

ADVANCE QUESTIONS TO CHILE (SECOND BATCH)

URUGUAY

- En el anterior ciclo del Examen Periódico Universal, Uruguay recomendó a Chile redoblar los esfuerzos para avanzar en la reforma de la justicia militar a fin de derogar las normas del Código de Justicia Militar que preveían la pena de muerte. Uruguay quisiera saber si ha habido avances en este sentido.

BELARUS

- **Subject 1**

The Committee against Torture expressed its concern over numerous cases of police brutality and excessive use of force by security forces against demonstrators and at consistent reports of ill-treatment of detained demonstrators, of police brutality against members of the Mapuche people in the context of evictions and raids in their communities and of acts of sexual violence by the police against women and girls during student protests. In 2016, the Special Rapporteur on the right to freedom of peaceful assembly and of association also noted several reports of excessive use of force by the police in the context of protests by indigenous peoples calling for the respect of their rights, especially land rights.

The Committee provided Chile with the relevant recommendations, including the following:

(a) Ensure that all complaints of excessive use of force by law enforcement and security personnel are subject to a prompt, impartial and effective investigation, that the alleged perpetrators are prosecuted and, if found guilty, are punished in accordance with the seriousness of their actions and that victims receive appropriate compensation;

(b) Ensure that an independent organization carries out prompt and impartial investigations into all complaints of excessive use of force and other forms of police brutality and that the investigators do not have an institutional or hierarchical relationship with the alleged perpetrators;

(c) Step up efforts to systematically provide training to all law enforcement officers on the use of force in the context of demonstrations, duly taking into account the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials;

(d) Compile detailed information on the number of complaints, investigations, prosecutions, convictions and sentences handed down in cases of police brutality and excessive use of force.

Question

What has been done by the Government of Chile to effectively implement the aforementioned recommendations?

- **Subject 2**

The Committee against Torture noted with concern that the criminal offence of trafficking in persons, set out in article 411 quater of the Criminal Code, does not include acts of trafficking for the purpose of labour exploitation (art. 2).

In this regard the Committee urged Chile to review its criminal legislation on trafficking in persons so as to bring it into line with international standards, in particular the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

Question

What practical measures has the Government of Chile taken to bring its criminal legislation on trafficking in persons in line with the relevant international norms?

SLOVENIA

- We noted in the OHCHR report the concern of the Committee on Economic, Social and Cultural Rights about the absence of a legal mechanism guaranteeing that the free and informed prior consent of indigenous people was obtained with regard to decisions that might affect their economic, social and cultural life. We would be interested to learn more about the process on consulting indigenous people with regard to decisions that might affect their economic, social and cultural life?
- With regard to the 2012 Anti-Discrimination Law, we would be interested to learn what is the institutional framework for the implementation of the public policies against discrimination?