

## ADVANCE QUESTIONS TO CHILE

### **GERMANY**

- Germany notes with concern that a complete ban on abortion continues to exist in Chile. Women and girls are criminalized for undergoing an abortion even in cases of rape, incest or threat to the mother's health or life. What steps is the Government of Chile taking to bring its laws relating to abortion in line with its international human rights obligations?
- Germany acknowledges the efforts by the Government of Chile to return land originally associated with the Mapuche indigenous group. Does the government of Chile intend to accelerate this process with a view to respecting and promoting the economic, social and cultural rights of its citizens? As part of this, what measures have been implemented in order to ensure a full enjoyment of economic, social and cultural rights by the Mapuche?
- Germany recognizes that Chile has taken steps to reform its Counterterrorism Law. There remain some concerns, however, about its application. Recommendations from the Committee on the Elimination of Racial Discrimination and the Committee against Torture, for instance, indicated that the law is not only applied to terrorism offences. Does the Government of Chile intend to revise its Counterterrorism Law further, in order to ensure that not only the law itself but also its application are brought in line with Chile's international human rights obligations?

### **NETHERLANDS**

- Can the government of Chile indicate to what extent the Yogyakarta Principles have guided policy developments recently and how it plans to increase national knowledge and awareness of these Principles?
- What is the Chilean government's view on allegations made by stakeholders (NGO's) in report A/HRC/WG.6/18/CHL/3 under III A 32, keeping in mind the progress Chile has made in its anti-discrimination policies by including sexual orientation and gender identity?
- Does the government of Chile envisage constitutional recognition for its indigenous peoples, taking into account the remarks made in National Report A/HRC/WG.6/18/CHL/1, specifically under D number 59 and 62, and if so, what would the time schedule be for this process?

## **NORWAY**

- Chile revised its Code of Military Justice in 2010 in order to exclude civilians from the jurisdiction of military courts. However, offenses committed by police or military personnel where civilians are involved are still under the competence of military courts. Is Chile planning to reform this practice, thus aligning its legislation with the recommendations of the Inter-American Court of Human Rights?
- Political participation among representatives of Chile's indigenous peoples is alarmingly low. What are the efforts made by the Government of Chile in order to strengthen their political participation?
- Chile is characterized by excessive concentration of media ownership with about 95 % of all print titles in the hands of two communications groups, El Mercurio and Copesa, that are also the sole recipients of government subsidies. How does the Government of Chile work to encourage freedom of expression through increased media pluralism?
- Chile is a state party to the Convention on the Rights of the Child. Could the government of Chile please elaborate on its work to incorporate the Convention into national legislation in order to establish a comprehensive framework for the protection of children's rights, in compliance with said Convention?

## **SWEDEN**

- SRHR  
What possibilities does the Chilean Government see to modify the current legislation on abortion, in particular in cases of rape, incest or threats to the health or life of the mother, to ensure that they are in line with Chile's human rights obligations?
- LGBTI  
Chile has seen advances in the area of respecting the rights of LGBTI persons, in particular with the new Anti-Discrimination Law of 2012 and improvement of attitudes in society towards LGBTI. At the same time, the implementation and the efficiency of anti-discrimination efforts still need to improve.
- How will the Chilean Government work in order to better prevent anti-discrimination, raise public awareness about LGBTI and to ensure implementation of current legislation?

## **UNITED KINGDOM**

- What steps has Chile taken to consult indigenous groups about development projects directly affecting them as a result of its signing up to ILO Convention 169? Does this

amount to those groups having a veto over such projects or only to having their views heard, though these may in the event be ignored in the final decisions taken?

- Following his visit in 2013, Ben Emmerson, UN Special Rapporteur on human rights and counter-terrorism, was critical of some aspects of the way Chilean law enforcement agencies deal with protests by Mapuche activists in the Araucania region. What is your response to those criticisms and which acts of violence in that region would you describe as being above the threshold for Chile's preferred internal definition of what is tantamount to 'terrorism'?
- Given that over 40 years have now passed since the 1973 coup, what steps are being taken to ensure that the maximum amount of justice is being done for the victims of gross human rights abuses - including murder, kidnapping and torture - during the 1970s and 1980s, given the progressively increasing age of alleged perpetrators? Why do some guilty verdicts for ostensibly very serious crimes of that nature only attract apparently short prison sentences, including some which in practice mean that those found guilty spend no time at all actually incarcerated?
- What advances have the Chilean government made in improving prison administration since the San Miguel prison fire in December 2010 in which 81 inmates died?
- What advances have been made in public order training for the police (carabineros) so as to reduce the latter's use of water cannon and tear gas to an absolute minimum commensurate with the effective policing of social protest and mass demonstrations, including where a minority of demonstrators resort to violence?