



3

26th Human Rights Council
UPR Outcomes - Chile
Item 6 – 19 June 2014

The Rights of the Child in Chile: Education and Juvenile Justice

Oral Statement delivered by

Istituto Internazionale Maria Ausiliatrice (IIMA)

And co-sponsored by

International Volunteerism Organization for Women, Education, Development (VIDES),
International Catholic Child Bureau (BICE),
Marist International Solidarity Foundation (FMSI)

Speaker: *Giina Weires*

Thank you, Madame/Mr. President.

On behalf of the cosigning NGOs, IIMA would like to welcome Chile on its acceptance of several recommendations concerning children's rights during the UPR process, particularly recommendations 118 through 120¹ to continue to improve the juvenile justice system.

We remain concerned about the lack of a comprehensive national strategy to integrate a rights-based approach in all policies and measures that affect children. Adequate legislative reforms aimed at effectively incorporating the CRC into the domestic legal framework are still needed.

Concerning juvenile justice, we note that Act n° 20.084 (2007) established a special criminal system for adolescents in conflict with the law, but it does not provide appropriate legal assistance to child victims nor ensure child participation in judicial proceedings. Excessive use of incarceration and overmedication are also serious concerns.

Furthermore, we are concerned about the unequal access to quality education and persisting discriminatory practices that exclude children and adolescents from various school levels according to their socioeconomic status. Indigenous children are particularly affected.

We would like to provide the following recommendations:

1. **Establish an ombudsman office for children.**
2. **Remove all obstacles impeding effective access of children to justice by fostering the SENAME (Servicio Nacional de Menores) with a specific mandate to provide for legal aid for adolescents in conflict with the law.**
3. **Revise the 2007 Act according to CRC provisions for a more child-friendly juvenile justice system with a restorative approach that offers alternatives to incarceration and provide adequate education and vocational training programs to ensure successful reintegration.**
4. **Harmonize the national legal framework with the CRC with specific emphasis on equal access to quality education across all socioeconomic and ethnic groups. Include human rights training for all students, as well as for school administrators and teachers.**

¹ 121.118. Guarantee an effective and sufficient specialization of the stakeholders in the juvenile justice system (Egypt); 121.119. Take the necessary measures to establish a specialized juvenile justice system and continue efforts for reintegration of former child offenders into society, in compliance with the Convention on the Rights of the Child (Republic of Moldova); 121.120. Create a system of juvenile justice that includes the establishment of a children's ombudsman (Spain).