



Economic and Social Council

Distr.: General
16 April 2015
English
Original: Spanish

Committee on Economic, Social and Cultural Rights

Fifty-fifth session

1 to 19 June 2015

Item 6 (a) of the provisional agenda

**Consideration of reports: reports submitted by States parties
in accordance with articles 16 and 17 of the Covenant**

List of issues in relation to the fourth periodic report of Chile

Addendum

Replies of Chile to the list of issues*

[Date received: 8 April 2015]

* The present document is being issued without formal editing.

GE.15-07881 (E) 020615 040615



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Annexes**

- I. Preparatory report for the fourth periodic report of Chile on the implementation of the International Covenant on Economic, Social and Cultural Rights, March 2015
- II. Trends in workforce participation of women and men in Chile, annual quarterly averages by calendar year 2005–2014
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** The annexes may be consulted at the offices of the secretariat.

I. General information

Reply to paragraph 1 of the list of issues

1. The judiciary has been providing specialized training to its officials to increase their awareness of the content and enforceability of economic, social and cultural rights, with due regard for international standards¹. The Judicial Academy has, through regular modules, workshops and courses forming part of the curriculum, incorporated the subject into programmes of pre-service training for applicants to the judiciary, in-service training for judicial personnel and accreditation programmes for such personnel applying to be shortlisted to serve as judges in one of the country's higher courts.

2. It has also played an important role in raising public awareness of the content of these rights and the avenues available for their protection. It has made human rights training courses publicly available;² invited applications to analyse case law on the exercise of rights of vulnerable groups; and carried out a series of outreach activities on the exercise of these rights by vulnerable groups, access to justice and the application of international human rights standards.

3. Progress has also been made in referring to the courts claims under the Covenant and developing its regulatory scope through legal action. National courts have moved towards a broad, inclusive interpretation that embraces the universal, indivisible, interdependent and interrelated character of human rights, thereby ensuring the justiciability of the rights enshrined in the Covenant, even where they are not expressly provided for in the Constitution.

4. The judicial authority has prepared a report on the arguments and various legal rulings developed in the country's higher courts of justice with regard to the justiciability of the rights under the Covenant, with reference to specific cases. The report was based on a sample of 126,555 judgements handed down by the Supreme Court and courts of appeal in the period following the Committee's thirty-third session,³ from December 2004 to February 2015 inclusive.

II. Issues relating to the general provisions of the Covenant (arts. 1 to 5)

Article 1: The right to freely dispose of natural wealth and resources

Reply to paragraph 2 of the list of issues

5. The bill granting constitutional recognition of indigenous peoples remains before the Senate. As part of its programme of work, one of the Government's priorities is to draft a new constitution containing provisions for the constitutional recognition of aboriginal peoples. Throughout the discussion and decision-making process, the full participation of

¹ It has made particular efforts to guarantee and comply with the standards established by the Committee in its general comment No. 9 on the domestic application of the Covenant, according to which "judicial training should take full account of the justiciability of the Covenant. It is especially important to avoid any a priori assumption that the norms should be considered to be non-self-executing".

² For example, an online course on international human rights law was made available for all users of the judiciary's website (www.pjud.cl) in December 2014.

³ See full report in annex I.

indigenous peoples and the principle of a multicultural State that safeguards their collective rights will be guaranteed.

6. The mechanisms in place for the return of ancestral lands to indigenous peoples include the Indigenous Land and Water Fund, administered by the National Indigenous Development Corporation (CONADI) and tasked with resolving claims for land and water resources.

7. In 2014, CONADI transferred a total of 1,608.9 hectares of land by reassigning State-owned lands. It also purchased some 13,275.9 hectares of land for indigenous communities, of which 9,840.1 hectares were in response to ancestral claims and 3,435.8 hectares were purchased with subsidies by individuals or communities.

8. CONADI also put in place a programme for the administration and/or joint administration or governance by indigenous communities of protected areas or neighbouring national parks, with the aim of protecting their territorial and cultural heritage as well as the flora and fauna.

Reply to paragraph 3 of the list of issues

9. Supreme Decree No. 124 of 2009 of the Ministry of Planning was issued to ensure due implementation of the relevant provisions of the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169). In its transitional article it established that, on its entry into force, a process of consultation would begin with indigenous peoples to define the procedures for consultation and participation. The Ministry of Social Development's Supreme Decree No. 66 of 2014 — which repealed Supreme Decree No. 124 and regulated the consultation procedure for State agencies adopting administrative or legal measures likely to affect indigenous communities — defines the following steps: (a) planning of the consultation process, (b) information delivery and extension of the consultation process, (c) internal deliberation by the indigenous parties, (d) dialogue and (e) standardization, communication of results and completion of the consultation process.

10. The above-mentioned Supreme Decree provides for the possibility of requesting a ruling from the Office of the Under-Secretary for Social Services on the appropriateness of indigenous consultations in each case. To date, the Office of the Under-Secretary has dealt with 36 such requests and has sought to establish criteria for evaluating the possible impact that any measures may have on indigenous peoples.

11. In its Supreme Decree No. 40, the Ministry of the Environment sets out an indigenous consultation process, in accordance with the steps outlined above, for investment projects that have a direct impact on the indigenous peoples registered in the Environmental Impact Assessment System.

12. The National Unit for Indigenous Participation and Consultation was set up to ensure the proper application and implementation of ILO Convention No. 169 in determining the appropriateness of consultations and monitoring the different processes carried out by State agencies. The Unit guided the consultation process on legislation to create the Ministry of Indigenous Peoples and the Indigenous Peoples' Council, successfully put in place in January 2015 with the participation of the nine indigenous peoples.

13. Following requests from the indigenous peoples, the Government has decided to review the arrangements for the indigenous consultation process set out in Supreme Decree No. 66 of the Ministry of Social Development and Supreme Decree No. 40 of the Ministry of the Environment, in order to remedy the shortcomings identified in its implementation, starting in the first half of 2015.

Article 2, paragraph 2: Non-discrimination

Reply to paragraph 4 of the list of issues

14. Act No. 20609 requires the implementation of policies for the exercise of rights, including economic, social and cultural rights. Under this Act, an extensive programme of measures in support of non-discrimination has been launched which includes: workshops and e-learning courses for civil society and public officials, the tenth Good Practices competition, regional coordinating boards within public institutions and community organizations, and a public information campaign on diversity and non-discrimination.

15. Protection mechanisms provided for in Act No. 20609 include legal action to annul the effect of discrimination and the imposition of a fine, payable to the Treasury, of between 5 and 50 monthly tax units (UTM).⁴

16. The Government has undertaken a comprehensive review of Act No. 20609 in order to establish it as a framework law and oblige the State to take affirmative action and provide means of redress for groups that have been historically subject to discrimination. A one-day symposium on “New challenges for Chile to eliminate discrimination”, held at the University of Chile in 2014, will serve as a source of input for the review.

Reply to paragraph 5 of the list of issues

17. Since its early days, the Government has been advancing major reforms, policies and legislation, incorporating a focus on human rights in order to combat structural discrimination. Measures taken include:

18. In respect of persons with disabilities:

(a) Establishment in December 2014 of a Presidential Advisory Commission to prepare and propose a national plan on the social inclusion of persons with disabilities;⁵

(b) Specific programmes: the National Service for Persons with Disabilities (SENADIS) has a budget of 11,047,833 pesos⁶ for 2015 for its programmes. Through the new “Inclusive Local Development” strategy, it provides funding for educational and occupational assistive devices, a National Inclusive Projects Fund and support for the new community rehabilitation centres. In the matter of early support, it provides instruction and training for educational teams at nursery schools, promotes self-reliance and care for dependent persons and ensures intersectoral coordination for the inclusion of persons with disabilities. In 2015, it is also launching three new programmes⁷ focusing on inclusive participation nationwide, access to justice for persons with disabilities and the development of inclusive organizations;

(c) The Second National Study on Disability (2015) will include an up-to-date evaluation of the prevalence and characterization of disabilities, based on household surveys and incorporating the approach favoured by the World Health Organization and the World Bank to standardize disability measurement data;⁸

(d) A bill will be introduced in 2015 to create a governing body, the Office of the Under-Secretary for Disability Issues, with new, enhanced powers. It will focus on

⁴ The UTM has a value of 43,068 Chilean pesos, which is equivalent to 70 US dollars (as at March 2015).

⁵ Supreme Decree No. 86 of the Ministry of Social Development.

⁶ Equivalent to 17,676,532.8 US dollars (as at 23 February 2015).

⁷ For an additional amount of 911,324,000 pesos, equivalent to US\$ 1,458,118.4 (as at 23 February 2015).

⁸ Model Disability Survey, World Health Organization.

integrating an inclusive approach into the regular training and employment programmes run by public bodies for:⁹ fine-tuning the selection and hiring processes; increasing the number of assistive devices available for university students; strengthening the community mental health network through the community mental health centres; integrating coverage for orthopaedic devices and prosthetics within health-care insurance; and bringing national regulations into line with international standards.

19. As regards migrants, migration legislation and the institutional framework will be remodelled, in accordance with the international commitments of Chile. The following measures merit special mention:

(a) Migration bill: With the aim of proposing a new regulatory system, a participation process was initiated in 2014 with civil society organizations. Out of this a bill will be shaped that will be discussed at Government level before being submitted to Congress in the second half of 2014. The bill will also provide for new institutions to handle migration-related issues, including the creation of a new national migration service responsible for implementing national migration policy;

(b) In 2014, the Migration Policy Council was set up pursuant to Presidential Order No. 9 with a membership of nine ministers, to study and define migration policy. The Migration Policy Technical Council is an offshoot of this permanent body and brings together representatives of all government ministries and public services to identify the issues to be addressed by the Migration Policy Council and handle the technical aspects of national migration policy implementation;

(c) Related bodies in the process of being set up:

- Provincial Councils for Migration Management;
- Advisory Board for Migration;

(d) Measures in place to protect the rights of migrants:

- Access to health care for migrants with pending visa applications; pregnant migrant workers and children of migrants under the age of 18;
- Access to State education, including preschool education for children of migrants;
- Access to housing subsidies for holders of permanent residency permits (removing the five-year requirement);
- Granting of temporary work visas as an alternative to the controversial “Subject to Contract” visa;
- Cooperation with schools to facilitate the regularization process for students and their families;
- Granting of Chilean nationality to children born in Chile to foreign nationals;
- Facilitating family reunification through the creation of the Civil Partnerships visa which recognizes marriages and civil unions concluded abroad, without distinction as to gender;
- Giving access to the protection network for victims of domestic violence;
- Providing State protection for migrant children, particularly unaccompanied minors;
- Exemption from fines for undocumented children;

⁹ Such as the National Training and Employment Service, the Solidarity and Social Investment Fund and the Technical Cooperation Service.

(e) The Migration and Social Inclusion Unit was created in 2014 and reports to the Office of the Under-Secretary for Social Services. It works for the social inclusion of vulnerable immigrant groups by focusing on their rights, migration regularization and equal access to social services. It also seeks to improve the information available through household surveys and takes steps to ensure that “nationality or place of birth” is registered in data records.

20. With regard to gender identity and sexual orientation, Chile:

(a) Introduced the Civil Union Pact in 2015 for both heterosexual and homosexual partnerships. This grants social security, employment and health-care benefits and inheritance rights; regulates childcare; and establishes kinship between partners and their relatives;

(b) Has pledged to push for the adoption of the Gender Identity Act, which is currently at first reading stage;

(c) Spearheaded the adoption of the Human Rights Council resolution on human rights, sexual orientation and gender identity in September 2014.

Article 3: Equal rights of men and women

Reply to paragraph 6 of the list of issues

21. The measures adopted to combat traditional stereotypes in relation to the roles of women and men in the family and in society include the following:

(a) Establishment on 8 March 2015 of the Ministry of Women and Gender Equity as a new institutional authority whose functions include the promotion of efforts to overcome stereotypes, prejudices and cultural and social practices based on the idea that one sex is inferior or superior to another, which lead to the normalization and perpetuation of arbitrary discrimination against women;

(b) Reintroduction of study programmes, textbooks and educational guidelines and concepts into teacher training that help to bring about changes in gender-based stereotypes and practices and foster respect for sexual diversity;

(c) Advancement of a national care system;

(d) Development of efforts to reform the childcare system, with shared responsibility for raising children.

22. The methods used to evaluate the Equal Opportunity Plans for Women and Men include the following:

(a) First phase of the Equal Opportunity Plan for Women and Men 2000–2010. Progress in the period 2000–2005 was reviewed in the following areas: ministerial commitments; the Management Improvement Programme’s gender equity system for central government departments; regional equal opportunity commissions; sectoral measures, at both regional and central government levels; and amendments to the legislation. The views of women in organized and non-organized civil society regarding the progress made and areas still to be covered were also taken into account. A variety of research techniques were used in fieldwork, including analysis of secondary sources, in-depth interviews, discussion groups and meetings with managerial and other professional staff of the National Service for Women;

(b) The Equal Opportunity Plan for Women and Men 2010–2020, yet to be formally implemented, was prepared in the light of an evaluation of the first phase. The methodology used consisted in seeking to ascertain: (i) the impact of the Equal Opportunity

Plan for 2000–2010; (ii) the progress made in mainstreaming a gender perspective in public policy and administration; (iii) the national and overall situation in terms of gender equity, prevailing inequalities and new challenges; and (iv) the expected role of the new Equal Opportunity Plan. Information was also gathered from other sources, including from public authorities and officials; experts, academics and research centres; political entities, such as political parties (political parties and groups and members of parliament); and civil society (NGOs and women's organizations).

III. Issues relating to the specific provisions of the Covenant (arts. 6 to 15)

Article 6: The right to work

Reply to paragraph 7 of the list of issues

23. The National Training and Employment Service has developed two major tools for reducing the unemployment rate, particularly among young people:

(a) The “Increase Your Potential” vocational training programme, designed in accordance with presidential guidelines (2014–2018). A pilot project was carried out in 2014 with 2,817 people before full programme roll-out began in 2015. It is aimed at young people and women in the first three vulnerability quintiles with little or no workforce participation. The main elements of the programme are: (i) competency-oriented training, (ii) help with finding a job, (iii) catch-up courses, (iv) continuing higher education, and (v) qualifications for occupational skills. It is intended to provide training for a total of 450,000 people: 300,000 women and 150,000 young people, including 20,000 persons with disabilities. In addition to technical training institutions, the programme will be open to two new sources of partnership: technical, vocational and middle schools and higher education institutions;

(b) The youth employment subsidy, designed to encourage integration into the formal job market and improve pay conditions for this vulnerable group that faces the biggest obstacles to employment. The subsidy was introduced in 2009 under Act No. 20338 and takes the form of a wage top-up paid to young employed or self-employed workers. Workers employed in accordance with the Labour Code, aged between 18 and 25 years, and from a family unit in the poorest 40 per cent of the population are eligible for the subsidy. The total number of young workers in receipt of the subsidy in 2014 was 258,623.

Reply to paragraph 8 of the list of issues

24. During the period 2010–2014, progress was made towards achieving the following commitments set out in the plan to promote and improve the quality of women's employment:

(a) Greater participation of women in the workforce, with a focus on groups with the least resources: the proportion increased from 51.8 per cent to 55.7 per cent, a steady rise in keeping with the national trend over the last decade, during which women's employment has continued to grow, while for men it has remained more or less stable (from 77.8 per cent to 77.6 per cent);¹⁰

(b) Improved level of participation of women (with a decrease in occupational segregation, better wages and social protection): the proportion of salaried women members

¹⁰ See annex II.

of the executive branch of government, legislative bodies and in senior management in both public administration and the private sector rose from 27.9 per cent to 32.7 per cent.¹¹ The rates of social security for women have also seen improvements. In 2010, 60.2 per cent of employed women were up to date with their social security contributions, increasing to 64.3 per cent in 2014.¹² The number of women trained by the National Training and Employment Service rose considerably from 428,826 to 791,899;

(c) Lower levels of female unemployment: between 2010 and 2014, the rate of unemployment among women fell from 10.7 per cent to 6.9 percent,¹³ a greater decrease than for male unemployment.

25. In 2014, the Ministry of Labour, the National Service for Women and the Ministry of Finance led tripartite discussions on women and employment. Other participants included the Unified Federation of Workers and the Confederation for Production and Commerce. The main topics addressed were work-life balance and shared social responsibility for the care of children and other members of the family. Proposals included broader entitlement to childcare facilities for children up to 2 years of age and the development of a bipartite pilot project on skills-improvement for women, set to begin in 2015 under the “Increase Your Potential” programme.

26. The Ministry of Labour’s equal opportunities and gender equity policies have been reflected in a number of legislative amendments designed to ensure greater participation by women in quality employment, access to childcare and guarantees for the exercise of parental responsibility by working women and men.¹⁴

Article 7: The right to just and favourable conditions of work

Reply to paragraph 9 of the list of issues

27. Act No. 20786 of 2014 amended the working hours, rest periods and remuneration to which domestic workers are entitled and made it unlawful to require that they wear a uniform in public places, thereby improving their working conditions and bringing their rights into line with those of other workers. Around 370,000 people are estimated to have benefited from this legislation.

28. The law provides for an increase in the weekly rest period for domestic workers staying overnight in the home of their employer (live-in workers), having regard to the absence of an effective limit on working hours. For “live-out” domestic workers, i.e. those who do not lodge overnight in their employer’s home, the working week has been reduced from 72 hours to 45, with an additional 15 hours a week being counted as overtime. It also requires domestic worker contracts to be registered with the Labour Inspectorate and establishes clear oversight procedures, specifies that the costs of food and lodging are the responsibility of the employer and thus non-deductible from the worker’s remuneration, and that an employer cannot make the wearing of a uniform in public a condition of hiring, maintaining in employment or promotion.

29. The Government has begun the process of ratifying the ILO Domestic Workers Convention, 2011 (No. 189), which was passed by the Chamber of Deputies at first reading and is currently pending in the Senate.

¹¹ See annex III.

¹² See annex IV.

¹³ See annex V.

¹⁴ See annex VI (legislative advances)

Reply to paragraph 10 of the list of issues

30. The following steps have been taken on the recommendations of the Presidential Advisory Commission for Safety at Work, established in 2010:

(a) Ratification of the ILO Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187), pursuant to Supreme Decree No. 72 of 2011 issued by the Ministry for Foreign Affairs, in force since 27 April 2012;

(b) Establishment of a Health and Safety in the Workplace Advisory Board, pursuant to Supreme Decree No. 19 of 2011 issued by the Ministry of Labour. Its initial mandate ran until March 2015; it is currently in recess and in the process of appointing new members;

(c) Act No. 20691 of 2013 establishing the Office of the Intendant for Occupational Health and Safety, strengthening the role of the Supervisory Authority for Social Security and updating its duties and responsibilities;

(d) A bill to amend the Organic Statute on employers' mutual benefit societies, sent to Parliament on 6 September 2012, currently before the Senate for a second reading (Bulletin No. 8573-13);

(e) A bill to update the occupational safety system and amend the social security scheme for workplace accidents and occupational illnesses (Act No. 16744), the Labour Code and other regulations. The bill was sent to Parliament on 4 June 2013 and is currently before the Chamber of Deputies for first reading (Bulletin No. 8971-13);

(f) Development of the National Profile for Health and Safety in the Workplace.¹⁵

31. The national policy on health and safety in the workplace is being developed as follows:

(a) Stage 1: ILO workshop in July 2014 at which the guidelines for implementing ILO Convention No. 187 were presented and the comparative experiences of countries that had already designed such a policy were analysed, with the participation of delegates from the most representative workers' and employers' organizations and public bodies concerned with the prevention of occupational risks;

(b) Stage 2: Workshop in August 2014 to develop a consultation methodology for formulating the national policy on health and safety in the workplace;

(c) Stage 3: Regional tripartite discussion workshops. Seventeen regional consultation workshops were held in October and December 2014 to discuss the aims, principles, action areas, policy coverage and current situation in respect of the prevention of occupational risks. An outcome report on this initiative will be published in March 2015 and will serve as a basis for developing the national policy on health and safety in the workplace;

(d) Stage 4: Opinion of the Health and Safety in the Workplace Advisory Board;

(e) Stage 5: Consultations with the Committee of Ministers for Health and Safety in the Workplace;

(f) Stage 6: Policy approval by the President of Chile.¹⁶

¹⁵ To be completed in the second half of 2015.

¹⁶ Stages 4, 5 and 6 are scheduled for the first half of 2015.

Reply to paragraph 11 of the list of issues

32. Act No. 20348 of June 2009 on equal pay for men and women counts as a step towards reducing the pay gap. It requires all employers to comply with the principle of equal pay for women and men performing the same work; objective differences in pay that are based, *inter alia*, on ability, qualifications, suitability, responsibility or productivity are not considered arbitrary.

33. A four-year evaluation of the Act was published in 2013 by the Chamber of Deputies. It determined that one of the main obstacles to the implementation of this principle was the feminization of certain types of work;¹⁷ with a greater concentration of women in the service industry and a greater concentration of men in construction work. The results of the evaluation “might suggest that the principle of equal pay for men and women performing the ‘same work’ is formulated too narrowly and sets a standard that is very difficult to achieve given that it does not reflect the realities of ‘occupational segregation’, the trend among men and women to perform different types of employment, both hierarchically (vertical segregation) and at the level of field and type of work (horizontal segregation)”.¹⁸

34. The Government is planning to amend the law to improve monitoring of gender discrimination in the workplace. In 2015, the Ministry of Labour will be studying ways of ensuring similar pay for different work of equal value and factoring in the gender segmentation of the labour market. Since May 2014 it has been coordinating panel discussions on “Women at work”, aimed in particular at analysing the issues and making proposals to address the pay gap and its impact on the pension gap.

35. With regard to dissemination, under the Good Labour Practices Programme of the National Service for Women, seminars and training forums have been held for union representatives and human resources officers in the public and private sectors to raise awareness about the pay gap and the application of Act No. 20348.

36. Another initiative of note is the implementation of the Good Labour Practices with Gender Equity Model, recognized by the certificate of compliance with the “Chilean rule of gender equality, with emphasis on work-life balance and the principle of shared responsibility” (Chilean Rule No. 3262 of 2011). This rule, defined by the National Institute for Standardization, is designed to bring about changes in the management of human resources and led to the creation in 2014 of the “Work-Life Balance” seal of distinction, awarded to accredited organizations.

Article 8: Trade union rights

Reply to paragraph 12 of the list of issues

37. The right to strike is recognized indirectly or implicitly in the Constitution under article 19, paragraph 16.6 and formally enshrined in the Labour Code (Book IV, Title VI) as a possible stage in the collective bargaining process. To ensure that said right can be exercised without reprisals, recourse to unfair or anti-trade-union practices during the collective bargaining process is subject to sanction. Sanctions are pronounced by the labour tribunals under the basic rights protection procedure. The Labour Directorate keeps a record

¹⁷ See annex VII.

¹⁸ Chile, Chamber of Deputies, *Evaluación de la Ley No. 20.348* (June 2013). Available from www.evaluaciondelaley.cl/foro_ciudadano/site/artic/20121211/asocfile/20121211164002/informe_le_y_nro_20348.pdf. For further information, see: Chile, Labour Directorate, “*El derecho a ganar lo mismo. Ley No. 20.348, igualdad de remuneraciones entre hombres y mujeres*” (2011). Available from http://www.dt.gob.cl/documentacion/1612/articles-99443_recurso_1.pdf.

of convictions, publishes every six months in media outlets a list of companies found guilty and can also levy fines on employers found to have breached labour laws.

38. On 29 December 2014 the Government introduced draft legislation on collective rights aimed at revamping the labour relations system while properly striking a balance between the parties and fully respecting freedom of association, in accordance with international conventions in force. It provides for amendments to the regulations on the right to strike in order to make them more effective. One proposal is to remove the possibility currently available to employers of using other internal or external workers to fill in for striking workers.

Article 9: The right to social security

Reply to paragraph 13 of the list of issues

39. The social security reform (Act No. 20255 of 2008) enabled minimum old-age and disability benefits to be guaranteed through a solidarity pension known as the solidarity pillar. This system channels State resources to persons without a pension entitlement because of a lack of social security contributions or to persons with pensions that are too low to meet their needs, in order to top them up.

40. The solidarity pension system provides five types of benefits: (a) basic solidarity (non-contributory) old-age pensions, (b) basic solidarity (non-contributory) disability benefits, (c) top-ups for basic contributions-based pensions, (d) top-ups for basic contributions-based disability benefits and (e) live birth vouchers.

41. While the reform of the social security system was being implemented (from June 2008 to December 2014), there were 1,462,605 requests made to the solidarity pension system, of which 81 per cent (1,195,821) were granted. In December 2014, 1,279,902 benefits were paid, of which 45.5 per cent (582,643) were basic non-contributory pensions and 54.5 per cent (697,259) were top-up payments.

42. The Government has also taken steps to increase access for the poorest 80 per cent of the population to health-care social security. This has been achieved through the payment of health-care contributions for: 500,000 pensioners without resources; 800,000 pensioners receiving benefits from the solidarity pension; and non-beneficiaries of the solidarity pension belonging to the most disadvantaged 60 per cent of the population. It also partially funds health-care contributions for pensioners in the fourth quintile of the population, reducing their compulsory contribution payments from 7 per cent to 5 per cent, which has benefited some 306,000 people.

Reply to paragraph 14 of the list of issues

43. The 2008 reform of the social security system was also a major step forward in terms of social security for women. Of the benefits paid by the solidarity social security system up to December 2014, 62.2 per cent (796,499) were granted to women and 37.8 per cent (483,403) to men.

44. The reform also included a benefit provided by the State that increases women's pensions for each live-born or adopted child. Between August 2009 and December 2014 357,450 women pensioners received the benefit voucher for live births.

Article 10: Protection of the family, mothers and children

Reply to paragraph 15 of the list of issues

45. The Government is promoting an amendment to the marital community property regime that provides for the equal property rights of spouses, solidarity of the spouses in establishing and contributing to the common property of the family, protection for the more vulnerable spouse and the effective guarantee of women's economic autonomy. The National Service for Women, in coordination with the Ministry of Justice, the Ministry of Economy and the Ministry of Finance, is reviewing the main bills submitted to Congress, namely: a bill to "amend the Civil Code and other laws regulating the marital community property regime" (Bulletin No. 7567-07), and a bill to "amend the Civil Code and additional laws relating to joint property or community of property, conferring equal rights and obligations on husband and wife" (Bulletin No. 1707-18). In the light of the review, the Government will decide during the first half of 2015 whether to submit a new bill or resume the legislative process for the existing ones.

Reply to paragraph 16 of the list of issues

46. According to the 2012 National Children's and Adolescents' Activity Survey, a total of 219,624 children and adolescents, representing 6.6 per cent of the population between 5 and 17 years of age, were working in Chile and were under the minimum age of 15 years or were between 15 and 17 years of age and were performing dangerous work.

47. The State has adopted various measures to address this situation:

(a) Ministry of Labour Decree No. 50 of 2011, which lists the activities that are regarded as dangerous to the health and development of children under 18 years of age, provides for special protection and prevention measures for adolescents who are employed and prohibits all children from working at night in industrial or commercial establishments;

(b) The National Committee for the Prevention and Elimination of Child Labour, whose work is coordinated by the Ministry of Labour, is developing the new National Plan for the Prevention and Elimination of Child Labour for the period 2015–2025. The National Council for Children, which was established in 2014 as a presidential advisory body to identify, draw up and implement policies and measures that respect, promote and protect the rights of children and adolescents, has collaborated on this initiative;

(c) Institutional and intersectoral initiatives have been undertaken to combat child labour and sexual exploitation, victims of which have been found or identified through the network of programmes run by the National Service for Minors. These activities include the awareness-raising campaigns titled "No Excuses" and "Red Card to Child Labour", the maintenance of a unified registry on the worst forms of child labour, training for relevant stakeholders, and the establishment of intersectoral round tables.

Reply to paragraph 17 of the list of issues

48. Act No. 20066 on domestic violence was amended to improve protection for women in the following ways:

(a) Femicide was classified as an offence under Act No. 20,480 of 2010, carrying the same penalties as parricide, and the category of former life partners was added. With regard to sexual offences: the requirement that a woman must "resist" a rape was amended to require only that she oppose it; the penalties were increased for offences committed by two or more persons; and the requirement to obtain the father's permission when taking children out of the country is waived in cases where the father has been convicted of a sexual offence;

(b) In the case of property-related offences, the Act authorized the investigation of injuries committed by one spouse against the other, which had not been punishable prior to the entry into force of the Act;

(c) The Act limited the possibility of allowing mitigating circumstances for an impeccable behaviour record when there are previous convictions for domestic violence;

(d) The list of risk situations under which the court must provide protection to the woman was expanded.

49. The prevention of violence against women is an ongoing priority for the National Service for Women. The measures it has taken include the following:

(a) Campaigns to change the view that violence is normal, identify its various forms and recognize it as a violation of rights;

(b) Actions targeting young people (88,000 from 2012 to 2013) with a focus on early signs of dating violence, such as messages spread through social networks, questionnaires to identify controlling and threatening behaviour between couples, and talks in schools;

(c) Preventive actions in preschools and primary schools;

(d) The Programme for the Comprehensive Prevention of Violence against Women, which focuses on gender-based violence rather than domestic violence and is not limited to the family or the private sphere, addresses the normalization of violence against women and identifies unequal relations between men and women as the main cause of such violence (physical, psychological, sexual, symbolic, institutional, environmental, obstetric, economic, etc.). Actions taken through the Programme have focused on raising awareness in the community, training key stakeholders and spreading knowledge about violence against women;

(e) The National Training Programme for Community Watchdogs to Monitor Violence against Women: in 2015, a total of 1,480 social leaders will be trained to work in their communities, covering an expected 44,400 persons;

(f) The National Action Plan on Violence against Women for the period 2014–2018. This includes a national training programme and the implementation of public policies establishing mechanisms to prevent, punish and eliminate violence against women and to support victims.

50. In addition, the National Service for Women offers the following services to provide comprehensive protection to women victims of violence:

(a) Twenty-seven shelters that provide temporary protection for women whose partners pose a serious or life-threatening risk;

(b) Ninety-seven women's centres (including two with an intercultural component), which follow a comprehensive intervention model that emphasizes community prevention and support for victims. From 2015 to 2018, a total of 24 centres will be established in communes with high rates of violence;

(c) Three Support and Reparation Centres for Women Victims of Sexual Violence;

(d) A psychosocial re-education programme for men who use violence against their partners or former partners;

(e) The National Shelter for Trafficked Women and Children and Exploited Migrants;

(f) The National Service for Minors, the Ministry of the Interior and the Carabineros (police) work jointly to support collateral victims of femicide under 18 years of age.

51. The National Action Plan on Violence against Women for the period 2014–2018 encompasses the following actions: (a) strengthening and expanding municipal offices for women and gender equity; (b) establishing 21 new shelters; (c) creating a single registry of cases of violence against women and femicide; (d) amending the Act on domestic violence to include all types of gender-based violence; (e) promoting institutional efforts to raise awareness and provide specialized training for judges, prosecutors, police officers and health and education professionals.

Article 11: The right to an adequate standard of living

Reply to paragraph 18 of the list of issues

52. In January 2015, the Government introduced two new methodologies for measuring poverty based on the results of the National Social and Economic Survey:

(a) Income poverty: the new methodology updates the measurement of the population's living standard and needs, applying more stringent standards concerning what is considered to be an acceptable minimum standard of living;

(b) Multidimensional poverty: this methodology recognizes that individuals' well-being, needs and poverty level depend not only on whether they have sufficient income but also on whether they are able to meet their needs and exercise their rights in relation to other aspects of well-being, such as education, health, work, social security and housing.

53. According to the new methodology for measuring income poverty, from 2006 to 2013 the percentage of persons living in income poverty fell from 29.1 per cent to 14.4 per cent, while extreme poverty dropped from 12.6 per cent to 4.5 per cent. The percentage of persons living in poverty was higher in rural areas (27.9 per cent) compared with urban areas (12.4 per cent), and there were wide disparities between regions. When divided by age bracket, the poverty rate was shown to be 23.2 per cent among children from birth to 3 years of age; 21.6 per cent among those 4 to 17 years of age; 13.3 per cent among persons 18 to 29 years of age; 13.7 per cent among those 30 to 44 years of age; 11.2 per cent among those 45 to 59 years of age; and 8.4 per cent among persons 60 years of age or older. In 2013, 23.4 per cent of the indigenous population was living in poverty, compared with 13.5 per cent of the non-indigenous population. Fifteen per cent of women and 13.7 per cent of men were living in poverty. When disaggregated by household type, 15.4 per cent of female-headed households were living in poverty, compared with 11.2 per cent of male-headed households.

54. According to the new methodology for measuring multidimensional poverty, in 2013 some 16 per cent of households and 20.4 per cent of the population were in living in multidimensional poverty, with wide disparities between regions. In rural areas, 31.1 per cent of households were living in multidimensional poverty, while in urban areas that rate dropped to 13.8 per cent. When disaggregated by ethnicity, the data showed that, 27.4 per cent of households headed by an indigenous person were living in multidimensional poverty, compared with 15.1 per cent of other households. In turn, 15.8 per cent of male-headed households were living in multidimensional poverty, compared with 16.4 per cent of female-headed households. The multidimensional poverty rate disaggregated by the age of the head of household was as follows: 15.6 per cent among households headed by persons 18 to 29 years of age; 13 per cent among those headed by persons 30 to 44 years of

age; 16.2 per cent in the 45-to-59 age bracket; and 18.3 per cent among households headed by persons 60 years of age or older.

55. Act No. 20.595 of 2012, which establishes the subsystem for social promotion and protection known as “Security and Opportunities” (“ethical family income”), provides for vouchers and conditional transfers to be granted to families living in extreme poverty. Under the subsystem, teams of professionals provide technical assistance for a period of 24 months, depending on the needs of each family. The users of the subsystem are defined as individuals and families living in extreme poverty and other vulnerable population groups. Unlike the “Chile Solidario” Programme, it also offers various means of access to psychosocial and social/employment services.

56. The delivery of cash transfers to families living in extreme poverty began in 2011 and 2012; these consisted of a base amount along with conditional increments determined by the composition of each family and their fulfilment of the required conditions. In December 2013, a total of 43,827 families (183,481 persons) participated in the subsystem, with an average of 4.2 persons per family, 75 per cent of whom were living in urban areas while the remaining 25 per cent were living in rural areas. In 2014, the number of beneficiary families increased to 91,555 (363,990 persons), with an average of 3.8 persons per family, while the rural-urban distribution remained the same. In 2014, a total of 704,771 cash transfers of the base amount were issued, representing a monthly average of 58,731 families. In December 2014, 92 per cent of the persons who collected the transfers were women, who received US\$ 3,329,047 that month on behalf of their families. In December 2013, of the total number of persons accepted into the subsystem, 24,060 identified themselves as members of an indigenous group. In 2014, this number increased to 25,180, raising to 49,240 the total number of beneficiaries who self-identify as indigenous.

57. During the initial period, cash transfer benefits were received by beneficiaries of the “Chile Solidario” Programme and of the “Security and Opportunities” subsystem. As at December of each year, the number of families who received these benefits was as follows: 174,969 (2012); 71,748 (2013); and 73,623 (2014).

58. With regard to budget management, in 2014 a total of 28,754,556,934 pesos were allocated to cash transfers, which includes both the base amounts (issued on the basis of the income gap) and transfers that are conditional on health checks and school attendance.

Reply to paragraph 19 of the list of issues

59. There is widespread access to drinking water in Chile in both urban and rural areas. In urban areas, which are serviced by licensed sanitation companies, coverage of drinking water and sewerage services is extensive, and recently there has been a significant increase in the coverage of wastewater treatment services. The Health Act requires that buildings in urban areas that are covered by a sanitation network must be connected to the drinking water and sewerage networks, while providers of such services are required to make planned investments so that they can meet the needs stemming from urban growth.

60. As at December 2013, the statistics on coverage were as follows: 4,884,035 users (population served: 15,997,621); 18.6 cubic metres of water consumed monthly per user; 99.9 per cent drinking water coverage; 96.5 per cent sewerage coverage; and 99.9 per cent wastewater treatment coverage.

61. In rural areas, the Rural Drinking Water Programme is carried out by the Directorate of Waterworks, which aims to provide safe drinking water to all concentrated and semi-concentrated rural communities. The Programme targets low-income population groups that reside permanently in selected rural areas and encourages their active participation through rural drinking water committees.

62. The drinking water supply reaches 100 per cent of private homes in concentrated rural populations and 15 per cent in semi-concentrated rural populations. Furthermore, the Directorate of Waterworks is working towards the goal of meeting the drinking water needs of all concentrated, semi-concentrated and dispersed populations in rural areas.

63. Another measure used to increase coverage is the subsidy for drinking water and sewerage services that is paid and fully administered by the municipalities and is intended for users with scant resources. Through these subsidies, the State pays for up to 15 cubic metres of drinking water and/or sewerage and wastewater treatment services, while the beneficiary pays only for any additional use beyond the subsidized amount. Act No. 19949, which established the social protection system known as “Chile Solidario”, and Act No. 20.595, which established the subsystem for social promotion and protection known as “Security and Opportunities”, also provide for additional subsidies covering 100 per cent of the first 15 cubic metres of monthly consumption.

64. The Ministry of the Environment, for its part, takes actions to promote and protect water sources through the following programmes:

(a) The Environmental Protection Fund: over the past seven years it has funded 79 projects relating to the use and protection of water that involved activities targeting the general public, including information-gathering, awareness-raising, training and conservation activities, and discussions and field visits;

(b) The Municipal Environmental Certification System: municipalities enrolled in the system must carry out water consumption assessments, awareness-raising campaigns on the conservation and efficient use of water, and other related measures;

(c) The National System for the Environmental Certification of Schools: its purpose is to grant environmental certification to schools, taking their water efficiency into account. Schools receive support to help them create educational materials on this issue;

(d) Environmental Leaders: the Environmental Education Division of the Ministry of the Environment has published a document titled “Cayu-Cura: Principles of Environmental Leaders”, which sets out six guiding principles for addressing environmental issues, one of which is to “reduce our water and carbon footprints”, and recommends actions to achieve this.

65. In an effort to combat the drought that has been affecting large parts of the country for some time, in March 2014 a presidential delegate for water resources was appointed and charged with identifying, coordinating and working on solutions to the problem of water scarcity in the country and advising on measures to be adopted in order to efficiently manage water resources.

Reply to paragraph 20 of the list of issues

66. The Ministry of Housing and Town Planning promotes equity between urban and rural areas, ensuring that vulnerable groups have access to adequate housing, integrated neighbourhoods and sufficient, good-quality urban public facilities.

67. According to measurements of housing needs, since the 1990s there has been a steady decline in the housing deficit, a trend that was interrupted by the impact of the 2010 earthquake on the housing stock. The number of new housing units needed was 771,935 in 1992, 543,542 in 2002 and 459,347 in 2013.

68. In an effort to reduce the housing deficit, since March 2014 there has been a focus on legislative adjustments, institutional strengthening, decentralized management, intersectoral coordination, public-private cooperation and citizen participation. Both the

quantitative and the qualitative deficits are emphasized, as are improvements to run-down neighbourhoods.

69. The following actions have been taken to improve the quality of housing and neighbourhoods and to achieve social integration:

(a) Adjustments made to existing housing programmes (Support Fund to Assist in the Choice of Housing, Integrated Housing Subsidy System and Programme to Protect Family Property) in order to improve the quality, diversity and suitability of the housing provided in relation to beneficiaries' various needs and to expand universal access for persons with disabilities and immigrants;

(b) Housing Rental Subsidy Programme to improve access for population groups that are not able or not looking to buy a home;

(c) Liveable Rural Housing Programme;

(d) Neighbourhood Rehabilitation Programme, with a focus on families living in run-down social housing in disadvantaged urban areas;

(e) Special Revitalization Programme, which provides incentives for creating well-located housing projects that promote social integration;

(f) The Social Integration Projects Programme;

(g) The power newly granted to the Ministry of Housing and Town Planning to contract companies to build social housing complexes, which will enable it to participate in the management of housing sites and projects.

70. With regard to measures taken to deal with natural disasters, there is a specific regulation that determines urban conditions by risk level and also sets out technical requirements for the construction of housing, public places and buildings. Policies, plans and programmes on access to housing provide for the financing of works to repair and rebuild social housing units damaged by natural disasters.

71. Lastly, the "Camps Programme" aims to help create housing solutions that will improve the quality of life for families living in precarious conditions without basic services. The current strategy is to settle the families on the same land where the camp is located but with permanent, comprehensive housing solutions. Relocation is considered as an option only when settlement is not possible. It should be made clear that there is no "forced evictions" policy.

Reply to paragraph 21 of the list of issues

72. The Ministry of the Environment has established measures related to water and air quality, which include the creation and establishment of legal instruments and environmental management tools:

(a) Water: Between 2012 and 2014, three secondary regulations on environmental quality were established to protect the surface inland waters of the Maipo River basin, the surface inland waters of the Bío-Bío River basin and the waters of the Valdivia River basin;

(b) Air: Steps have been taken through various environmental management tools, such as the inclusion of new projects or extensions to current projects in the Environmental Impact Assessment System, emission standards, and clean-up plans for areas declared to be saturated because air quality limits have been exceeded. In addition, the National Strategy to Clean Up the Atmosphere for the period 2014–2018 calls for the implementation of 14 new clean-up plans in cities where 87 per cent of the country's population lives and is exposed to high levels of pollution. In 2014, a process was begun to achieve the

environmental and social recovery of areas harmed by industrial and energy development through the strategy titled “Programmes for the Environmental and Social Recovery of Environmentally Vulnerable Areas”. This strategy, which is promoted by the Ministry of the Environment, uses structural solutions to improve the quality of life in communes that have experienced or are currently experiencing environmental conflicts and to transform them into thriving, modern places that strike a sustainable balance between industrial activities, environment protection and quality of life.

73. With regard to the implementing regulations for the Environmental Impact Assessment System, in 2014 training was provided to staff members of the Ministry of Public Works, the Directorate-General of Water and the Ministry of Health. The Executive Director of the Environmental Assessment Service, in his capacity as administrator of the Environmental Impact Assessment System, has drawn up guidelines calling for the implementing regulations to be uniformly interpreted and applied, so as to harmonize the requirements, conditions, records, certificates, formalities, technical requirements and procedures established by the relevant ministries and other State bodies in relation to environmental matters. A compilation of State-level secondary quality regulations that cite the implementing regulations and other sources of reference has been uploaded to the website of the Environmental Assessment Service so that it may serve as a tool for assessing adverse effects on renewable natural resources. This is in addition to the compilation of primary quality standards and other indicators used to assess public health risks, which was published in 2013.

Article 12: The right to physical and mental health

Reply to paragraph 22 of the list of issues

74. The January 2015 bill that decriminalizes the voluntary interruption of pregnancy applies in three specific cases: (a) when there is a present or future risk to the mother’s life; (b) when there is a genetic or congenital deformity of the foetus or embryo incompatible with extra-uterine life; or (c) when the pregnancy is a result of rape (during the first 12 weeks of pregnancy). The bill regulates the following aspects: expression of the woman’s views; the procedures to be followed for the intervention; conscientious objection of the doctor; and the provision of objective information to the woman. It also amends the Criminal Code and provides that the duty of confidentiality takes precedence over the duty to report. As at March 2015, the bill is currently being considered by the Health Committee of the Chamber of Deputies. At the same time, the Ministry of Health has issued instructions stating that doctor-patient confidentiality must be safeguarded in cases of induced abortion.

75. With regard to measures adopted to ensure the availability and accessibility of sexual and reproductive health facilities, sexual and reproductive health counselling sessions are conducted with the main objective of facilitating access to such services and related information. In 2013, a total of 483,168 counselling sessions were conducted as part of this public service (35,732 were for men, 411,701 were for women and 35,732 were for teenagers and were conducted in teen-friendly spaces).

76. Progress has been made towards preventing teenage pregnancy and abortion through the following measures:

(a) Act No. 20.418 on Standards for Information, Counselling and Services regarding Birth Control, which requires secondary schools to offer a sex education programme with support from the Ministry of Education;

(b) The 2015 programme to promote sexual and reproductive rights from a gender perspective, which targets both girls and boys 14 to 19 years of age who belong to the 60 per cent of households that are classified as low-income;

(c) The Intersectoral Round Table on Teenage Pregnancy established in 2008, which is coordinated by the Ministry of Education as a response to the Chilean Government's Intersectoral Plan to Prevent Unplanned Teenage Pregnancies and comprises: the Ministry of Education, the National Kindergartens Board, the National School Support and Scholarships Board, the National Service for Women, the National Youth Institute, the Ministry of Health, the Ministry of Social Development and the National Service for Minors (since 2013);

(d) The pilot project to prevent repeat teenage pregnancies (conducted jointly by the National Service for Minors and the Ministry of Health). The project includes home visits to provide support and guidance and inputs for the development of a protocol for action;

(e) The redesign of the "teen-friendly spaces" and the "Youth Health Check", which are part of the National Comprehensive Health-Care Programme for Adolescents and Young People (Strategic Action Plan 2011–2020);

(f) Seven homes run by the National Service for Minors for pregnant teenagers and teenage mothers whose rights have been violated;

(g) The inclusion of the emergency contraceptive pill, which has been available to the general public through primary health-care and emergency health-care facilities since 2010;

(h) The ongoing update of the birth control standards, which calls for safe, effective and reversible contraceptive methods to be made available to young people;

(i) The restructuring of the Women's Health Programme, now called the "Sexual and Reproductive Health Programme", which includes men and women of all ages and persons of various sexual orientations and/or gender identities.

Reply to paragraph 23 of the list of issues

77. The National Health Plan for the period 2011–2020 is currently being reviewed with regard to: the design methodology used; the number and quality of indicators; and alignment of the Plan with the current Government's emphasis on equity in the health-care system. A midterm evaluation will be conducted in 2015.

78. The "National Strategy 2.0" put forward by the Government focuses on the State's responsibility to ensure equity in health care. Its objectives are to further reduce inequalities, develop a methodology that embraces diversity and promote a holistic approach to individuals, their environment and the health-care system.

79. The following actions have been taken with regard to equal access:

(a) Indigenous peoples: Act No. 20584 of 2012 establishes the right of indigenous persons to receive health care that is culturally appropriate for them, through the use of an intercultural health-care model that has been approved by indigenous communities. The Act provides for the recognition of indigenous healing practices and knowledge, intercultural facilitators, signage in indigenous languages and culturally appropriate religious support. In 2014, indigenous organizations in 11 regions took part in a process to draw up regulations governing this right, and these will be submitted for consultation in 2015;

(b) Migrants:

- (i) Migrants in a regular situation are entitled to access all health-care services on an equal footing with Chileans; however, this is not the case for migrants in an irregular situation;
- (ii) Since 2003, measures have been taken to provide health care to pregnant women, children and adolescents on an equal footing with Chileans regardless of their migratory status. In 2008, the Ministry of Health issued instructions on the right to health for immigrants in an irregular situation who are at social risk, in which it clearly states that such persons have the right to emergency care and to health-related public goods (health education, vaccinations and nutritional management);
- (iii) Programme on Access to Health-Care for Immigrants (since 2014): seeks to develop strategies to overcome the barriers hindering access to primary health care, initially covering 11 communes with large immigrant populations;
- (iv) Development of the “Immigrant Health Policy” (2014);
- (c) Persons living in rural areas: the “Programme to Increase Equity in Rural Health” has been implemented in more than 250 communes since 2008 with the aim of improving the operating conditions in rural health-care facilities. Nationwide, there are 1,176 rural health posts to meet the needs of some 600,000 persons. Thanks to the Programme, 40 per cent of rural health posts now have two paramedics on their permanent staff, and about 100 communes have reinforcements in the form of teams of professionals who make regular rounds of the rural health posts.

Articles 13 and 14: The right to education

Reply to paragraph 24 of the list of issues

80. Restoring the right to free, quality and equitable education is one of the Government’s main objectives. The Ministry of Education is making gradual structural changes to ensure access to quality education, while respecting the mixed public-private nature of the education system and families’ freedom of choice.

81. The education reform encompasses a range of legislative initiatives and education policies — with an emphasis on public education — that seek to create a more inclusive school system, improve the overall quality of learning processes and reduce inequalities in the system. In January 2015, the Congress passed the bill on inclusion, which regulates student admissions, eliminates the partial fee-paying scheme and stipulates that schools that receive State support must be non-profit-making.

82. Additional measures taken include the following:

- (a) Establishment of the Fund to Support Public Education in 2014, in an amount of 139,094,280,000 pesos, now fully operational;
- (b) Improvements made to infrastructure in public primary and secondary schools through investments of 36,942,114,000 pesos in 1,265 projects;
- (c) The Advisory Council on Strengthening Public Education;
- (d) The “Inclusive High Schools” Plan;
- (e) The system to provide priority technical support to public primary and secondary schools;
- (f) The Programme for Effective Support in and Access to Higher Education;

(g) The Quality Assurance System (Ministry of Education, Agency for Quality Education and Office of the Superintendent of Education);

(h) The Coordinating Committee for the Quality Assurance System, which aims to set priorities and guidelines for the related National Plan.

Reply to paragraph 25 of the list of issues

83. There are currently two types of schools that are subsidized by the State: municipal schools that provide free education and private schools that receive subsidies and charge a partial fee. The 2015 bill on inclusion seeks to establish free education throughout the school system.

84. The Government intends to move progressively towards universal free education at the tertiary level. It is expected that, within six years, students belonging to the most vulnerable 70 per cent of the population will have free access to all accredited institutions of higher learning that comply with the non-profit rules.

85. A programme for effective support in and access to higher education has been launched and, by the end of 2015, will cover 340 institutions with disadvantaged students who scored poorly in the university entrance examinations.

Article 15: Cultural rights

Reply to paragraph 26 of the list of issues

86. Progress made in this regard includes the following:

(a) The General Education Act recognizes the value of indigenous languages and cultures. In 2014, Ministry of Education Decree No. 280 made it a requirement for schools where indigenous students make up 20 per cent or more of the student body to offer instruction in indigenous languages;

(b) The Office of the Secretary for Indigenous Intercultural Education, which was established by the Ministry of Education and attached to the Office of the Under-Secretary for Education, will issue cross-cutting education policy guidelines to assist indigenous peoples and intercultural policies for all schools and institutions of higher learning;

(c) The Bilingual Intercultural Education Programme funds projects related to indigenous language instruction, intercultural strategies, and language revitalization and bilingualism. It is linked by cooperation agreements to universities that offer Bilingual Intercultural Basic Education as a course of study;

(d) A review is being conducted of the new basic curricula for the study of indigenous language and culture, which will then be submitted to indigenous peoples for consultation;

(e) The Centre for Intangible, Indigenous and Rural Heritage has been established;

(f) A prior consultation was held with indigenous peoples on the bill on the establishment of a ministry of culture and heritage.

Reply to paragraph 27 of the list of issues

87. The Government has encouraged the development of telecommunications services in isolated, rural and low-income areas. It is expected that, by 2016, 98 per cent of inhabited areas in the country will have access to telecommunications services, including the Internet.

88. Between 2012 and 2016, an estimated 3.2 million people from more than 3,000 villages (representing 18 per cent of the total population) will benefit from the development of public policies on digital connectivity, which call for the State to directly subsidize the provision of services and the extension of networks and incorporate contingent considerations into competitive bidding procedures for the awarding of radio frequencies.

89. Policies covering this sector also call for free Internet access to be provided in both municipal and subsidized private schools at the preschool, primary and secondary levels.

90. Efforts to implement the “Telecommunications Services for WiFi Zones” Project have been ongoing since 2012, and there are plans to establish a total of 1,200 public areas with free Internet access, known as ChileGob WiFi zones, throughout the country. There are currently 460 such zones in six regions of the country; and from 2015 to 2016 another 400 zones will be established, covering a total of 12 regions. The goal is to provide at least one WiFi zone in every commune in the country by 2020.

91. With regard to digital inclusion, the number of Internet users has increased substantially, from 52 per cent of the population in 2011 to 70 per cent in 2014.

92. The “Educational Bridges” project, which is the result of a collaboration agreement between the Ministry of Education and the Pearson Foundation, supports teacher training initiatives and provides tablet computers with mobile broadband connectivity to 296 schools. Of these, 59 per cent (174) have gone to rural schools and 41 per cent (122) to urban schools.
