

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Amnesty International welcomes moves towards decriminalization of abortion but calls for further actions to address impunity for past human rights violations

Human Rights Council adopts Universal Periodic Review outcome on Chile

Amnesty International welcomes that Chile has accepted most of the recommendations made to it during the review, and that it often plays an important role in promoting international human rights initiatives and facilitating access in Chile for international human rights organizations. The organization encourages Chile to continue these positive steps with efforts at the national level to implement the commitments made in the UPR, including by promoting and protecting human rights and holding to account those responsible for human rights violations.

Amnesty International welcomes that several states raised concerns about impunity for human rights violations committed during the military regime,¹ and calls on Chile to ensure truth, justice and reparation for victims of human rights violations, committed in the period 1973-1990, and for their families. In order to protect against such violations happening again, measures must be taken to repeal the 1978 Amnesty Decree Law and to define the crime of torture in national legislation, in line with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

Amnesty International is concerned about reports of excessive use of force by the police in the context of public protests in various parts of the country, in particular in Mapuche Indigenous communities. A number of states questioned the excessive use of force by the police,² and urged Chile to strengthen legislation and policies that promote accountability.³ Chile must revise national legislation and protocols for police action to ensure that these are in line with international human rights standards and are publicly known. Some states also recommended reform of the military justice system⁴ to ensure that human rights violations allegedly committed by the military or the police are tried in civil courts, and Amnesty International urges Chile to give priority to such reform.

Finally, Amnesty International welcomes Chile's rejection of a recommendation urging respect for "the rights of the human person from the moment of conception to natural death", as accepting this could have a negative impact on women's health and violate their human rights.⁵ The organization also welcomes Chile's recent decision to decriminalize abortion in cases of rape, incest, risk to the woman's life or health, or when the fetus is not viable. This is in line with concerns, raised by nine states during the review, regarding the ban on abortion in Chile,⁶ and represents an advance in the respect for and protection of the rights of women and girls to life, non-discrimination and to freedom from torture and other cruel, inhuman and degrading treatment.⁷ Chile must implement this legal reform as soon as possible.

¹ A/HRC/26/5, paragraphs 121.74-75 (Iran, Belgium); 121.114-117 (France, Iran, Italy, Mexico).

² Ibid, paragraphs 121.77-79, 121.81-82 (Cyprus, Czech Republic, Norway, Uzbekistan, Canada).

³ Ibid, paragraphs 121.76 (Cuba), 121.80 (United Kingdom)

⁴ Ibid, paragraphs 121.111-112 (Switzerland, Uruguay).

⁵ Ibid, paragraph 122.37 (Holy See).

⁶ Ibid, paragraphs 121.135-143 (Czech Republic, Finland, France, Germany, Norway, Slovenia, Sweden, Switzerland, and Belgium).

Background

The UN Human Rights Council adopted the outcome of the Universal Periodic Review of Chile on 19 June 2014 during its 26th session. Prior to the adoption of the review outcome, Amnesty International delivered the oral statement above.

Amnesty International had earlier submitted information on the situation of human rights in Chile: <http://www.amnesty.org/en/library/asset/AMR22/003/2013/en/2aae93b8-04b1-4190-8713-f80e1bf21f71/amr220032013en.pdf>

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⁷ Committee against Torture, *Concluding Observations: El Salvador*, para. 23, U.N. Doc. CAT/C/SLV/CO/2 (2009); Committee against Torture, *Concluding Observations: Nicaragua*, para 16, UN Doc. CAT/C/NIC/CO/1 (2009)