

CHILE:

OUTSTANDING DEBTS FOR PAST AND PRESENT HUMAN RIGHTS VIOLATIONS

AMNESTY INTERNATIONAL:
SUBMISSION TO THE 46TH SESSION OF THE UPR WORKING GROUP, MAY 2024

SUMMARY

This submission was prepared for the Universal Periodic Review (UPR) of Chile in May 2024. In it, Amnesty International analyses the human rights situation in Chile and the measures taken to comply with the recommendations made to Chile in its previous review, including in relation to human rights violations committed in the past, women's rights, and migrants and refugees' rights.

It also assesses the national human rights framework with regard to human rights violations committed in the past, the security agenda, the right to peaceful assembly, the prohibition against torture and other cruel, inhuman, or degrading treatment, women's rights, migrants and refugee's rights, Indigenous Peoples' rights, the situation of human rights defenders and the regulation of the national institution for human rights.

With regard to the human rights situation on the ground, Amnesty International raises concerns about human rights violations committed in the past, the right to peaceful assembly, the prohibition against torture and other cruel, inhuman, or degrading treatment, and the situation of human rights defenders.

This submission ends with a set of recommendations to Chile which, if implemented, would contribute to improving the human rights situation.

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FOLLOW UP TO THE PREVIOUS REVIEW

1. Chile noted one recommendation on ensuring effective investigations about unclarified cases of enforced disappearance.ⁱ There are shortcomings in the implementation of measures announced by the State regarding the identification and search for persons in cases of enforced disappearance. The announcement of the Plan for the Search for Missing Persons is relevant but, to be a real step forward in the search of victims on enforced disappearance, it should have enough resources, consider the participation of victim's relatives in all its stages, and count on the collaboration of the Armed Forces.ⁱⁱ
2. Concerning responsibility for past human rights violations, Chile supported one recommendation on strengthening measures to achieve progress in “investigating and punishing perpetrators of human rights violations during the dictatorship”ⁱⁱⁱ. The validity of the Amnesty Law (Decree-Law 2.191) remains an obstacle to justice, truth, and reparation for victims.
3. Regarding sexual and reproductive rights, Chile supported one recommendation on guaranteeing “access to health services for women wishing to abort in cases prescribed by law”^{iv}, and noted eight on elimination of barriers for accessing abortion-related health services.^v Chile has not been able to move towards a broader regulation of abortion and to establish a system free of legal and institutional obstacles to guarantee safe and equal access to abortion.^{vi}
4. Regarding the rights of migrants and refugees, Chile supported five recommendations to protect them, including the adoption of legislative and policy measures,^{vii} and noted three more.^{viii} As of today, there is not a rights-based approach to situation of the migrants and refugees in Chile. Government authorities and legislators have adopted measures that have led to the criminalization of refugees and migrants and the violation of their rights, including the right to seek asylum.^{ix}
5. Concerning Indigenous People’s rights, Chile noted five recommendations on guaranteeing that the application of the Anti-Terrorism Law does not violate the human rights of Indigenous Peoples.^x Chile has not amended the Anti-Terrorism Law and application of this law still affects persons of Mapuche origin.^{xi}

THE NATIONAL HUMAN RIGHTS FRAMEWORK

Human rights violations committed in the past

6. Regarding enforced disappearances, the government announced the "National Plan to Search for the Victims of Enforced Disappearances During the Civil-Military Dictatorship," which aims to investigate the cases and identify the victims. Regardless, there remains a delay in effectively incorporating obligations provided for in the International Convention for the Protection of All Persons from Enforced Disappearance into national legislation.
7. Enforced disappearance in Chile is not yet considered a crime. A bill in place to include it in the Penal Code has not yet been approved.
8. It is also of concern that Decree Law 2.191 (Amnesty Law) is still in effect and has not been removed from national legislation, even though it’s not being currently applied by judges and tribunals.

Right to peaceful assembly

9. Regarding the right to social protest, there are still challenges associated with its lack of legal regulation. Even though the Chilean Constitution, in its article 19.13, protects the right to assemble peacefully and without arms, meetings in squares, streets and other places of public use continue to be legislated by Supreme Decree 1.086, approved in 1983 and regulatory in nature. The requirement of prior authorization

included in Supreme Decree 1.086, among other issues, renders this regulation inconsistent with the requirements of international standards.

Security agenda and the role of state agents

10. Since 2023, there have been concerning developments to the security agenda.^{xii} One of the most worrisome of these was the approval in April 2023 of Law 2.560, known as the "Nain Retamal Law", which aims to protect *Carabineros de Chile* and other policepersons. Amnesty International has serious concerns about this law, given that its application creates tensions with international human rights standards with regards to: a) the involvement of the military in policing activities; b) the administrative investigation of human rights violations; c) the legality presumption of the use of lethal force by state agents and, d) a modification of the legal description of the crime of torture.^{xiii}
11. Regarding the functions performed by *Carabineros de Chile*, even though the institution has developed a series of internal instruments to regulate the use of force in the maintenance of public order,^{xiv} Chile has not fully complied with international standards. This means that the institution continues to use less lethal weapons inadequately.^{xv} The absence of a law regulating the use of force and less-lethal weapons is also a matter of concern.^{xvi} On April 10, 2023, the government submitted a bill "Establishing General Rules on the Use of Force by Law Enforcement and Public Security Forces and Armed Forces Personnel," which seeks to align existing regulations with international standards.

Prohibition against torture and other cruel, inhuman, or degrading treatments

12. The establishment of the Committee for the Prevention of Torture in 2020 as a functionally autonomous body created by Law 21.154 is a positive development. The work of this entity has made it possible to identify and establish facts in which State agents acted in disregard of norms relating to the prohibition of torture and other cruel, inhuman, or degrading treatment or punishment^{xvii}.

Sexual and reproductive rights and protection from gender-based violence

13. Although Law 21.030 legalizes abortion on three specific grounds, its implementation is undermined and remains limited due to inadequate legal regulation, with conscientious objection allowing for blanket refusals of provision of lawful services, even by entire institutions. Chile noted six recommendations on this issue in a previous review.^{xviii} Additionally, the partial decriminalization and lack of access to abortion in all circumstances leave many women, girls and pregnant people in need of abortion without access to vital healthcare.^{xix} Chile has failed to adopt a legal framework allowing for abortion more broadly and establish a system guaranteeing equal and barrier-free access to safe abortion services even in cases permitted by the law.
14. Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.

Migrants and refugee's rights

15. In 2021 Chile carried out collective expulsions of migrants.^{xx}
16. In 2021, Law 21.325 was enacted, establishing the Immigration and Emigration Law. The law aimed to make it easier for authorities to promptly remove and return foreign nationals who tried to enter the country avoiding immigration controls. These provisions may result in the violation of several rights, including the

right to seek asylum and be protected from being returned to a place where one's life and rights may be at risk (non-refoulement), the right to due process and the right to an effective judicial remedy.^{xxi}

17. There are also difficulties in the implementation of the Immigration and Emigration Law, including the functioning of the National Migration Service; the issuance of humanitarian visas to survivors of domestic violence, human trafficking, and pregnant women; the full compliance of Chile's obligation to ensure the rights of children and adolescents in human mobility contexts; and the establishment of a formal procedure for the regularization of individuals in an irregular migratory situation.^{xxii}

18. There has been a proliferation of legal initiatives that, if passed, would severely restrict the rights of refugees and migrants. These initiatives would entail the expansion of the detention of migrants;^{xxiii} for the facilitation of expulsions, in breach of due process;^{xxiv} they also lay down pre-admissibility procedures for asylum claims and impose tight deadlines^{xxv}. There is a proposal that, if passed, would create the criminal offence of "irregular entry" into the country, which would violate the principle of non-penalization of article 31 of the Geneva Convention on the Status of Refugees, that prohibits States to sanction asylum seekers for irregular entry into a country.^{xxvi} These bills would restrict refugees' and migrants' right to liberty, due process and hamper asylum seekers' right to a fair and effective asylum procedure.

19. Chilean authorities continue to apply unlawful measures and practices that hamper access to international protection. They have imposed asylum seekers the requirement to self-report their irregular entry to access the asylum procedure. Authorities have also established a pre-eligibility review of asylum applications. In practice, these measures have resulted in the severe barriers to access the asylum procedure for Venezuelans and extremely low recognition rates, leaving the majority of Venezuelans in a situation of irregularity, with serious difficulties to access to education, health services and employment.^{xxvii}

Indigenous people's rights

20. The Anti-Terrorism Law (Law 18.314) contains elements that violate human rights standards, both in terms of the broadness and lack of clarity of the definition of terrorist crimes and in terms of due process, due to the existing provisions on the extension of the period of judicial control over detentions, the secrecy of parts of the case file and, the use of protected witnesses. Application of this law has particularly affected persons of Mapuche origin that have been criminalized without due process.^{xxviii}

Human rights defenders

21. Human rights defenders have continued to be the target of various attacks.^{xxix} The Escazú Agreement^{xxx} came into force for Chile in 2022. Although a bill for its implementation was presented in 2021, no significant progress has been made so far.

National human rights institution

22. Human rights institutions in Chile were strengthened by the creation and implementation of the Undersecretariat for Human Rights and the presence of the Children's Ombudsman's Office in various regions of the country. Nonetheless, the creation of an Ombudsman's Office with powers in accordance with the Paris principles is still pending.

THE HUMAN RIGHTS SITUATION ON THE GROUND

Human rights violations committed in the past

23. There is still no progress on the approval of a law on memorials, recognizing, protecting, and financing activities to build and maintain the memory of the hundreds of sites used during the human rights violations

committed between 11 September 1973 and 10 March 1978 as detention, torture, and extermination centres.

Right to peaceful assembly

24. There has been a lack of due diligence in investigations carried out as part of the judicial response to human rights violations committed during the social upheaval in Chile in 2021. This is largely due to the use of the "provisional archiving" of cases.^{xxxii} Up until August 2023 Amnesty International received information from the National Prosecutor Office that, among 10.568 complaints on human rights violations occurred during the 2021 social upheaval, only 27 convictions have been enacted.^{xxxiii} Up until September 2023 no high command authority has faced criminal prosecution regarding their responsibility on human rights violations occurred during the social upheaval.^{xxxiii}
25. There have also been shortcomings in the establishment of a comprehensive strategy to provide effective and adequate reparations for the victims of human rights violations committed during the 2021 upheaval. There is no crosscutting deployment of articulated measures that identify legal aid, physical and mental health services, social security benefits, and mechanisms to enforce the civil liability of those responsible.^{xxxiv}

Prohibition against torture and other cruel, inhuman, or degrading treatments

26. Regarding cases of torture involving persons deprived of their liberty in the context of social upheaval and other contexts (especially in prisons), the Committee for the Prevention of Torture identified cases of physical and psychological ill-treatment, sexual violence, and problems of habitability of detention facilities.^{xxxv}

Human rights defenders

27. There is a lack of protection for human rights and environmental defenders in Chile. As evidenced in some investigations, human rights defenders face risks in the fulfilment of their work because there is no approach that considers their special status and the particular risks they face.

RECOMMENDATIONS FOR ACTION BY THE STATE UNDER REVIEW

Amnesty International calls on the government of Chile to:

Human rights violations committed in the past

28. Make the necessary legal changes to make enforced disappearance criminal under national law, as provided by the International Convention for the Protection of All Persons from Enforced Disappearance - to which Chile is a state party to.
29. Repeal Decree Law 2.191 (Amnesty Law), regardless of whether it's being applied in concrete cases or not.
30. Adopt normative and institutional measures for the effective protection of memorials.

Right to peaceful assembly

31. Repeal Supreme Decree 1.086 and regulate through a law the right of peaceful assembly accordingly with international human rights standards.
32. Strengthen and consolidate the judicial response to cases of human rights violations during the 2021 social upheaval, expedite trials, and determine appropriate sanctions for those found guilty in accordance with due process.

33. Advance towards the consolidation of a comprehensive reparation policy for the victims of human rights violations during the 2021 social upheaval, which determines the nature of measures, steps of the reparation plan, and the necessary financing for the integrality of the measure.

Security agenda and the role of state agents

34. Amend Law 21.560 (Nain Retamal Law), aligning its content with international human rights law and standards, particularly in terms of complying with the requirements for the restriction of rights.
35. Approve urgently the bill that "Establishes General Rules on the Use of Force by Law Enforcement and Public Security Forces and Armed Forces Personnel" (Bulletin 15805-07).

Prohibition against torture and other cruel, inhuman, or degrading treatment

36. Strengthen and consolidate the mandate of the Committee for the Prevention of Torture as the body responsible for monitoring and recommending a framework for action in the face of violations to the prohibition of torture and other cruel, inhuman, or degrading treatment.

Sexual and reproductive rights and protection from gender-based violence

37. Ensure that refusals to provide abortion on the grounds of conscience (so called "conscientious objection") are adequately regulated in law, in compliance with the international human rights law and standards, and that all women, girls and pregnant people can access lawful abortion services without barriers or delays.
38. Ensure that the Congress approve the bill on violence against women (Bulletin 11077) as a matter of urgency and establish a cross-sectoral coordinating mechanisms for its implementation.

Migrants and refugee's rights

39. Respect the rights of refugees and migrants, and refrain from adopting legislative measures that undermine refugees' right to seek asylum and migrants' rights to liberty and due process. Respect the principle of non-refoulement in all circumstances and repeal the provision of the Immigration Law that legalizes the expulsion of migrants or refugees without due process.
40. Ensure that Venezuelan nationals have prompt access to a fair and effective asylum procedure and are promptly recognized as refugees under the Cartagena Declaration. Ensure that they are not rejected at the border, have access to territory, and refrain from forcibly returning them to Venezuela.
41. Adopt measures to prevent and tackle xenophobia, and any form of discrimination.

Indigenous Peoples' Rights

42. Amend the Anti-Terrorism Law, abolishing provisions that are inconsistent with due process, including references to the recognition and protection of the rights of Indigenous Peoples, prohibiting any discriminatory application of the law and providing adequate oversight of its implementation.

Human rights defenders

43. Establish an action framework for compliance with the Escazú Agreement to move towards the implementation of comprehensive, relevant, and effective measures that allow for protection against violence and criminalization of human rights defenders.

National human rights institution

44. Adopt actions to consolidate the National Human Rights Institute and the Office of the Ombudsperson for Children, by strengthening their functions, their arrival throughout the national territory, and a relevant allocation of resources.

ANNEX 1

KEY AMNESTY INTERNATIONAL DOCUMENTS FOR FURTHER REFERENCE

“Regularization and Protection. International Obligations for the Protection of Venezuelan Nationals”, 21 September 2023, <https://www.amnesty.org/en/documents/amr01/7130/2023/en/>.

“Reparación integral de las violaciones de derechos humanos cometidas en el contexto del estallido social”, 31 May 2023, <https://amnistia.cl/noticia/amnistia-internacional-y-el-nucleo-interdisciplinario-de-derechos-humanos-presentan-informe-sobre-reparacion-integ>.

“Informe sobre proyecto de ley para la regulación del uso de la fuerza”, 11 May 2023, <https://amnistia.cl/informe/informe-sobre-proyecto-de-ley-para-la-regulacion-del-uso-de-la-fuerza/>.

“Informe sobre proyecto de ley que busca tipificar el ingreso clandestino”, 17 April 2023, https://amnistia.cl/wp-content/uploads/2023/05/Presentacion_AI_Ingreso-clandestino.pdf.

“No one wants to live in hiding”. Lack of protection for Venezuelan refugees in Chile. 6 March 2023, available in: <https://www.amnesty.org/en/documents/amr22/6437/2023/en/>.

“Informe final sobre Ley Nain Retamal”, 2023, <https://amnistia.cl/wp-content/uploads/2023/05/Informe-AI-Ley-21.560-Nain-Retamal.pdf>.

“Eyes on Chile: Police Violence and Command Responsibility during the Period of Social Unrest”, 14 October 2020, <https://www.amnesty.org/en/documents/amr22/3133/2020/en/>.

“Amnistía Internacional Chile repudia la nueva oleada de detenciones y expulsiones ilegales contra personas migrantes”, 27 April 2021, <https://amnistia.cl/noticia/detenciones-y-expulsiones-ilegales-en-contra-personas-migrantes/>

“Informe jurídico: Responsabilidad penal por omisión de los mandos con ocasión de los crímenes cometidos durante el estallido social”, 15 October 2021, <https://www.amnesty.org/es/documents/amr22/4851/2021/es/>.

“Pre-Juicios Injustos: Criminalización del Pueblo Mapuche a través de la Ley “Antiterrorista” en Chile”, 9 August 2018, <https://www.amnesty.org/es/documents/amr22/8862/2018/es/>.

“La reforma a la Ley Antiterrorista de cara a los derechos humanos”, 17 November 2014, <https://amnistia.cl/wp-content/uploads/2017/06/2014-11-17-Minuta-reforma-ley-antiterrorista-final2.pdf>.

ANNEX 2

MATRIX OF RECOMMENDATIONS FROM THE PREVIOUS CYCLE, WITH COMMENTS ON PROGRESS

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<i>Theme: B31 Equality & non-discrimination</i>			
<p>125.185 Progress towards a comprehensive legal definition of all forms of discrimination and reform the Domestic Violence Act to include all forms of violence against women and girls, removing the requirement of “habitual ill-treatment” (Spain); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>B31 Equality & non-discrimination A41 Constitutional and legislative framework D29 Domestic violence F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - girls</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.42 Continue to promote legislation and action to eliminate discrimination and strengthen the protection of the rights of vulnerable groups, including women, children and indigenous peoples (Nepal); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>B31 Equality & non-discrimination A41 Constitutional and legislative framework F31 Children: definition; general principles; protection G3 Indigenous peoples S10 SDG 10 - inequality Affected persons: - women - children - Indigenous peoples - vulnerable persons/groups</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p> <p>The Anti-Terrorism Law (Law 18.314) contains elements that violate human rights standards, both in terms of the broadness and lack of clarity of the definition of terrorist crimes and in terms of due process, due to the existing provisions on the extension of the period of judicial control over detentions, the secrecy of parts of the case file and, the use of protected witnesses. Application of this law has particularly affected persons of Mapuche origin that have been criminalized without due process.</p>
<p><i>Theme: B52 Impunity</i></p>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.79 Adopt the necessary laws and mechanisms and allocate adequate resources to combat impunity, including for crimes committed against children, women and older persons (Bahrain); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>B52 Impunity B51 Right to an effective remedy A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - children - judges, lawyers and prosecutors - older persons</p>	<p>Decree Law 2.191 (Amnesty Law) is still in effect and has not been removed from national legislation, even though it's not being currently applied by judges and tribunals.</p> <p>Judicial response for human rights violations committed during the social upheaval in Chile in 2021 shows deficiencies in the fulfilment of due diligence in the investigations. This is largely due to the use of the "provisional archiving" of cases. Up until August 2023 Amnesty International received information from the National Prosecutor Office that, among 10.568 complaints on human rights violations occurred during the 2021 social upheaval, only 27 convictions have been enacted. Up until September 2023 no high command authority has faced criminal prosecution regarding their responsibility on human rights violations occurred during the social upheaval.</p>
<p>125.83 Try and punish violations perpetrated during the dictatorship in proportion to the gravity of the crimes committed (France); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>B52 Impunity B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Decree Law 2.191 (Amnesty Law) is still in effect and has not been removed from national legislation, even though it's not being currently applied by judges and tribunals.</p>
<p>125.84 Strengthen measures to achieve progress in investigating and punishing perpetrators of human rights violations during the dictatorship (Argentina); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>B52 Impunity B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - judges, lawyers and prosecutors</p>	<p>Decree Law 2.191 (Amnesty Law) is still in effect and has not been removed from national legislation, even though it's not being currently applied by judges and tribunals.</p>
<p><i>Theme: D25 Prohibition of torture and cruel, inhuman or degrading treatment</i></p>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.33 Expedite the process for the adoption in Congress of the bill on the designation of the National Human Rights Institute as the national preventive mechanism (Turkey); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment A41 Constitutional and legislative framework A44 Structure of the national human rights machinery S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>The establishment of the Committee for the Prevention of Torture in 2020 as a functionally autonomous body created by Law 21.154 stands out positively. The work of this entity has made it possible to identify disturbing facts in which State agents acted in disregard of the norms relating to the prohibition of torture and other cruel, inhuman, or degrading treatment or punishment.</p>
<p>125.32 Adopt as soon as possible the law designating the national mechanism for the prevention of torture and allocate the necessary resources for its proper functioning (Switzerland); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>The establishment of the Committee for the Prevention of Torture in 2020 as a functionally autonomous body created by Law 21.154 stands out positively. The work of this entity has made it possible to identify disturbing facts in which State agents acted in disregard of the norms relating to the prohibition of torture and other cruel, inhuman, or degrading treatment or punishment.</p>
<p>125.27 Establish a national preventive mechanism (Russian Federation); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment A44 Structure of the national human rights machinery S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>The establishment of the Committee for the Prevention of Torture in 2020 as a functionally autonomous body created by Law 21.154 stands out positively. The work of this entity has made it possible to identify disturbing facts in which State agents acted in disregard of the norms relating to the prohibition of torture and other cruel, inhuman, or degrading treatment or punishment.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.28 Continue with the ongoing process to promulgate the law designating the National Human Rights Institute as the national preventive mechanism to implement the provisions of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, so that it can enter into force for the national preventive mechanism to be established (Ghana); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment A44 Structure of the national human rights machinery S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>The establishment of the Committee for the Prevention of Torture in 2020 as a functionally autonomous body created by Law 21.154 stands out positively. The work of this entity has made it possible to identify disturbing facts in which State agents acted in disregard of the norms relating to the prohibition of torture and other cruel, inhuman, or degrading treatment or punishment.</p>
<p>125.29 Create a national mechanism for the prevention of torture in compliance with international standards (Mexico); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment A44 Structure of the national human rights machinery S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>The establishment of the Committee for the Prevention of Torture in 2020 as a functionally autonomous body created by Law 21.154 stands out positively. The work of this entity has made it possible to identify disturbing facts in which State agents acted in disregard of the norms relating to the prohibition of torture and other cruel, inhuman, or degrading treatment or punishment.</p>
<p>125.30 Accelerate promulgation of the law designating the National Human Rights Institute as the national preventive mechanism against torture, and ensure that the mechanism has the necessary resources to operate effectively, impartially and autonomously within the Institute (Australia); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment A44 Structure of the national human rights machinery S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>The establishment of the Committee for the Prevention of Torture in 2020 as a functionally autonomous body created by Law 21.154 stands out positively. The work of this entity has made it possible to identify disturbing facts in which State agents acted in disregard of the norms relating to the prohibition of torture and other cruel, inhuman, or degrading treatment or punishment.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.35 Establish the national preventive mechanism in compliance with all requirements under the Optional Protocol to the Convention against Torture (Ukraine); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment A44 Structure of the national human rights machinery S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>The establishment of the Committee for the Prevention of Torture in 2020 as a functionally autonomous body created by Law 21.154 stands out positively. The work of this entity has made it possible to identify disturbing facts in which State agents acted in disregard of the norms relating to the prohibition of torture and other cruel, inhuman, or degrading treatment or punishment.</p>
<p>125.34 Address the concerns raised about the future operation of the national preventive mechanism in accordance with the Paris Principles (Turkey); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>The creation of an Ombudsman's Office with powers in accordance with the Paris principles is still pending.</p>
<p>125.78 Ensure that all reports of police violence are duly investigated by the specialized unit in the Attorney General's Office that investigates cases of police violence and torture involving police officers, and increase awareness of human rights in law enforcement by providing human rights education, especially to the forces tasked with interventions in marginalized neighbourhoods (Greece); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment B51 Right to an effective remedy A53 Professional training in human rights S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors - human rights defenders - law enforcement / police officials</p>	<p>Judicial response for human rights violations committed during the social upheaval in Chile in 2021 shows deficiencies in the fulfilment of due diligence in the investigations. This is largely due to the use of the "provisional archiving" of cases. Up until August 2023 Amnesty International received information from the National Prosecutor Office that, among 10.568 complaints on human rights violations occurred during the 2021 social upheaval, only 27 convictions have been enacted. Up until September 2023 no high command authority has faced criminal prosecution regarding their responsibility on human rights violations occurred during the social upheaval.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.71 Investigate all accusations of unlawful killings, excessive force, abuse, and cruel, inhuman or degrading treatment by law enforcement officers, including against indigenous Mapuche persons, and hold those responsible accountable (United States of America);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment B51 Right to an effective remedy G3 Indigenous peoples S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples - judges, lawyers and prosecutors - law enforcement / police officials</p>	<p>Judicial response for human rights violations committed during the social upheaval in Chile in 2021 shows deficiencies in the fulfilment of due diligence in the investigations. This is largely due to the use of the "provisional archiving" of cases. Up until August 2023 Amnesty International received information from the National Prosecutor Office that, among 10.568 complaints on human rights violations occurred during the 2021 social upheaval, only 27 convictions have been enacted. Up until September 2023 no high command authority has faced criminal prosecution regarding their responsibility on human rights violations occurred during the social upheaval.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.72 Ensure that all complaints of excessive use of force by law enforcement and security personnel are subject to a prompt, impartial and effective investigation (Azerbaijan);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment B51 Right to an effective remedy S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors - law enforcement / police officials</p>	<p>Judicial response for human rights violations committed during the social upheaval in Chile in 2021 shows deficiencies in the fulfilment of due diligence in the investigations. This is largely due to the use of the "provisional archiving" of cases. Up until August 2023 Amnesty International received information from the National Prosecutor Office that, among 10.568 complaints on human rights violations occurred during the 2021 social upheaval, only 27 convictions have been enacted. Up until September 2023 no high command authority has faced criminal prosecution regarding their responsibility on human rights violations committed during the social upheaval.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.73 Ensure that abuses by law enforcement authorities are investigated and action taken, as a way of curbing violations (Botswana); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors - law enforcement / police officials</p>	<p>Judicial response for human rights violations committed during the social upheaval in Chile in 2021 shows deficiencies in the fulfilment of due diligence in the investigations. This is largely due to the use of the "provisional archiving" of cases. Up until August 2023 Amnesty International received information from the National Prosecutor Office that, among 10.568 complaints on human rights violations occurred during the 2021 social upheaval, only 27 convictions have been enacted. Up until September 2023 no high command authority has faced criminal prosecution regarding their responsibility on human rights violations occurred during the social upheaval.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.76 Ensure prompt, impartial and effective investigation into all complaints of excessive use of force by law enforcement and security personnel (Pakistan);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors - law enforcement / police officials</p>	<p>Judicial response for human rights violations committed during the social upheaval in Chile in 2021 shows deficiencies in the fulfilment of due diligence in the investigations. This is largely due to the use of the "provisional archiving" of cases. Up until August 2023 Amnesty International received information from the National Prosecutor Office that, among 10.568 complaints on human rights violations occurred during the 2021 social upheaval, only 27 convictions have been enacted. Up until September 2023 no high command authority has faced criminal prosecution regarding their responsibility on human rights violations occurred during the social upheaval.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.77 Investigate thoroughly allegations of violence by the police and bring those responsible to justice (Finland);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors - law enforcement / police officials</p>	<p>Judicial response for human rights violations committed during the social upheaval in Chile in 2021 shows deficiencies in the fulfilment of due diligence in the investigations. This is largely due to the use of the "provisional archiving" of cases. Up until August 2023 Amnesty International received information from the National Prosecutor Office that, among 10.568 complaints on human rights violations occurred during the 2021 social upheaval, only 27 convictions have been enacted. Up until September 2023 no high command authority has faced criminal prosecution regarding their responsibility on human rights violations occurred during the social upheaval.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.54 Address allegations of excessive use of force by police against human rights defenders, indigenous peoples, and women and adolescent girls, ensuring prompt and effective investigation and adoption of systematic training on human rights and protocols (Canada);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment F12 Discrimination against women G3 Indigenous peoples A53 Professional training in human rights H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - women - Indigenous peoples - human rights defenders - law enforcement / police officials</p>	<p>Judicial response for human rights violations committed during the social upheaval in Chile in 2021 shows deficiencies in the fulfilment of due diligence in the investigations. This is largely due to the use of the "provisional archiving" of cases. Up until August 2023 Amnesty International received information from the National Prosecutor Office that, among 10.568 complaints on human rights violations occurred during the 2021 social upheaval, only 27 convictions have been enacted. Up until September 2023 no high command authority has faced criminal prosecution regarding their responsibility on human rights violations occurred during the social upheaval.</p>
<p>125.218 Ensure that appropriate measures are taken to stop discrimination against, the improper criminalization of and the excessive use of force against indigenous communities (Belgium);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment G3 Indigenous peoples A41 Constitutional and legislative framework S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - Indigenous peoples</p>	<p>The Anti-Terrorism Law (Law 18.314) contains elements that violate human rights standards, both in terms of the broadness and lack of clarity of the definition of terrorist crimes and in terms of due process, due to the existing provisions on the extension of the period of judicial control over detentions, the secrecy of parts of the case file and, the use of protected witnesses. Application of this law has particularly affected persons of Mapuche origin that have been criminalized without due process.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.63 Further enhance measures to combat torture and other inhuman or degrading treatment (Armenia); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - law enforcement / police officials - prison officials</p>	<p>Regarding cases of torture involving persons deprived of their liberty in the context of social upheaval and other contexts (especially in prisons), the Committee for the Prevention of Torture identified cases of physical and psychological ill-treatment, sexual violence, and problems of habitability of detention facilities.</p>
Theme: D26 Conditions of detention			
<p>125.68 Incorporate in the reform of the prison system a gender perspective, and the possibility of making greater use of non-custodial sanctions and measures for women in detention centres (Panama); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D26 Conditions of detention A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - persons deprived of their liberty</p>	<p>Regarding cases of torture involving persons deprived of their liberty in the context of social upheaval and other contexts (especially in prisons), the Committee for the Prevention of Torture identified cases of physical and psychological ill-treatment, sexual violence, and problems of habitability of detention facilities.</p>
<p>125.65 Take further measures to alleviate overcrowding in detention centres (Azerbaijan); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>Regarding cases of torture involving persons deprived of their liberty in the context of social upheaval and other contexts (especially in prisons), the Committee for the Prevention of Torture identified cases of physical and psychological ill-treatment, sexual violence, and problems of habitability of detention facilities.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.66 Take measures to improve living conditions in prisons on a priority basis (Bangladesh); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>Regarding cases of torture involving persons deprived of their liberty in the context of social upheaval and other contexts (especially in prisons), the Committee for the Prevention of Torture identified cases of physical and psychological ill-treatment, sexual violence, and problems of habitability of detention facilities.</p>
<p>125.67 Take measures to resolve the issue of prison overcrowding and ensure that detention conditions in prisons meet international standards (Belarus); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>Regarding cases of torture involving persons deprived of their liberty in the context of social upheaval and other contexts (especially in prisons), the Committee for the Prevention of Torture identified cases of physical and psychological ill-treatment, sexual violence, and problems of habitability of detention facilities.</p>
<p>125.69 Intensify efforts to resolve the issue of prison overcrowding (Russian Federation); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>Regarding cases of torture involving persons deprived of their liberty in the context of social upheaval and other contexts (especially in prisons), the Committee for the Prevention of Torture identified cases of physical and psychological ill-treatment, sexual violence, and problems of habitability of detention facilities.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.70 Step up efforts to reduce prison overcrowding and adopt urgent measures to overcome the shortcomings observed in the general living conditions in prisons (Senegal); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty</p>	<p>Regarding cases of torture involving persons deprived of their liberty in the context of social upheaval and other contexts (especially in prisons), the Committee for the Prevention of Torture identified cases of physical and psychological ill-treatment, sexual violence, and problems of habitability of detention facilities.</p>
<p><i>Theme: D29 Domestic violence</i></p>			
<p>125.186 Make efforts to prevent violence against women and domestic violence (Tunisia); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>D29 Domestic violence F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>
<p><i>Theme: D31 Liberty and security - general</i></p>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.59 Make efforts to address the excessive use of force and discriminatory action by law enforcement officials, through adequate training and investigations into violations by officials (Republic of Korea);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>D31 Liberty and security - general D25 Prohibition of torture and cruel, inhuman or degrading treatment A53 Professional training in human rights S16 SDG 16 - peace, justice and strong institutions Affected persons: - law enforcement / police officials</p>	<p>Judicial response for human rights violations committed during the social upheaval in Chile in 2021 shows deficiencies in the fulfilment of due diligence in the investigations. This is largely due to the use of the "provisional archiving" of cases. Up until August 2023 Amnesty International received information from the National Prosecutor Office that, among 10.568 complaints on human rights violations committed during the 2021 social upheaval, only 27 convictions have been enacted. Up until September 2023 no high command authority has faced criminal prosecution regarding their responsibility on human rights violations occurred during the social upheaval.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.64 Continue the measures taken in order to address the issue of the use of force by the police, including ill-treatment in detention (Romania); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>D31 Liberty and security - general D25 Prohibition of torture and cruel, inhuman or degrading treatment D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions Affected persons: - persons deprived of their liberty - law enforcement / police officials - prison officials</p>	<p>Judicial response for human rights violations committed during the social upheaval in Chile in 2021 shows deficiencies in the fulfilment of due diligence in the investigations. This is largely due to the use of the "provisional archiving" of cases. Up until August 2023 Amnesty International received information from the National Prosecutor Office that, among 10.568 complaints on human rights violations committed during the 2021 social upheaval, only 27 convictions have been enacted. Up until September 2023 no high command authority has faced criminal prosecution regarding their responsibility on human rights violations occurred during the social upheaval.</p> <p>Regarding cases of torture involving persons deprived of their liberty in the context of social upheaval and other contexts (especially in prisons), the Committee for the Prevention of Torture identified cases of physical and psychological ill-treatment, sexual violence, and problems of habitability of detention facilities.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.60 Prevent and ensure investigation of the excessive use of force in police interventions, paying particular attention to interactions with children and adolescents (Estonia); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D31 Liberty and security - general D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - children - law enforcement / police officials</p>	<p>Judicial response for human rights violations committed during the social upheaval in Chile in 2021 shows deficiencies in the fulfilment of due diligence in the investigations. This is largely due to the use of the "provisional archiving" of cases. Up until August 2023 Amnesty International received information from the National Prosecutor Office that, among 10.568 complaints on human rights violations committed during the 2021 social upheaval, only 27 convictions have been enacted. Up until September 2023 no high command authority has faced criminal prosecution regarding their responsibility on human rights violations occurred during the social upheaval.</p>
<p><i>Theme: D43 Freedom of opinion and expression</i></p>			
<p>125.88 Guarantee and promote the rights to freedom of expression, freedom of association and peaceful assembly and protection of journalists and human rights defenders, also in the online environment (Iceland); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>D43 Freedom of opinion and expression D44 Right to peaceful assembly D45 Freedom of association H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - media</p>	<p>Human rights defenders have continued to be the target of various attacks. The Escazú Agreement came into force for Chile in 2022. Although a bill for its implementation was presented in 2021, no significant progress has been made so far.</p>
<p><i>Theme: E41 Right to health - General</i></p>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.168 Take further steps to ensure the full enjoyment of all human rights by women and girls, including regarding sexual and reproductive health and rights, and to accelerate the approval of the bill on the right of women to a life free of violence (Estonia);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>E41 Right to health - General E43 Access to sexual and reproductive health and services F13 Violence against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - girls</p>	<p>Although Law 21.030 legalizes abortion on three specific grounds, its implementation is undermined and remains limited due to inadequate legal regulation, with conscientious objection allowing for blanket refusals of provision of lawful services, even by entire institutions. Additionally, the partial decriminalization and lack of access to abortion in all circumstances leave many women, girls and pregnant people in need of abortion without access to vital healthcare. Chile has failed to adopt a legal framework allowing for abortion more broadly and establish a system guaranteeing equal and barrier-free access to safe abortion services even in cases permitted by the law.</p>
<p><i>Theme: E43 Access to sexual and reproductive health and services</i></p>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.128 Guarantee access to health services for women wishing to abort in cases prescribed by law (France); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>E43 Access to sexual and reproductive health and services F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	<p>Although Law 21.030 legalizes abortion on three specific grounds, its implementation is undermined and remains limited due to inadequate legal regulation, with conscientious objection allowing for blanket refusals of provision of lawful services, even by entire institutions. Additionally, the partial decriminalization and lack of access to abortion in all circumstances leave many women, girls and pregnant people in need of abortion without access to vital healthcare. Chile has failed to adopt a legal framework allowing for abortion more broadly and establish a system guaranteeing equal and barrier-free access to safe abortion services even in cases permitted by the law.</p>
<p>Theme: F12 Discrimination against women</p>			
<p>125.155 Adopt a comprehensive definition of discrimination against women in accordance with the article 1 of the Convention on the Elimination of All Forms of Discrimination against Women (Botswana); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>F12 Discrimination against women A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.156 Adopt a legal definition of all forms of discrimination against women, covering direct and indirect discrimination (Bulgaria); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>F12 Discrimination against women A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>
<p>125.157 Adopt a comprehensive legal definition of all forms of discrimination against women and establish the principle of formal and substantive equality between women and men (Croatia); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>F12 Discrimination against women A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.158 Adopt a comprehensive legal definition of all forms of discrimination against women and establish the principle of equality in legislation (Iceland); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>F12 Discrimination against women A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>
<p>125.160 Strengthen measures to further address discrimination against women in law and in practice including by reviewing laws, customs and practices that may constitute discrimination against women and girls (Rwanda); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>F12 Discrimination against women A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - girls</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.173 Strengthen efforts aimed at tackling all forms of discrimination and violence against women and girls (Guyana);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>F12 Discrimination against women F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - girls</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>
<p>125.175 Review and revise laws, policies and regulations to address violence against women, including in digital contexts, in compliance with international human rights obligations (Iceland);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>F12 Discrimination against women F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.159 Continue efforts to combat all forms of discrimination against women (Tunisia); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>
<p>125.182 Make gender equality effective in accordance with the provisions of the Convention on the Elimination of All Forms of Discrimination against Women, throughout the process of implementing the 2030 Agenda for Sustainable Development (Panama); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>
<p><i>Theme: F13 Violence against women</i></p>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.163 Approve the bill on the right of women to a life free of violence (Ireland); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>F13 Violence against women A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>
<p>125.166 Ensure that women can live a life free of violence, including in digital contexts, through appropriate legislation, preventative measures, education and adequate resources, including services for survivors (Canada); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>F13 Violence against women A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.184 Take steps to ensure that the draft bills on the right of women to a life free of violence and on violence in intimate partner relationships without cohabitation are well disseminated and effectively implemented when passed by the legislature (Singapore); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>F13 Violence against women A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>
<p>125.176 Continue to strengthen the judicial system and institutional framework to prevent family and gender-based violence (Indonesia); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>F13 Violence against women D51 Administration of justice & fair trial S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - women</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.164 Continue efforts to eradicate violence and discrimination against women through effective implementation of the relevant laws (Bangladesh);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>F13 Violence against women F12 Discrimination against women A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>
<p>125.178 Enhance efforts to prevent and eradicate all forms of violence against women and girls, as well as discrimination, including by expediting the adoption of the bill on the right of women to a life free of violence and by conducting a review of the current anti-discrimination law (Lithuania);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>F13 Violence against women F12 Discrimination against women A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women - girls</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.174 Take specific measures to prevent and combat violence and ill-treatment against women in all spheres (Honduras); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>
<p>125.177 Continue and enhance efforts to combat all forms of gender-based violence against women (Liechtenstein); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	Supported	<p>F13 Violence against women S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions Affected persons: - women</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.162 Adopt an effective strategy to prevent discrimination and violence against women (Uzbekistan);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>F13 Violence against women S16 SDG 16 - peace, justice and strong institutions S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women</p>	<p>Women in Chile are disproportionately affected by different forms of gender-based violence. A bill to move towards a comprehensive approach to violence against women has been pending in Congress since 2017 and has not been passed yet. There is still no cross-sectoral coordinating mechanism to lead on the implementation of a range of policies for prevention and response to gender-based violence which has negative impact on the situation on the ground.</p>
<p><i>Theme: G4 Migrants</i></p>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.265 Develop the legal framework to guarantee the rights of all migrants, regardless of their status, and to promote orderly, safe and regular migration (Mexico); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>G4 Migrants A41 Constitutional and legislative framework S10 SDG 10 - inequality Affected persons: - migrants</p>	<p>In 2021, Law 21.325 was enacted, establishing the Immigration and Emigration Law. The law aimed to make it easier for authorities to promptly remove and return foreign nationals who tried to enter the country avoiding immigration controls. These provisions may result in the violation of several rights, including the right to seek asylum and be protected from being returned to a place where one's life and rights may be at risk (non-refoulement), the right to due process and the right to an effective judicial remedy.</p> <p>There are also difficulties in the implementation of the Immigration and Emigration Law, including the functioning of the National Migration Service; the issuance of humanitarian visas to survivors of domestic violence, human trafficking, and pregnant women; the full compliance of Chile's obligation to ensure the rights of children and adolescents in human mobility contexts; and the establishment of a formal procedure for the regularization of individuals in an irregular migratory situation.</p>

<p>125.262 Ensure that measures under the migration policy in Chile guarantee the protection of the basic rights of migrants, in accordance with its international commitments (Haiti); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>G4 Migrants A42 Institutions & policies - General B32 Racial discrimination S10 SDG 10 - inequality Affected persons: - migrants</p>	<p>In 2021, Law 21.325 was enacted, establishing the Immigration and Emigration Law. The law aimed to make it easier for authorities to promptly remove and return foreign nationals who tried to enter the country avoiding immigration controls. These provisions may result in the violation of several rights, including the right to seek asylum and be protected from being returned to a place where one's life and rights may be at risk (non-refoulement), the right to due process and the right to an effective judicial remedy.</p> <p>There are also difficulties in the implementation of the Immigration and Emigration Law, including the functioning of the National Migration Service; the issuance of humanitarian visas to survivors of domestic violence, human trafficking, and pregnant women; the full compliance of Chile's obligation to ensure the rights of children and adolescents in human mobility contexts; and the establishment of a formal procedure for the regularization of individuals in an irregular migratory situation.</p> <p>Chilean authorities continue to apply unlawful measures and practices that hamper access to international protection. They have imposed asylum seekers the requirement to self-report</p>
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Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p>their irregular entry to access the asylum procedure. Authorities have also established a pre-eligibility review of asylum applications. In practice, these measures have resulted in the severe barriers to access the asylum procedure for Venezuelans and extremely low recognition rates, leaving the majority of Venezuelans in a situation of irregularity, with serious difficulties to access to education, health services and employment.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.263 Strengthen the necessary legislative and policy measures to combat discrimination against migrants, asylum seekers and refugees in all spheres (Honduras); Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>G4 Migrants G5 Refugees & asylum seekers B31 Equality & non-discrimination A41 Constitutional and legislative framework S10 SDG 10 - inequality Affected persons: - migrants - refugees & asylum seekers</p>	<p>There has been a proliferation of legal initiatives that, if passed, would severely restrict the rights of refugees and migrants. These initiatives would entail the expansion of the detention of migrants; for the facilitation of expulsions, in breach of due process; they also lay down pre-admissibility procedures for asylum claims and impose tight deadlines. There is a proposal that, if passed, would create the criminal offence of “irregular entry” into the country, which would violate the principle of non-penalization of article 31 of the Geneva Convention on the Status of Refugees, that prohibits States to sanction asylum seekers for irregular entry into a country. These bills would restrict refugees’ and migrants’ right to liberty, due process and hamper asylum seekers’ right to a fair and effective asylum procedure.</p>

<p>125.266 Scale up its efforts in ensuring the protection and promotion of the rights of migrants (Nigeria). Source of position: A/HRC/41/6/Add.1 - Para. 5</p>	<p>Supported</p>	<p>G4 Migrants S10 SDG 10 - inequality Affected persons: - migrants</p>	<p>In 2021, Law 21.325 was enacted, establishing the Immigration and Emigration Law. The law aimed to make it easier for authorities to promptly remove and return foreign nationals who tried to enter the country avoiding immigration controls. These provisions may result in the violation of several rights, including the right to seek asylum and be protected from being returned to a place where one's life and rights may be at risk (non-refoulement), the right to due process and the right to an effective judicial remedy.</p> <p>There are also difficulties in the implementation of the Immigration and Emigration Law, including the functioning of the National Migration Service; the issuance of humanitarian visas to survivors of domestic violence, human trafficking, and pregnant women; the full compliance of Chile's obligation to ensure the rights of children and adolescents in human mobility contexts; and the establishment of a formal procedure for the regularization of individuals in an irregular migratory situation.</p> <p>Chilean authorities continue to apply unlawful measures and practices that hamper access to international protection. They have imposed asylum seekers the requirement to self-report</p>
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Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p>their irregular entry to access the asylum procedure. Authorities have also established a pre-eligibility review of asylum applications. In practice, these measures have resulted in the severe barriers to access the asylum procedure for Venezuelans and extremely low recognition rates, leaving the majority of Venezuelans in a situation of irregularity, with serious difficulties to access to education, health services and employment.</p>
<p><i>Theme: B52 Impunity</i></p>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.85 Continue the process of addressing the human rights violations committed during the dictatorship, as the reports submitted show that challenges remain for Chile in its process of transitional justice and that many victims and their families still have not received the appropriate reparations from the State (Romania); Source of position: A/HRC/41/6/Add.1 - Para. 37</p>	<p>Supported/ Noted</p>	<p>B52 Impunity B51 Right to an effective remedy B53 Support to victims and witnesses S16 SDG 16 - peace, justice and strong institutions Affected persons: - general - judges, lawyers and prosecutors</p>	<p>Regarding enforced disappearances, the government announced the "National Plan to Search for the Victims of Enforced Disappearances During the Civil-Military Dictatorship," which aims to investigate the cases and identify the victims. Regardless, there is still an alarming delay in the effective incorporation into national legislation of the set of obligations provided for in the International Convention for the Protection of All Persons from Enforced Disappearance.</p> <p>Enforced disappearance in Chile is not considered a crime. Despite having a bill in place to include it in the Penal Code, it has not been approved yet.</p> <p>Decree Law 2.191 (Amnesty Law) is still in effect and has not been removed from national legislation, even though it's not being currently applied by judges and tribunals.</p>
<p><i>Theme: G3 Indigenous peoples</i></p>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.233 Continue its action to improve the situation of indigenous peoples, including by implementing consultation mechanisms and by considering revising the antiterrorism law (Italy);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 39</p>	<p>Supported/ Noted</p>	<p>G3 Indigenous peoples B8 Human rights & counter-terrorism A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples</p>	<p>The Anti-Terrorism Law (Law 18.314) contains elements that violate human rights standards, both in terms of the broadness and lack of clarity of the definition of terrorist crimes and in terms of due process, due to the existing provisions on the extension of the period of judicial control over detentions, the secrecy of parts of the case file and, the use of protected witnesses. Application of this law has particularly affected persons of Mapuche origin that have been criminalized without due process.</p>
<p><i>Theme: B51 Right to an effective remedy</i></p>			
<p>125.52 Consider abrogating the amnesty law (Italy);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 15</p>	<p>Noted</p>	<p>B51 Right to an effective remedy A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Decree Law 2.191 (Amnesty Law) is still in effect and has not been removed from national legislation, even though it's not being currently applied by judges and tribunals.</p>
<p><i>Theme: B8 Human rights & counter-terrorism</i></p>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.236 Ensure that the implementation of the antiterrorism law is non-discriminatory, including as regards indigenous peoples (Sweden);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 25</p>	Noted	<p>B8 Human rights & counter-terrorism A41 Constitutional and legislative framework B31 Equality & non-discrimination G3 Indigenous peoples S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - general - Indigenous peoples</p>	<p>The Anti-Terrorism Law (Law 18.314) contains elements that violate human rights standards, both in terms of the broadness and lack of clarity of the definition of terrorist crimes and in terms of due process, due to the existing provisions on the extension of the period of judicial control over detentions, the secrecy of parts of the case file and, the use of protected witnesses. Application of this law has particularly affected persons of Mapuche origin that have been criminalized without due process.</p>
<p>125.237 Apply the antiterrorism law in accordance with international human rights norms so that it does not target the peaceful claims of indigenous peoples and of human rights defenders (Switzerland);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 25</p>	Noted	<p>B8 Human rights & counter-terrorism G3 Indigenous peoples H1 Human rights defenders S16 SDG 16 - peace, justice and strong institutions</p> <p>Affected persons: - Indigenous peoples - human rights defenders</p>	<p>The Anti-Terrorism Law (Law 18.314) contains elements that violate human rights standards, both in terms of the broadness and lack of clarity of the definition of terrorist crimes and in terms of due process, due to the existing provisions on the extension of the period of judicial control over detentions, the secrecy of parts of the case file and, the use of protected witnesses. Application of this law has particularly affected persons of Mapuche origin that have been criminalized without due process.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.89 Refrain from applying the antiterrorism law in the context of social protests by Mapuche peoples seeking to claim their rights (Czechia);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 31</p>	<p>Noted</p>	<p>B8 Human rights & counter-terrorism G3 Indigenous peoples S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples - judges, lawyers and prosecutors</p>	<p>The Anti-Terrorism Law (Law 18.314) contains elements that violate human rights standards, both in terms of the broadness and lack of clarity of the definition of terrorist crimes and in terms of due process, due to the existing provisions on the extension of the period of judicial control over detentions, the secrecy of parts of the case file and, the use of protected witnesses. Application of this law has particularly affected persons of Mapuche origin that have been criminalized without due process.</p>
<p>125.241 Review the antiterrorism law to remove its application to indigenous land activism (Australia);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 35</p>	<p>Noted</p>	<p>B8 Human rights & counter-terrorism G3 Indigenous peoples S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples</p>	<p>The Anti-Terrorism Law (Law 18.314) contains elements that violate human rights standards, both in terms of the broadness and lack of clarity of the definition of terrorist crimes and in terms of due process, due to the existing provisions on the extension of the period of judicial control over detentions, the secrecy of parts of the case file and, the use of protected witnesses. Application of this law has particularly affected persons of Mapuche origin that have been criminalized without due process.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.244 Ensure that the application of the antiterrorism law does not violate the human rights of indigenous peoples (Norway); Source of position: A/HRC/41/6/Add.1 - Para. 25</p>	<p>Noted</p>	<p>B8 Human rights & counter-terrorism G3 Indigenous peoples S16 SDG 16 - peace, justice and strong institutions Affected persons: - Indigenous peoples</p>	<p>The Anti-Terrorism Law (Law 18.314) contains elements that violate human rights standards, both in terms of the broadness and lack of clarity of the definition of terrorist crimes and in terms of due process, due to the existing provisions on the extension of the period of judicial control over detentions, the secrecy of parts of the case file and, the use of protected witnesses. Application of this law has particularly affected persons of Mapuche origin that have been criminalized without due process.</p>
<p><i>Theme: D25 Prohibition of torture and cruel, inhuman or degrading treatment</i></p>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.75 Ensure the prompt and impartial investigation of all complaints of excessive use of force by law enforcement and security personnel, as well as appropriate compensation to victims (Czechia); Source of position: A/HRC/41/6/Add.1 - Para. 20</p>	<p>Noted</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment B51 Right to an effective remedy B53 Support to victims and witnesses S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors - law enforcement / police officials</p>	<p>Judicial response for human rights violations committed during the social upheaval in Chile in 2021 shows deficiencies in the fulfilment of due diligence in the investigations. This is largely due to the use of the "provisional archiving" of cases. Up until August 2023 Amnesty International received information from the National Prosecutor Office that, among 10.568 complaints on human rights violations committed during the 2021 social upheaval, only 27 convictions have been enacted. Up until September 2023 no high command authority has faced criminal prosecution regarding their responsibility on human rights violations occurred during the social upheaval.</p> <p>Regarding cases of torture involving persons deprived of their liberty in the context of social upheaval and other contexts (especially in prisons), the Committee for the Prevention of Torture identified cases of physical and psychological ill-treatment, sexual violence, and problems of habitability of detention facilities.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.74 Work to eliminate and combat impunity for acts of violence by law enforcement personnel, including sexual violence, against peaceful demonstrators (Cuba); Source of position: A/HRC/41/6/Add.1 - Para. 29</p>	<p>Noted</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors - law enforcement / police officials</p>	<p>Judicial response for human rights violations committed during the social upheaval in Chile in 2021 shows deficiencies in the fulfilment of due diligence in the investigations. This is largely due to the use of the "provisional archiving" of cases. Up until August 2023 Amnesty International received information from the National Prosecutor Office that, among 10.568 complaints on human rights violations committed during the 2021 social upheaval, only 27 convictions have been enacted. Up until September 2023 no high command authority has faced criminal prosecution regarding their responsibility on human rights violations occurred during the social upheaval.</p> <p>Regarding cases of torture involving persons deprived of their liberty in the context of social upheaval and other contexts (especially in prisons), the Committee for the Prevention of Torture identified cases of physical and psychological ill-treatment, sexual violence, and problems of habitability of detention facilities.</p>

Theme: D31 Liberty and security - general

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.61 Adopt necessary legal acts concerning the use of force by law enforcement officers and the security forces (Russian Federation); Source of position: A/HRC/41/6/Add.1 - Para. 18</p>	<p>Noted</p>	<p>D31 Liberty and security - general D25 Prohibition of torture and cruel, inhuman or degrading treatment A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions Affected persons: - law enforcement / police officials</p>	<p>Regarding the functions performed by Carabineros de Chile, even though the institution has developed a series of internal instruments to regulate the use of force in the maintenance of public order, the fact is that the State has not fully complied with national and international recommendations. This means that the institution continues to use less lethal weapons inadequately. The absence of a law regulating the use of force and less-lethal weapons is also a matter of concern. On April 10, 2023, the government submitted a bill "Establishing General Rules on the Use of Force by Law Enforcement and Public Security Forces and Armed Forces Personnel," which seeks to align existing regulations with international standards.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.62 Uphold procedures to ensure that law enforcement agencies follow the rule of law and prevent abusive practices, particularly against the Mapuche community (United Kingdom of Great Britain and Northern Ireland); Source of position: A/HRC/41/6/Add.1 - Para. 19</p>	<p>Noted</p>	<p>D31 Liberty and security - general D25 Prohibition of torture and cruel, inhuman or degrading treatment S16 SDG 16 - peace, justice and strong institutions Affected persons: - minorities/ racial, ethnic, linguistic, religious or descent-based groups - Indigenous peoples - vulnerable persons/groups - law enforcement / police officials</p>	<p>Regarding the functions performed by Carabineros de Chile, even though the institution has developed a series of internal instruments to regulate the use of force in the maintenance of public order, the fact is that the State has not fully complied with national and international recommendations. This means that the institution continues to use less lethal weapons inadequately. The absence of a law regulating the use of force and less-lethal weapons is also a matter of concern. On April 10, 2023, the government submitted a bill "Establishing General Rules on the Use of Force by Law Enforcement and Public Security Forces and Armed Forces Personnel," which seeks to align existing regulations with international standards.</p>
<p><i>Theme: D32 Enforced disappearances</i></p>			
<p>125.81 Ensure the effective investigation of all unclarified cases of disappearance and regular dialogue with the Working Group on Enforced or Involuntary Disappearances of the Human Rights Council (Belarus); Source of position: A/HRC/41/6/Add.1 - Para. 21</p>	<p>Noted</p>	<p>D32 Enforced disappearances B51 Right to an effective remedy S16 SDG 16 - peace, justice and strong institutions Affected persons: - judges, lawyers and prosecutors - disappeared persons</p>	<p>Regarding enforced disappearances, the government announced the "National Plan to Search for the Victims of Enforced Disappearances During the Civil-Military Dictatorship," which aims to investigate the cases and identify the victims. Regardless, there is still an alarming delay in the effective incorporation into national legislation of the set of obligations provided for in the International Convention for the Protection of All Persons from Enforced Disappearance.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<i>Theme: D43 Freedom of opinion and expression</i>			
<p>125.87 Take the necessary measures to ensure the rights of all people to freedom of expression and freedom of peaceful assembly and association (Cuba);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 30</p>	Noted	<p>D43 Freedom of opinion and expression D44 Right to peaceful assembly D45 Freedom of association S16 SDG 16 - peace, justice and strong institutions Affected persons: - general</p>	<p>Regarding the right to social protest, there are still difficulties associated with its lack of legal regulation. Even though the Chilean Constitution, in its article 19.13, protects the right to assemble peacefully and without arms, meetings in squares, streets and other places of public use continue to be legislated by Supreme Decree 1.086, approved in 1983 and regulatory in nature. Also, the requirement of prior authorization included in Supreme Decree 1.086, among other issues, renders this regulation inconsistent with the requirements of international standards.</p>
<i>Theme: E43 Access to sexual and reproductive health and services</i>			

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.131 Revise abortion legislation in accordance with the recommendations of the Committee on the Elimination of Discrimination against Women, especially with regard to rules on conscientious objection to ensure the protection of access to legal abortion (Norway); Source of position: A/HRC/41/6/Add.1 - Para. 34</p>	<p>Noted</p>	<p>E43 Access to sexual and reproductive health and services A41 Constitutional and legislative framework F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - medical staff</p>	<p>Although Law 21.030 legalizes abortion on three specific grounds, its implementation is undermined and remains limited due to inadequate legal regulation, with conscientious objection allowing for blanket refusals of provision of lawful services, even by entire institutions. Additionally, the partial decriminalization and lack of access to abortion in all circumstances leave many women, girls and pregnant people in need of abortion without access to vital healthcare. Chile has failed to adopt a legal framework allowing for abortion more broadly and establish a system guaranteeing equal and barrier-free access to safe abortion services even in cases permitted by the law.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.132 Extend the scope of Act No. 21.030 to decriminalize abortion in all cases and apply strict justification requirements to prevent the blanket use of conscientious objection (Slovenia);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 33</p>	<p>Noted</p>	<p>E43 Access to sexual and reproductive health and services A41 Constitutional and legislative framework F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women - medical staff</p>	<p>Although Law 21.030 legalizes abortion on three specific grounds, its implementation is undermined and remains limited due to inadequate legal regulation, with conscientious objection allowing for blanket refusals of provision of lawful services, even by entire institutions. Additionally, the partial decriminalization and lack of access to abortion in all circumstances leave many women, girls and pregnant people in need of abortion without access to vital healthcare. Chile has failed to adopt a legal framework allowing for abortion more broadly and establish a system guaranteeing equal and barrier-free access to safe abortion services even in cases permitted by the law.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.133 Eliminate all barriers to the full implementation of the abortion law, including institutional conscientious objection (Sweden); Source of position: A/HRC/41/6/Add.1 - Para. 33</p>	<p>Noted</p>	<p>E43 Access to sexual and reproductive health and services A41 Constitutional and legislative framework F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - medical staff</p>	<p>Although Law 21.030 legalizes abortion on three specific grounds, its implementation is undermined and remains limited due to inadequate legal regulation, with conscientious objection allowing for blanket refusals of provision of lawful services, even by entire institutions. Additionally, the partial decriminalization and lack of access to abortion in all circumstances leave many women, girls and pregnant people in need of abortion without access to vital healthcare. Chile has failed to adopt a legal framework allowing for abortion more broadly and establish a system guaranteeing equal and barrier-free access to safe abortion services even in cases permitted by the law.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.134 Decriminalize abortion in further cases, in particular when there is a risk to the physical or mental health of the pregnant woman, or when the pregnancy is the result of incest (Sweden); Source of position: A/HRC/41/6/Add.1 - Para. 34</p>	<p>Noted</p>	<p>E43 Access to sexual and reproductive health and services A41 Constitutional and legislative framework F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment F13 Violence against women Affected persons: - women</p>	<p>Although Law 21.030 legalizes abortion on three specific grounds, its implementation is undermined and remains limited due to inadequate legal regulation, with conscientious objection allowing for blanket refusals of provision of lawful services, even by entire institutions. Additionally, the partial decriminalization and lack of access to abortion in all circumstances leave many women, girls and pregnant people in need of abortion without access to vital healthcare. Chile has failed to adopt a legal framework allowing for abortion more broadly and establish a system guaranteeing equal and barrier-free access to safe abortion services even in cases permitted by the law.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.126 Extend the scope of Act No. 21.030 to decriminalize abortion in all cases and apply strict justification requirements to prevent the blanket use of conscientious objection (Belgium);</p> <p>Source of position: A/HRC/41/6/Add.1 - Para. 33</p>	<p>Noted</p>	<p>E43 Access to sexual and reproductive health and services F12 Discrimination against women A41 Constitutional and legislative framework S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment</p> <p>Affected persons: - women - medical staff</p>	<p>Although Law 21.030 legalizes abortion on three specific grounds, its implementation is undermined and remains limited due to inadequate legal regulation, with conscientious objection allowing for blanket refusals of provision of lawful services, even by entire institutions. Additionally, the partial decriminalization and lack of access to abortion in all circumstances leave many women, girls and pregnant people in need of abortion without access to vital healthcare. Chile has failed to adopt a legal framework allowing for abortion more broadly and establish a system guaranteeing equal and barrier-free access to safe abortion services even in cases permitted by the law.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.127 Ensure that public health establishments have at least one team qualified to provide abortion services that does not plead “conscientious objection” (Denmark); Source of position: A/HRC/41/6/Add.1 - Para. 33</p>	<p>Noted</p>	<p>E43 Access to sexual and reproductive health and services F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - medical staff</p>	<p>Although Law 21.030 legalizes abortion on three specific grounds, its implementation is undermined and remains limited due to inadequate legal regulation, with conscientious objection allowing for blanket refusals of provision of lawful services, even by entire institutions. Additionally, the partial decriminalization and lack of access to abortion in all circumstances leave many women, girls and pregnant people in need of abortion without access to vital healthcare. Chile has failed to adopt a legal framework allowing for abortion more broadly and establish a system guaranteeing equal and barrier-free access to safe abortion services even in cases permitted by the law.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.129 Eliminate remaining barriers to women’s access to safe and legal abortion (Germany); Source of position: A/HRC/41/6/Add.1 - Para. 24</p>	<p>Noted</p>	<p>E43 Access to sexual and reproductive health and services F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment Affected persons: - women</p>	<p>Although Law 21.030 legalizes abortion on three specific grounds, its implementation is undermined and remains limited due to inadequate legal regulation, with conscientious objection allowing for blanket refusals of provision of lawful services, even by entire institutions. Additionally, the partial decriminalization and lack of access to abortion in all circumstances leave many women, girls and pregnant people in need of abortion without access to vital healthcare. Chile has failed to adopt a legal framework allowing for abortion more broadly and establish a system guaranteeing equal and barrier-free access to safe abortion services even in cases permitted by the law.</p>

Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
<p>125.130 Eliminate existing barriers that deny women access to safe and legal voluntary termination of pregnancy and introduce stricter justification requirements to prevent the blanket use by medical institutions and practitioners of conscientious objection (Iceland); Source of position: A/HRC/41/6/Add.1 - Para. 34</p>	<p>Noted</p>	<p>E43 Access to sexual and reproductive health and services F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment Affected persons: - women - medical staff</p>	<p>Although Law 21.030 legalizes abortion on three specific grounds, its implementation is undermined and remains limited due to inadequate legal regulation, with conscientious objection allowing for blanket refusals of provision of lawful services, even by entire institutions. Additionally, the partial decriminalization and lack of access to abortion in all circumstances leave many women, girls and pregnant people in need of abortion without access to vital healthcare. Chile has failed to adopt a legal framework allowing for abortion more broadly and establish a system guaranteeing equal and barrier-free access to safe abortion services even in cases permitted by the law.</p>

Theme: G4 Migrants

<p>125.259 Formulate with a rights-based approach comprehensive and inclusive public policies concerning migrants and their families, ensuring access to housing, education, health and employment (Bangladesh); Source of position: A/HRC/41/6/Add.1 - Para. 26</p>	<p>Noted</p>	<p>G4 Migrants E23 Right to adequate housing E31 Right to work E41 Right to health - General E51 Right to education - General A42 Institutions & policies - General S10 SDG 10 - inequality Affected persons: - migrants</p>	<p>In 2021, Law 21.325 was enacted, establishing the Immigration and Emigration Law. The law aimed to make it easier for authorities to promptly remove and return foreign nationals who tried to enter the country avoiding immigration controls. These provisions may result in the violation of several rights, including the right to seek asylum and be protected from being returned to a place where one's life and rights may be at risk (non-refoulement), the right to due process and the right to an effective judicial remedy.</p> <p>There are also difficulties in the implementation of the Immigration and Emigration Law, including the functioning of the National Migration Service; the issuance of humanitarian visas to survivors of domestic violence, human trafficking, and pregnant women; the full compliance of Chile's obligation to ensure the rights of children and adolescents in human mobility contexts; and the establishment of a formal procedure for the regularization of individuals in an irregular migratory situation.</p> <p>Chilean authorities continue to apply unlawful measures and practices that hamper access to international protection. They have imposed asylum seekers the requirement to self-report</p>
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Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p>their irregular entry to access the asylum procedure. Authorities have also established a pre-eligibility review of asylum applications. In practice, these measures have resulted in the severe barriers to access the asylum procedure for Venezuelans and extremely low recognition rates, leaving the majority of Venezuelans in a situation of irregularity, with serious difficulties to access to education, health services and employment.</p>

<p>125.264 Enable persons subject to deportation to enjoy their full legal rights (Jordan); Source of position: A/HRC/41/6/Add.1 - Para. 27</p>	<p>Noted</p>	<p>G4 Migrants S10 SDG 10 - inequality Affected persons: - migrants</p>	<p>In 2021, Law 21.325 was enacted, establishing the Immigration and Emigration Law. The law aimed to make it easier for authorities to promptly remove and return foreign nationals who tried to enter the country avoiding immigration controls. These provisions may result in the violation of several rights, including the right to seek asylum and be protected from being returned to a place where one's life and rights may be at risk (non-refoulement), the right to due process and the right to an effective judicial remedy.</p> <p>There are also difficulties in the implementation of the Immigration and Emigration Law, including the functioning of the National Migration Service; the issuance of humanitarian visas to survivors of domestic violence, human trafficking, and pregnant women; the full compliance of Chile's obligation to ensure the rights of children and adolescents in human mobility contexts; and the establishment of a formal procedure for the regularization of individuals in an irregular migratory situation.</p> <p>Chilean authorities continue to apply unlawful measures and practices that hamper access to international protection. They have imposed asylum seekers the requirement to self-report</p>
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Recommendation	Position	Full list of themes	Assessment/comments on level of implementation
			<p>their irregular entry to access the asylum procedure. Authorities have also established a pre-eligibility review of asylum applications. In practice, these measures have resulted in the severe barriers to access the asylum procedure for Venezuelans and extremely low recognition rates, leaving the majority of Venezuelans in a situation of irregularity, with serious difficulties to access to education, health services and employment.</p>

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