rejected by the Chamber of Deputies. The draft legislation was therefore scheduled to be reviewed by a joint commission composed of members of both houses of the Congress.

42. The Ministry for Women and Gender Equity hoped to have given training to 100,000 civil servants on human rights and gender issues by the end of 2024. It had updated the Fourth National Plan on Equality between Women and Men following the coronavirus disease (COVID-19) pandemic, incorporating new measures on intersectionality and groups in need of special attention, and members of civil society and academia would soon be able to monitor its implementation. From March 2025, all public spending on gender-related issues by government departments other than the Ministry for Women and Gender Equity would be made traceable under a new system of budget targeting.

43. **Ms. Bethel** said that she wished to know whether the Government would consider amending Act No. 20.609 to provide for the collection of disaggregated data on arbitrary discrimination and to introduce a comprehensive legal definition of all forms of discrimination against women, including intersecting forms of discrimination. She would also welcome further information on the intersectoral working group tasked with developing training on the human rights of Indigenous women, mandatory gender training for the judiciary and the translation of the Convention and the Optional Protocol into minority languages.

44. **A representative of Chile** said that the intersectoral working group tasked with developing a national training programme on the human rights and access to justice of Indigenous women was made up of representatives of the Office of the Undersecretary for Human Rights and six institutions linked to the criminal justice system. The working group had completed the first phase of its work, during which it had developed an initial online training course. The second phase would consist of creating specific learning pathways for each institution and developing a mechanism to evaluate the impact of the training.

45. The proposed amendment to Act No. 20.609 on discrimination had included new provisions to widen its scope, restructure procedures, introduce a compensation procedure, designate the Office of the Undersecretary for Human Rights as the body responsible for coordinating public policy with an intersectoral focus and establish a council for equality and protection against arbitrary discrimination. The Government was in the process of forming a working group charged with appointing the joint parliamentary commission so that the bill could be reviewed and adopted without delay.

46. **A representative of Chile** said that the development of a gender-responsive approach in the administration of justice had been one of the central pillars of the gender equality and non-discrimination policy adopted by the Supreme Court in 2018. Since then, the Technical Secretariat for Gender Equality and Non-discrimination of the Supreme Court had held workshops to raise awareness of its handbook of good practices for gender mainstreaming in sentencing practices. It had also created an annual competition to highlight rulings with a gender perspective, the best examples of which were uploaded to its website, which currently contained 88 rulings relating to issues such as violence against women, sexual violence and women deprived of their liberty. From 2020 to 2023, the Convention had been invoked in 11,659 rulings, 10,663 of which had been handed down by family courts. From 2022 to 2023, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women had been invoked in 9,818 rulings, 8,608 of which had been handed down by family courts.

47. **A representative of Chile** said that, since 2022, the official statistics produced by the Government had included new variables developed by the National Gender Statistics Commission. For example, new questions on gender-based violence had been added to the national survey on citizen security, and the next national census would include new gender identity variables. Furthermore, the next version of the national survey on domestic violence would be taken to respondents in rural areas where physical and other forms of violence often went unreported.

48. **Ms. Eghobamien-Mshelia** said that the Committee would be interested to know what percentage of the national budget had been allocated to the Ministry for Women and Gender Equity and gender units in other government departments over the previous three years. It would also be useful to know whether adequate human resources had been allocated to enable the national gender machinery to function effectively and what monitoring and accountability measures, instruments and protocols had been put in place to ensure compliance with the principles set out in the Convention.

49. She would like to know what steps the Ministry took to guarantee efficient coordination with its organs, including the consultative civil society councils, ensuring synergy and an adequate response to intersectionality while avoiding duplication of efforts. In that regard, she would be interested to know what distinct tasks and responsibilities had been assigned to the National Service for Women and Gender Equity. It would be useful to hear what operating procedures and systems had been put in place to enhance the efficiency and reach of the Ministry's work. She also wished to find out to what extent the Ministry had been empowered to influence the high-level decision-making processes of other government departments. She invited the delegation to describe the Ministry's working relationship with the legislature, the National Institute of Human Rights and the media.

50. She would like to know what protocols, standards and instruments had been developed to enhance compliance with the State party's obligations under the Convention by strengthening the protection of women's rights and improving public service delivery by the judiciary, the police and civil servants. Further information about any specific training received by judicial personnel on the rights of lesbian, bisexual, transgender and intersex women would be of particular interest. It would also be helpful to know whether similar programmes had been put in place for private sector actors to strengthen their capacities for detecting, handling and remedying women's rights concerns and addressing disparities between different sectors.

51. She would like to know what strategic priorities and targets had been set under the Fourth National Plan on Equality between Women and Men, whether they were linked to overall national development objectives and implementation of the Sustainable Development Goals and whether they took account of the particular issues affecting disadvantaged groups such as poor, rural, Indigenous and migrant women. It would be helpful to know how effective the action taken so far to implement the priorities and targets had been. The Committee would be interested to know whether a law or policy on gender-responsive budgeting had been adopted. She would also like to know whether each ministry had a dedicated budget to implement the National Plan and how the overall budget had been distributed over the previous three years.

52. She wished to know what specific mechanisms had been put in place to monitor the implementation of international recommendations at the local level. She also wondered what role civil society played in national efforts to ensure compliance with the Convention, the Optional Protocol and the Committee's recommendations. The Committee would like to know whether a national bank had been established for the empowerment of women and what measures were taken to generate sufficient disaggregated data on the status of women across all sectors. Lastly, the Committee would welcome statistical information on the financing provided under the Higher Education Innovation Fund for Gender Equality over the previous three years, disaggregated by thematic focus, geographic location and profile of the beneficiaries, including women with disabilities, widows and lesbian, poor, rural, Indigenous, migrant and incarcerated women.

53. **Ms. Bethel** said that the Committee would welcome further information on the implementation and enforcement of the provision in Act No. 20.820 granting the Ministry

for Women and Gender Equity the power to propose temporary measures, plans and programmes. She would like to know which of the following groups of women had benefited from temporary special measures: women with disabilities, older women, migrant, refugee and asylum-seeking women, lesbian, bisexual, transgender and intersex women, Indigenous women and women of African descent. It would be useful to know what steps the Government had taken to include temporary special measures aimed at safeguarding women's rights, and particularly those of marginalized and vulnerable women, in its post-COVID-19 economic recovery plan. She would like to know what temporary special measures had been implemented to address gender stereotypes and negative cultural attitudes, particularly machismo, and what steps were being taken to use temporary special measures to address the under-representation of certain groups in education and employment. In the absence of statistical data disaggregated by urban and rural area, ethnicity, race and socioeconomic status, she invited the delegation to explain how the Government proposed to employ temporary special measures for the various groups. She wondered whether the Government would consider adopting a comprehensive approach to temporary special measures, such as by drafting a national action plan that would bring them into effect in all the areas covered by the Convention.

54. **A representative of Chile** said that the National Service for Women and Gender Equity worked, both independently and in collaboration with its partners, to implement public policies and programmes designed to strengthen the economic, physical, political and social autonomy of women. Its annual budget had progressively grown in recent years. In 2024, the National Service had started implementing an improved programme of actions aimed at combating violence.

55. **A representative of Chile** said that, each year, more than 150,000 women benefited directly from the policies and programmes implemented by the National Service. Thanks to the recent budget increases, the scale of its service provision had returned to pre-pandemic levels and it had opened support centres in each of the country's 14 administrative regions.

56. **A representative of Chile** said that some 500 instructors had received human rights training relevant to the work of the police, including mandatory modules on gender issues. Women now accounted for 60 per cent of applicants to the Carabineros and held 6 of the 41 high command positions.

57. **A representative of Chile** said that the participation of the Ministry for Women and Gender Equity in formulating the post-pandemic inclusive economic recovery plan "Chile Apoya" had ensured the incorporation of a gender perspective. By March 2024, women's participation in the labour market had returned to pre-pandemic levels. However, many women still worked in the informal sector and remained underpaid.

58. The assumption by women of family care responsibilities was strongly linked to their lower participation in the labour market. The provision of the childcare subsidy called "Subsidio Protege" and an emergency family income supplement had thus been extended in 2022 to support women returning to work. Plans were also in place to develop new long-stay and day-care facilities for older persons. More than 130,000 unpaid caregivers were registered under the social protection system and received preferential support. The number of beneficiaries of the labour inclusion law for persons with disabilities had doubled, and a record number of women were working in traditionally male-dominated industries such as the construction and public transport sectors.

59. **Ms. Eghobamien-Mshelia** said that she would be grateful if the delegation could clarify whether the aforementioned police training was only for female police officers and investigators, or whether it had been incorporated into the police academy's general curriculum. She would also like to know whether public procurement principles had been integrated into the management of public infrastructure. Was there a quota for women, or were female professionals involved in developing that infrastructure?

60. **Ms. Bethel** said that she would be grateful for further information on the challenges faced in carrying out temporary special measures to support historically disadvantaged groups of women.

61. **The Chair** said that she wished to learn more about the measures in place to guarantee access to justice for disadvantaged groups such as speakers of Indigenous languages. In a similar vein, she wondered whether the coverage of data collection surveys had extended to all groups, including Indigenous women, young girls and women with disabilities.

62. **A representative of Chile** said that courses on gender diversity, sexual orientation and the implementation of gender identity laws were available to all members of the judiciary on the judiciary's virtual study platform. A study on access to justice for lesbian, gay, bisexual, transgender and intersex persons had found that regulations protecting people belonging to that group were lacking. However, matters relating to sexual diversity, such as the recognition of diverse families or of various gender identities, had been addressed in a series of rulings preceding the adoption of the corresponding laws. The Office of the Public Prosecutor had been monitoring and recording cases of violence against lesbian, gay, bisexual, transgender and intersex persons since May 2019, in coordination with civil society organizations, and it provided advice to prosecutors dealing with cases of violence motivated by gender identity or expression. The Office of the Public Defender, which had a gender defence policy and a specialized gender defence model designed to address the specific legal needs and challenges faced by women and gender-diverse individuals, had issued a manual on the minimum requirements for ensuring gender equality.

63. **A representative of Chile** said that police training was conducted in two stages: initial training in academies, followed by continuous in-service training.

64. **A representative of Chile** said that significant progress had been made in collecting data disaggregated by characteristics such as sex, gender, ethnicity and disability. Relevant data collection tools included a 2022 national survey on disability and dependency, a 2023 social welfare survey, a young caregivers study and a report of the undersecretariat for social evaluation. Current data indicated that 10 per cent of the national population belonged to Indigenous communities, 17 per cent had a disability, 18 per cent were senior citizens and 22 per cent were adolescents.

65. The Ministry for Social Development and the Family aimed to standardize its information systems and ensure access to social programmes. Progress had been made in ensuring access to social protection services for Indigenous people, children and young people and for persons with disabilities. Steps were also being taken to ensure that information on women's sexual and reproductive rights, such as the voluntary termination of pregnancy, was available in Indigenous languages and in Braille.

66. **A representative of Chile** said that the national population census had been available in the three main Indigenous languages and in Haitian Creole. An interministerial committee for gender equality, working under the Ministry for Women and Gender Equity, oversaw compliance with the national equality plan, and a network of ministerial gender advisers provided leadership in each of the executive ministries. A parallel network of gender advisers existed at the local level. As part of a decentralization process, since 2021, regional governors had been elected by the people rather than appointed by the President.

67. Efforts had been made to increase the political participation of Indigenous peoples, for example through the provision of Indigenous ballots in the constituent process aimed at the formulation and adoption of a new Constitution. The first constituent process had been led by Elisa Loncón Antileo, a female Mapuche academic. Seven Mapuche candidates, two Aymara candidates and eight candidates from other Indigenous peoples had been elected.

68. The Ministry for Women and Gender Equity had established a working group for women of African descent, which had participated in the reformulation of the national equality plan. It was hoped that the recent adoption of the law granting legal recognition to Chilean tribal people of African descent, following a consultation process with that group, would boost their political participation.

69. **Ms. de Silva de Alwis** said that she would like to know how the Government planned to increase the participation of women in space exploration. It would also be of interest to learn how an approach centred on survivors and their trauma would be adopted in the criminal investigation of institutional violence, including sexual violence. She would be curious to hear how the Government intended to address algorithmic biases in the development of

artificial intelligence, label such artificial intelligence models as harmful and mitigate bias at the training phase of large language models.

70. She would welcome further details on the reparations granted to victims of femicide and their families and on the ways in which impunity in the criminal justice system was being addressed. She wished to know how the Government monitored the implementation of Karin's Law, whether there were financial penalties for companies that failed to comply with it and how women were protected against reprisals. She also wondered whether the monitoring mechanism to prevent forced sterilization was still in place.

71. It would be of interest to hear whether the media law prohibited gender stereotyping and whether the International Bar Association's 50:50 by 2030 project, which examined gender inequality across all senior roles in the legal profession and the judiciary, had produced results in Chile. She noted that the case of an HIV-positive woman who had been subjected to forced sterilization had been brought before the Inter-American Commission on Human Rights. She would welcome further details on the criminal investigation into the circumstances surrounding some 20,000 illegal adoptions. Lastly, she wondered what steps had been taken to support women and children at risk of trafficking, in particular women with disabilities and Indigenous women.

72. **A representative of Chile** said that, unlike previous legislation, Karin's Law included provisions covering female police officers and women in the armed forces. To advance women's participation in space exploration, women and girls were being encouraged to study STEM subjects. The number of women admitted to study STEM subjects in higher education had increased thanks to supernumerary quotas and the granting of bonus points for female students in entrance examinations.

73. The Undersecretary for Women and Gender Equity, the first Mapuche woman to hold such a senior government position, had spearheaded efforts to ensure that women's perspectives, especially those of Mapuche and Aymara women, had been taken into account in the reform of the armed forces. Mapuche women had continued to participate in the implementation of the *Buen Vivir* Plan, which sought to provide lasting security and peace for Indigenous peoples, in keeping with Security Council resolution 1325 (2000).

74. The adoption of two laws, known respectively as Antonia's Law and Gabriela's Law, was a step forward in addressing the problems of femicide and gender-based violence. While a draft law known as the Only Yes Means Yes bill had not yet been adopted, for many years already, courts hearing rape cases had not required definitive proof of the absence of explicit consent in rape cases. The delegation looked forward to receiving the Committee's recommendations on that subject. Some types of violence against women did not automatically lead to criminal prosecution. However, the non-consensual dissemination of intimate material had been criminalized, and a number of acts had been defined as aggravating factors of obstetric violence. A bill on digital violence had been referred to the Senate's Women's Committee. As for the misuse of artificial intelligence, her country, like others in the Global South, encountered difficulties when they attempted to regulate platforms that were hosted in the northern hemisphere. Her delegation therefore also looked forward to receiving the Committee's recommendations on how to combat child pornography, sexual violence and harassment and politically motivated aggression against women on the Internet.

75. **A representative of Chile** said that public policy did not always match with reality, and that legislation required constant review and updating. That was true, for example, with regard to the gender quota in local government, which would expire in 2028. To counter inequality and discrimination against women, it would be necessary to combat machismo and secure greater participation by women in decision-making. An agreement had been adopted with a view to protecting women in the mining industry from harassment.

76. **A representative of Chile** said that the Office of the Public Prosecutor had set up a human rights unit to support investigations into the large number of cases of violence against women and children in institutions. Regular training sessions had been held for prosecutors and police officers on the use of force in maintaining law and order, on investigation practices in the case of deaths in custody and on court rulings concerning various types of crimes. A very useful guide to investigating institutional violence and deaths in custody had been

published in 2024. It contained a section on securing access to justice for victims requiring particular protection. Some investigations which had been closed for various reasons were currently under review.

77. **A representative of Chile** said that the State had reached a friendly settlement agreement and had provided individual redress in the case of an HIV-positive woman who had undergone forced sterilization. Measures to preclude any repetition of that case focused on training in the health sector, and the steps taken to ensure non-repetition were regularly assessed with the Inter-American Commission on Human Rights. Criminal investigations had been instituted into some adoption cases as part of the transitional justice mechanism. Forensic teams had succeeded in identifying a victim of child theft and reuniting him with his family. A special commission was processing the applications of mothers and children who were searching for each other. Every effort was being made to establish a genetic database to help with such reunifications.

78. **Ms. de Silva de Alwis** said that she would appreciate a more detailed response to her question regarding reparation for victims of illegal adoptions. She also wished to know what steps would be taken through the new national action plan to implement Security Council resolution 1325 (2000) to ensure that women led peacebuilding efforts. Lastly, she would like to hear whether the courts could enforce the right to a caregivers' allowance.

79. **The Chair** said that she wished to know how many women with disabilities or women with legal incapacity had undergone forced sterilization, what legal remedies existed for such cases and whether enforced sterilization had been criminalized. She would be grateful if the delegation could explain how girls in institutional care were protected against sexual violence.

80. **A representative of Chile** said that a conscious effort had been made to include Mapuche women in sustainable peacebuilding.

81. **A representative of Chile** said that the Government pursued a feminist foreign policy that mainstreamed gender equity into its international action related to peace, security and disarmament. Women had been included in teams engaged in peace negotiations. The Government sought to take account of women's needs in conflict prevention and post-conflict situations. It was endeavouring to incorporate the gender dimension into disarmament talks and efforts to regulate legal autonomous weapons systems.

82. **A representative of Chile** said that amendments to the law on divorce provided for an allowance to be paid to persons who dedicated part of their time to caring for children. So far, there had been no judicial rulings on the matter, as the courts were only just starting to take caregiving into account when establishing the amount of alimony. Since 2021, the courts had awarded moral damages in 19 cases related to obstetric violence, 11 of which concerned a failure to provide for healthcare or negligence related to the beneficiary's pregnancy.

83. **A representative of Chile** said that, with the assistance of the United Nations Children's Fund, an index was being devised to help determine payments to provide for childcare.

84. **A representative of Chile** said that no legal complaints had been registered concerning the sterilization of women with disabilities. The Act on Equal Opportunities and the Social Inclusion of Persons with Disabilities established that a woman's prior informed consent to sterilization must be ascertained by interviewing the woman in person. The Act likewise recognized that women with disabilities had the capacity to take decisions regarding their sexual reproductive health. A special service was being set up to monitor the situation of children who had been placed in institutional care and provide them with comprehensive protection. Placement in care was regarded as a measure of last resort.

#### *Articles 7–9*

85. **Ms. Ameline** said that she wished to know what steps were taken to ensure that women made up 50 per cent of the members of the Presidential Commission for Peace and Understanding and to increase the number of women who were mayors and local councillors. She would be grateful if the delegation could outline measures to guarantee that inclusion was a principle for securing justice for the sectors of the population at greatest risk of

discrimination, especially Indigenous women and women of African descent. The Committee would like to find out whether measures had been put in place to implement the Prevention of Political Violence Act of 3 June 2024. She sought assurances that the parity rule was applicable in companies throughout the public and private sectors and asked whether feminist civil society organizations enjoyed complete freedom of action to promote parity. Lastly, she inquired as to whether any measures had been introduced to assess the advantages of a feminist diplomatic policy.

86. **Ms. Akia** said that she wished to know what measures were adopted to ensure that migrant children could acquire Chilean citizenship and what practical steps were taken to make sure that migrant children in transit were also recognized as Chilean citizens in order that they might enjoy their rights to nationality, health and education. She would appreciate statistics on the number of women and girls who were still registered as foreigners in transit. Lastly, she wished to know how the Committee's general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women was applied in order to strengthen access to the process for the determination of refugee status.

*The meeting rose at 1 p.m.*