

CHILI.

DES DETTES À PAYER POUR LES ATTEINTES AUX DROITS HUMAINS PASSÉES ET ACTUELLES

AMNESTY INTERNATIONAL :
COMMUNICATION POUR LA 46^E SESSION DU GROUPE DE TRAVAIL SUR L'EPU, MAI 2024
(ANNEXES EN ANGLAIS)

RÉSUMÉ

Ces informations ont été préparées en vue de l'examen périodique universel (EPU) du Chili, qui se tiendra en mai 2024. Dans le présent document, Amnesty International analyse la situation des droits humains au Chili, et les mesures prises par le pays pour se conformer aux recommandations reçues lors du précédent examen, notamment en ce qui concerne les atteintes aux droits humains commises par le passé, les droits des femmes et les droits des personnes migrantes et réfugiées.

Ce document examine également le cadre national des droits humains, en particulier en ce qui a trait aux violations des droits humains commises par le passé, au programme relatif à la sécurité, au droit de réunion pacifique, à l'interdiction de la torture et autres peines et traitements cruels, inhumains ou dégradants, aux droits des femmes, aux droits des personnes migrantes et réfugiées, aux droits des peuples autochtones, à la situation des défenseur-e-s des droits humains et au statut de l'institution nationale pour les droits humains.

Pour ce qui est de la situation des droits humains sur le terrain, Amnesty International exprime ses préoccupations au sujet des violations des droits humains commises par le passé, du droit de réunion pacifique, de l'interdiction de la torture et autres peines ou traitements cruels, inhumains ou dégradants, et de la situation des défenseur-e-s des droits humains.

La présente communication s'achève sur une série de recommandations à l'intention du Chili, qui, si elles étaient appliquées, contribueraient à améliorer la situation des droits humains.

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Amnesty International est un mouvement mondial réunissant plus de 10 millions de personnes qui agissent pour que les droits fondamentaux de chaque personne soient respectés.

La vision d'Amnesty International est celle d'un monde où chacun-e peut se prévaloir de tous les droits énoncés dans la Déclaration universelle des droits de l'homme et dans d'autres textes internationaux relatifs aux droits humains.

Essentiellement financée par ses membres et les dons de particuliers, Amnesty International est indépendante de tout gouvernement, de toute tendance politique, de toute puissance économique et de tout groupement religieux.

LE PRÉCÉDENT EXAMEN ET SES SUITES

1. Le Chili avait pris note d'une recommandation lui conseillant de mener des enquêtes efficaces sur les cas non élucidés de disparitions forcéesⁱ. Cependant, la mise en œuvre des mesures annoncées par le pays en ce qui concerne l'identification et la recherche des personnes victimes de disparitions forcées demeure lacunaire. L'annonce du Plan pour la recherche des personnes disparues est pertinente, mais pour constituer une réelle avancée dans la recherche des victimes de disparition forcée il faudrait que ce plan dispose de suffisamment de ressources, qu'il envisage la participation des proches des victimes à toutes les étapes, et qu'il puisse compter sur la collaboration des forces arméesⁱⁱ.
2. En ce qui concerne la responsabilité pour les violations des droits humains commises par le passé, le Chili avait accepté une recommandation qui l'incitait à renforcer les mesures permettant aux enquêtes sur les violations des droits humains durant la dictature d'être plus efficaces et de punir les responsablesⁱⁱⁱ. La validité de la loi d'amnistie (Décret-loi 2.191) constitue toujours un obstacle à la justice, à la vérité et aux réparations pour les victimes.
3. Au sujet des droits sexuels et reproductifs, le Chili a approuvé la recommandation qui lui était faite de « garantir l'accès à des services de santé pour les femmes désirant avorter dans les cas prévus par la loi »^{iv}, et a pris note de huit recommandations relatives à l'élimination des obstacles qui freinent l'accès aux services de santé liés à l'avortement^v. Le Chili n'a pas été en mesure d'évoluer vers un encadrement plus large de l'avortement, ni de mettre en place un système où aucun obstacle légal ou institutionnel n'empêche l'accès équitable et sécurisé à l'avortement^{vi}.
4. En ce qui concerne les droits des personnes réfugiées et migrantes, le Chili a approuvé cinq recommandations relatives à leur protection, notamment l'adoption de mesures législatives et politiques^{vii}, et a pris note de trois autres^{viii}. À ce jour, il n'existe aucune approche fondée sur les droits de la situation des personnes réfugiées et migrantes au Chili. Le gouvernement et les législateurs ont adopté des mesures ayant mené à la criminalisation de personnes réfugiées et migrantes et à la violation de leurs droits, notamment le droit de solliciter l'asile^{ix}.
5. Au sujet des droits des peuples autochtones, le Chili a pris note de cinq recommandations qui lui demandaient de faire en sorte que l'application de la loi antiterroriste ne viole pas les droits humains des peuples autochtones^x. Le Chili n'a pas modifié la loi antiterroriste et l'application de ce texte continue à affecter les personnes d'origine Mapuche^{xi}.

LE CADRE NATIONAL DE PROTECTION DES DROITS HUMAINS

Violations des droits humains commises par le passé

6. En ce qui concerne les disparitions forcées, le gouvernement a annoncé la mise en place d'un « Plan national de recherche des victimes de disparition forcée durant la dictature civile-militaire », qui vise à mener des enquêtes et à identifier les victimes. Cependant, le pays n'a pas encore véritablement transposé dans la législation nationale ses obligations au titre de la Convention internationale pour la protection de toutes les personnes contre les disparitions forcées.
7. La disparition forcée n'est pas encore considérée comme un crime au Chili. Un projet de loi proposant de l'intégrer au Code pénal n'a pas encore été adopté.
8. Il est également inquiétant de constater que le Décret-loi 2.191 (loi d'amnistie) est toujours en vigueur et n'a pas été retiré de la législation nationale, même s'il n'est actuellement pas appliqué par les juges et les tribunaux.

Droit de réunion pacifique

9. En ce qui concerne le droit de manifester dans le cadre de mouvements sociaux, des difficultés persistent en raison du manque de cadre juridique. Bien que la Constitution chilienne, dans son article 19.13, protège le droit de réunion pacifique et non armée, les rassemblements dans les parcs, les rues et autres lieux publics sont toujours régis par le Décret suprême 1.086, approuvé en 1983 et de nature réglementaire. En rendant obligatoire l'obtention d'une autorisation préalable au rassemblement, entre autres problèmes, le Décret suprême 1.086 entre en contradiction avec les exigences des normes internationales.

Programme relatif à la sécurité, et rôle des agents de l'État

10. Depuis 2023, le programme relatif à la sécurité a connu des évolutions préoccupantes^{xii}. L'une des plus inquiétantes est l'approbation, en avril 2023, de la loi 2.560, connue sous le nom de « loi Nain Retamal », qui vise à protéger les *Carabineros de Chile* et autres agents de police. Amnesty International est très préoccupée par cette loi, car ses applications créent des tensions avec les normes internationales relatives aux droits humains, en ce qui concerne : a) l'implication de l'armée dans les activités de maintien de l'ordre ; b) les enquêtes administratives sur les violations des droits humains ; c) la présomption de légalité en cas de recours à la force meurtrière par les forces de l'ordre ; et d) une modification de la description légale du crime de torture^{xiii}.
11. Au sujet des fonctions exercées par les *Carabineros de Chile*, bien que l'institution ait développé une série d'instruments internes visant à réglementer le recours à la force pour maintenir l'ordre public^{xiv}, le Chili ne s'est pas encore entièrement conformé aux normes internationales. Cela signifie que l'institution continue à utiliser des armes à létalité réduite de façon inappropriée^{xv}. L'absence de loi réglementant l'usage de la force et l'utilisation d'armes à létalité réduite est également préoccupante^{xvi}. Le 10 avril 2023, le gouvernement a soumis un projet de loi « établissant des règles générales sur l'usage de la force par les forces de l'ordre et de la sécurité publique et les membres des forces armées », visant à aligner les réglementations actuelles avec les normes internationales.

Interdiction de la torture et autres peines ou traitements cruels, inhumains ou dégradants

12. L'établissement par la loi 21.154 de 2020 d'un Comité pour la prévention de la torture, organe au fonctionnement indépendant, est une évolution positive. Le travail de cette entité a rendu possibles l'identification et l'établissement de cas dans lesquels des agents de l'État ont agi au mépris des normes d'interdiction de la torture et autres peines ou traitements cruels, inhumains ou dégradants^{xvii}.

Droits sexuels et reproductifs et protection face aux violences fondées sur le genre

13. Bien que la loi 21.030 légalise l'avortement dans trois cas spécifiques, elle n'est pas vraiment appliquée et sa mise en œuvre est encore limitée par un encadrement juridique inapproprié : l'objection de conscience permet aux professionnels, et même à des institutions entières, d'opposer un refus quasi général de prestation de services pourtant légaux. Le Chili a pris note de six recommandations à ce sujet lors d'un précédent examen^{xviii}. De plus, la dépénalisation partielle et le manque d'accès à l'avortement dans toutes les circonstances laissent de nombreuses femmes, filles et personnes enceintes ayant besoin d'un avortement dans l'incapacité d'avoir accès à des soins de santé vitaux^{xix}. Le Chili n'a pas adopté de cadre légal permettant un accès plus large à l'avortement, ni établi de système garantissant un accès équitable et sans obstacle à des services d'avortement sécurisé, même dans les cas prévus par la loi.
14. Les femmes au Chili sont touchées de façon disproportionnée par différentes formes de violences liées au genre. Un projet de loi proposant une approche globale des violences faites aux femmes est en cours d'examen au Congrès depuis 2017 et n'a pas encore été adopté. Il n'y a toujours aucun mécanisme permettant une coordination entre les différents secteurs pour mener la mise en œuvre d'un ensemble de

mesures de prévention et d'intervention face à la violence fondée sur le genre, ce qui a un impact négatif sur la situation sur le terrain.

Droits des personnes réfugiées ou migrantes

15. En 2021, les arrestations et les expulsions collectives de migrant-e-s se sont poursuivies au Chili^{xx}.
16. En 2021, la loi 21.325 a été promulguée, établissant ainsi la loi relative à l'immigration et à l'émigration. Cette loi visait à faire en sorte que les autorités puissent plus simplement renvoyer dans leur pays des personnes étrangères ayant tenté d'entrer sur le territoire national sans passer par les contrôles de l'immigration. Les dispositions de ce texte pourraient entraîner la violation de plusieurs droits, notamment le droit de solliciter l'asile et d'être protégé contre un retour forcé dans un endroit où sa vie et ses droits pourraient être en danger (principe de « non-refoulement »), le droit à une procédure régulière et le droit à un recours judiciaire effectif^{xxi}.
17. La mise en œuvre de la loi relative à l'immigration et à l'émigration pose également des difficultés : le fonctionnement du Service national des migrations ; l'émission de visas humanitaires pour les femmes enceintes et les victimes de violence domestique et de traite des êtres humains ; la conformité avec l'obligation du Chili de protéger les droits des enfants et des adolescents dans des situations de mobilité humaine ; et l'établissement d'une procédure formelle pour la régularisation des personnes migrantes en situation irrégulière^{xxii}.
18. Les initiatives juridiques dont l'adoption restreindrait fortement les droits des personnes réfugiées et migrantes se sont multipliées. Ces initiatives impliqueraient la prolongation de la durée de détention pour les migrant-e-s^{xxiii} et rendraient les expulsions plus faciles, en violation de toute procédure régulière^{xxiv}. Elles prévoient également des procédures de préadmissibilité pour les demandes d'asile et imposeraient des délais serrés^{xxv}. L'une de ces propositions, si elle était adoptée, créerait l'infraction pénale d'« entrée irrégulière » sur le territoire, ce qui constituerait une violation du principe de non-pénalisation prévu à l'article 31 de la Convention de Genève relative au statut des réfugiés, qui interdit aux États de sanctionner les demandeur-euse-s d'asile pour leur entrée illégale dans un pays^{xxvi}. Ces projets de loi restreindraient le droit à la liberté des réfugié-e-s et migrant-e-s et leur droit à une procédure régulière, et entraveraient le droit à une procédure d'asile équitable et efficace.
19. Les autorités chiliennes continuent à appliquer des mesures et pratiques illégales qui entravent l'accès à la protection internationale. Elles ont imposé aux demandeur-euse-s d'asile de signaler eux-mêmes leur entrée irrégulière sur le territoire pour pouvoir avoir accès à la procédure de demande d'asile. Les autorités ont également établi un examen de préadmissibilité des demandes d'asile. En pratique, ces mesures ont établi d'importants obstacles à l'accès à la procédure de demande d'asile pour les Vénézuélien-ne-s et provoquent un taux de reconnaissance extrêmement faible, laissant ainsi les Vénézuélien-ne-s dans une situation irrégulière avec d'énormes difficultés d'accès à l'éducation, à la santé et à l'emploi^{xxvii}.

Droits des peuples autochtones

20. La loi antiterroriste (loi 18.314) contient des éléments contraires aux normes relatives aux droits humains : d'une part la définition des crimes terroristes, trop large et pas assez claire, et d'autre part l'irrégularité de la procédure, notamment en raison des dispositions relatives à la prolongation de la période de contrôle judiciaire sur les détentions, du manque de transparence sur certaines parties des dossiers, et de l'utilisation de témoins protégés. L'application de cette loi a particulièrement affecté des personnes d'origine mapuche, qui ont été criminalisées sans respect d'une procédure régulière^{xxviii}.

Défenseur-e-s des droits humains

21. Les défenseur-e-s des droits humains sont encore régulièrement la cible d'attaques^{xxix}. L'Accord d'Escazú^{xxx} est entré en vigueur au Chili en 2022. Bien qu'un projet de loi relatif à sa mise en œuvre ait été présenté en 2021, aucun réel progrès n'a été fait à ce jour.

Institutions nationales de défense des droits humains

22. Les institutions de défense des droits humains au Chili ont été renforcées par la création et la mise en œuvre du Sous-secrétariat des droits humains, et par la présence du Bureau du Défenseur des enfants dans plusieurs régions du pays. Cependant, un Bureau du Médiateur aux pouvoirs conformes aux Principes de Paris doit encore être créé.

LA SITUATION DES DROITS HUMAINS SUR LE TERRAIN

Violations des droits humains commises par le passé

23. Aucun progrès n'a été fait pour approuver une loi mémorielle qui reconnaîtrait, protégerait et financerait des activités visant à construire et à entretenir la mémoire des centaines de sites utilisés comme centres de détention, de torture et d'extermination dans le cadre des violations des droits humains commises entre le 11 septembre 1973 et le 10 mars 1978.

Droit de réunion pacifique

24. Les enquêtes menées dans le cadre de la réponse judiciaire aux violations des droits humains commises au Chili durant les troubles sociaux de 2021 n'ont pas fait preuve de la diligence requise, entre autres à cause de l'utilisation d'un « archivage provisoire » des affaires^{xxxi}. Jusqu'en août 2023, Amnesty International a reçu des informations du Bureau du procureur national selon lesquelles, sur les 10 568 plaintes concernant des atteintes aux droits humains commises durant les troubles sociaux de 2021, seules 27 condamnations ont été prononcées^{xxxii}. En septembre 2023, aucun membre du haut commandement n'avait fait l'objet de poursuites pénales quant à sa responsabilité dans les atteintes aux droits humains commises durant les troubles sociaux^{xxxiii}.
25. Des irrégularités ont également été constatées dans l'élaboration d'une stratégie générale visant à fournir des réparations suffisantes aux victimes des atteintes aux droits humains commises durant les troubles sociaux de 2021. Il n'y a pas eu de déploiement transversal de mesures articulées décrivant l'aide juridique, les services de santé physique et mentale, les prestations de sécurité sociale et les mécanismes de mise en œuvre de la responsabilité civile des responsables^{xxxiv}.

Interdiction de la torture et autres peines ou traitements cruels, inhumains ou dégradants

26. En ce qui concerne les cas de torture de personnes privées de liberté dans le contexte de troubles sociaux ou tout autre contexte (notamment en prison), le Comité pour la prévention de la torture a identifié des cas de mauvais traitements physiques et psychologiques et de violences sexuelles, ainsi que des problèmes d'habitabilité de certains lieux de détention^{xxxv}.

Défenseur-e-s des droits humains

27. La protection des défenseur-e-s des droits humains et de l'environnement est insuffisante au Chili. Comme plusieurs enquêtes l'ont démontré, les défenseur-e-s des droits humains sont exposés à des risques lors de leurs activités, en raison de l'absence d'approche prenant en considération leur statut spécifique et les risques particuliers auxquels ils sont confrontés.

RECOMMANDATIONS À L'ÉTAT EXAMINÉ

Amnesty International appelle le gouvernement du Chili à prendre les mesures suivantes :

Violations des droits humains commises par le passé

28. Procéder aux modifications juridiques nécessaires pour que la disparition forcée soit considérée comme un crime au titre du droit national, conformément à la Convention internationale pour la protection de toutes les personnes contre les disparitions forcées, à laquelle le Chili est partie.
29. Abroger le Décret-loi 2.191 (loi d'amnistie), qu'il soit ou non appliqué dans des cas concrets.
30. Adopter des mesures normatives et institutionnelles pour protéger efficacement les lieux de commémoration.

Droit de réunion pacifique

31. Abroger le Décret suprême 1.086 et adopter une loi pour réglementer le droit de réunion pacifique conformément aux normes internationales relatives aux droits humains.
32. Renforcer et consolider la réponse judiciaire aux cas de violations des droits humains commises durant les troubles sociaux de 2021, mener les procès au plus vite, et définir les sanctions appropriées pour les personnes déclarées coupables à la suite d'une procédure régulière.
33. Progresser dans la mise en place d'un ensemble complet de mesures de réparation pour les victimes des violations des droits humains commises durant les troubles sociaux de 2021, pour déterminer la nature de ces mesures, les étapes du plan de réparation, et les financements nécessaires pour mettre en place toutes les mesures.

Programme relatif à la sécurité, et rôle des agents de l'État

34. Modifier la loi 21.560 (loi Nain Retamal) pour la rendre conforme au droit international relatif aux droits humains, en particulier en ce qui concerne le respect des conditions prévues pour la restriction des droits.
35. Adopter au plus vite le projet de loi « établissant des règles générales sur l'usage de la force par les forces de l'ordre et de la sécurité publique et les membres des forces armées » (Bulletin 15805-07).

Interdiction de la torture et autres peines ou traitements cruels, inhumains ou dégradants

36. Renforcer et consolider le mandat du Comité pour la prévention de la torture, en tant qu'organe de contrôle responsable de recommander un cadre d'action contre les violations de l'interdiction de la torture et autres peines ou traitements cruels, inhumains ou dégradants.

Droits sexuels et reproductifs et protection face aux violences fondées sur le genre

37. Veiller à ce que les refus de pratiquer des avortements pour des raisons de consciences (« objection de conscience ») soient bien encadrés par la loi, conformément aux normes et au droit international relatifs aux droits humains, et faire en sorte que toutes les femmes, filles et personnes enceintes puissent avoir accès à des services d'avortement sécurisés, sans obstacle ni délai.
38. Veiller à ce que le Congrès adopte le projet de loi sur les violences faites aux femmes (Bulletin 11077) de toute urgence, et établisse un mécanisme permettant une coordination entre les différents secteurs pour sa mise en œuvre.

Droits des personnes réfugiées ou migrantes

39. Respecter les droits des réfugié·e·s et des migrant·e·s, et ne pas adopter de mesures législatives affaiblissant le droit des réfugié·e·s de solliciter l'asile et le droit des migrants à la liberté et à une procédure régulière. Respecter le principe de « non-refoulement » dans toutes les circonstances, et abroger la disposition de la loi relative à l'immigration qui légalise l'expulsion des migrant·e·s et des réfugié·e·s sans procédure régulière.
40. Veiller à ce que les ressortissant·e·s du Venezuela aient accès à une procédure de demande d'asile efficace et juste, et qu'ils soient au plus vite reconnus comme des réfugié·e·s au titre de la Déclaration de Carthagène. Faire en sorte qu'ils ne soient plus refoulés à la frontière, qu'ils puissent accéder au territoire national, et ne pas les renvoyer au Venezuela.
41. Adopter des mesures de prévention et de lutte contre la xénophobie et toute autre forme de discrimination.

Droits des peuples autochtones

42. Modifier la loi antiterroriste pour abroger les dispositions incompatibles avec une procédure régulière, ajouter des références à la reconnaissance et à la protection des droits des peuples autochtones, interdire toute application discriminatoire de la loi, et mettre en place une supervision adaptée de sa mise en œuvre.

Défenseur·e·s des droits humains

43. Établir un cadre d'action pour se conformer à l'Accord d'Escazú, afin de progresser dans la mise en œuvre d'un ensemble de mesures pertinentes et efficaces pour protéger les défenseur·e·s des droits humains contre la violence et la criminalisation.

Institutions nationales de défense des droits humains

44. Mener des actions pour renforcer l'Institut national des droits humains et le Bureau du Défenseur des enfants, en leur donnant davantage de pouvoir, en élargissant leur présence sur le territoire national, et en leur allouant les ressources nécessaires.

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); 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); 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>	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>
<i>Theme: D29 Domestic violence</i>			
<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>	Supported	<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>
<i>Theme: D31 Liberty and security - general</i>			

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);</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 D26 Conditions of detention S16 SDG 16 - peace, justice and strong institutions</p> <p>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>	<p>Supported</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: - 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>	<p>Supported</p>	<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); 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); 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>	<p>Supported</p>	<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>	<p>Supported</p>	<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); 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); 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); 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 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>	Noted	<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>	Noted	<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>

Theme: D25 Prohibition of torture and cruel, inhuman or degrading treatment

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>
<p><i>Theme: D31 Liberty and security - general</i></p>			

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>
<p><i>Theme: G4 Migrants</i></p>			

<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
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- i Doc. ONU A/HRC/41/6, Recommandation 125.81 (Biélorussie).
- ii Amnesty International, « Chili. Cinquante ans après le coup d'État, il est vital pour l'avenir du pays de stimuler la mémoire historique », 8 septembre 2023, <https://www.amnesty.org/fr/latest/news/2023/09/chile-50-years-since-the-coup-detat-exercising-historical-memory-is-vital-for-the-countrys-future/>
- iii Doc. ONU A/HRC/41/6, Annexe 1, Recommandation 125.84 (Argentine).
- iv Doc. ONU A/HRC/41/6, Annexe 1, Recommandation 125.128 (France).
- v Doc. ONU A/HRC/41/6, Annexe 1, Recommandations 125.131 (Norvège), 125.132 (Slovénie), 125.133 (Suède), 125.134 (Suède), 125.126 (Belgique), 125.127 (Danemark), 125.129 (Allemagne), 125.130 (Islande).
- vi Amnesty International. *Rapport 2022/2023, La situation des droits humains dans le monde*, p. 146. Corporación Humanas « Falta de conocimiento, limitada capacitación y persistencia de barreras: Las problemáticas de la ley de aborto en tres causales », 2023, <https://www.humanas.cl/falta-de-conocimiento-limitada-capacitacion-y-persistencia-de-barreras-las-problematicas-de-la-ley-de-aborto-en-tres-causales>
- vii Doc. ONU A/HRC/41/6, Annexe 1, Recommandations 125.265 (Mexique), 125.262 (Haïti), 125.263 (Honduras), 125.261 (Égypte), 125.266 (Nigeria).
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- ix Service jésuite des réfugiés, *Encuesta voces migrantes*, 2021, https://www.migracionenchile.cl/wp-content/uploads/2022/01/Informe-Total-de-resultados-Voces-migrantes_compressed.pdf. Amnesty International, *Regularization and Protection. International Obligations for the Protection of Venezuelan Nationals*, 21 septembre 2023, <https://www.amnesty.org/fr/documents/amr01/7130/2023/en/> Amnesty International, *No one wants to live in hiding. Lack of protection for Venezuelan refugees in Chile*, 6 mars 2023, <https://www.amnesty.org/fr/documents/amr22/6437/2023/en/>.
- x Doc. ONU A/HRC/41/6, Annexe 1, Recommandations 125.233 (Italie), 125.89 (République tchèque), 125.244 (Norvège), 125.236 (Suède), 125.237 (Suisse).
- xi Amnesty International, *Pre-Juicios Injustos: Criminalización del Pueblo Mapuche a través de la Ley "Antiterrorista" en Chile*, 9 août 2018, <https://www.amnesty.org/fr/documents/amr22/8862/2018/es/>
- xii Le Programme chilien relatif à la sécurité est mené par le ministère de l'Intérieur et de la Sécurité publique, et se concentre essentiellement sur la mise en place des modifications réglementaires dans la législation. Vous trouverez de plus amples détails à ce propos dans le document suivant, en espagnol : <https://www.interior.gob.cl/media/2023/04/Agenda-priorizada-de-Seguridad.pdf>
- xiii Amnesty International, *Rapport final sur la loi Nain Retamal*, 2023, en espagnol : <https://amnistia.cl/wp-content/uploads/2023/05/Informe-AI-Ley-21.560-Nain-Retamal.pdf>.
- xiv Les *Carabineros* ont rédigé et approuvé les instruments juridiques suivants : i) OG N° 2870, règlement relatif à la restauration et au maintien de l'ordre public, 8 septembre 2021 ; ii) Circulaire N° 1832, Direction générale des Carabineros, quant à l'usage de la force, 1^{er} mars 2019 ; iii) OG N° 2635, règlement relatif au maintien de l'ordre public, 1^{er} mars 2019 ; iv) OG N° 2780, règlement relatif au maintien de l'ordre public et à l'usage des armes antiémeute, 14 juillet 2020 ; v) Manuel des techniques d'intervention policière, Niveau 1, août 2019.
- xv Commission interaméricaine des droits de l'homme, *Rapport sur la situation des droits humains au Chili*, 2022, § 157-172. Quelques cas récents : Institut national des droits humains, "INDH anuncia acciones judiciales para esclarecer manifestación que acabó con cinco heridos tras intervención de Carabineros en Río Bueno", 23 février 2023, <https://www.indh.cl/indh-anuncia-acciones-judiciales-para-esclarecer-manifestacion-que-acabo-con-cinco-heridos-tras-intervencion-de-carabineros-en-rio-bueno/>. 24Horas, "Mujer sufre lesión ocular en medio de incidentes en población La Victoria", 12 septembre 2023, <https://www.24horas.cl/actualidad/nacional/mujer-sufre-lesion-ocular-en-medio-de-incidentes-la-victoria#:~:text=Medianoche-Mujer%20sufre%20lesión%20ocular%20en%20medio%20de%20incidentes%20en%20población%20de%20La%20Victoria,interesa%20esclarecer%20el%20hecho%20>.
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- xviii Doc. ONU A/HRC/41/6, Annexe 1, Recommandations 125.131 (Norvège), 125.1323 (Slovénie), 125.133 (Suède), 125.126 (Belgique), 125.127 (Danemark), 125.130 (Islande).
- xix Comité des droits des enfants, *Observations finales sur les sixième et septième rapports périodiques du Chili*, 22 juin 2002, § 30.
- xx IACHR, "Concerned About Expulsions of Individuals in Human Mobility Contexts in Chile, IACHR Asks State to Respect Principle of Non-Refoulement", 29 novembre 2021, https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2021/318.asp. Bureau du haut-commissaire aux droits de l'homme, "Chile: Arbitrary and

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- xxviii Amnesty International, “Pre-Juicios Injustos: Criminalización del Pueblo Mapuche a través de la Ley “Antiterrorista” en Chile”, 9 août 2018, <https://www.amnesty.org/fr/documents/amr22/8862/2018/es/>.
- xxix Amnesty International, *Rapport 2022/2023 : la situation des droits humains dans le monde*, p. 157.
- xxx Accord régional sur l’accès à l’information, la participation publique et l’accès à la justice à propos des questions environnementales en Amérique latine et dans les Caraïbes.
- xxxi Centre d’études de la Justice des Amériques, “Evaluación del sistema de justicia de Chile ante las violaciones de derechos humanos ocurridas en el contexto de la protesta social”, 2020, p. 73, <https://biblioteca.cejamericas.org/bitstream/handle/2015/5664/Evaluaci%c3%b3n%20del%20sistema%20de%20justicia%20-%20CL.pdf?sequence=11&isAllowed=y>. Institut national des droits humains, *Rapport annuel sur la situation des droits humains au Chili, 2022*, p. 57.
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