



Country fact sheet for the CRC

COUNTRY: CHILE

REPORT N°	<ul style="list-style-type: none"> Fourth and Fifth Combined Periodic Report on the Convention on the Rights of the Child
PRE-SESSION/SESSION	<ul style="list-style-type: none"> Pre-session: 70th (02 – 06 February 2015) Session: 70th (14 September – 02 October 2015)
LAWS (THC-1993, GUIDELINES, DOMESTIC LAWS)	<ul style="list-style-type: none"> HC-1993 ratified on 13 July 1999; <i>Ley sobre Adopción de Menores N°19.620</i> of 5 August 1999 and its subsequent amendments; <i>Reglamento de la Ley N° 19.620</i> of 8 March 2000; <i>Ley de Menores N°16.618</i> of 8 March 1967 and its subsequent amendments; <i>Ley que crea los tribunales de familia N°19.968</i> of 30 August 2004 and its subsequent amendments.
GENERAL SITUATION OF CHILDREN DEPRIVED OF THEIR FAMILY	<ul style="list-style-type: none"> Creation of a <i>Consejo Nacional de la Infancia</i> in 2014, aimed at leading the national policy on children and adolescents and at acting as the coordinating mechanism among the various ministries in charge of children's issues. For further information, see: Consejo Nacional de la Infancia, http://www.consejoinfancia.gob.cl. According to SOS Children's Villages, in Chile, there are over 19,000 children, who have been abandoned by their parents. For further information, see: http://www.aldeasinfantilessos.cl/conozcanos/situacion-infancia-chilena/situacion-abandono. SENAME has a programme for mothers, who are considering relinquishing their child for adoption; also in cooperation with a limited number of organisations. For further information, see: SENAME, http://www.sename.cl/wsename/estructuras.php?name=Content&pa=showpage&pid=396.
ALTERNATIVE CARE OPTIONS	<ul style="list-style-type: none"> SENAME has a foster care programme called <i>Programa Familias de Acogida</i>. The involved families have several profiles (simple, specialised, for children with special needs), which is provided through 24 accredited agencies. For further information, see: http://www.sename.cl/wsename/estructuras.php?name=Content&pa=showpage&pid=306. Chile has issued guidelines for its deinstitutionalisation process for 2014-2017: to progressively deinstitutionalise children under the age of 8 years; to prevent the separation of children under the age of 8 years from their family and community of origin; to strengthen the primary option of foster care for children under the age of 8 years; and to ensure that judicial decisions on residential care for children under the age of 8 years are exceptional and provisional. For further information, see: SENAME, http://www.sename.cl/wsename/estructuras.php?name=Content&pa=showpage&pid=306. Since 2012, the Red Latinoamericana de Acogimiento Familiar (RELAF), with UNICEF and the Chilean Government, have been working on the preparation of the Initiative to end the institutionalisation of children under the age of three years, by supporting the State and the local actors in the identification of difficulties in the implementation of the rights

	<p>of children without parental care and by generating strategies for better actions. Two main NGOs (Santa Catalina and ADRA) have been involved in the deinstitutionalisation of these children and in their placement with foster families. For further information, see: http://www.relaf.org/coop_chile.html.</p> <ul style="list-style-type: none"> According to SENAME, residential care is a transitional form of care, as it promotes family reintegration, and provides quality care and good treatment. SENAME has developed a series of minimum standards of operation for its various institutions – for infants, assessments centres... - as well as for its family strengthening and foster care programmes. For further information, see: SENAME, http://www.sename.cl/wsename/estructuras.php?name=Content&pa=showpage&pid=15. However, most children in alternative care remain in institutions (see Statistics below).
ADOPTION	<ul style="list-style-type: none"> A new <i>Adoption Bill</i> is currently under discussion. For further information, see: SENAME, http://www.sename.cl/wsename/estructuras.php?name=News&file=article&sid=2490. Considerable promotion of domestic adoption. Intercountry adoption has become truly subsidiary to domestic adoption. Intercountry adoption is aimed at children over the age of five years, groups of siblings, children with special needs, children with lengthy experience in institutions, and children with other complex situations. For further information, see: SENAME, http://www.sename.cl/wsename/estructuras.php?name=Content&pa=showpage&pid=525.
STATISTICS	<ul style="list-style-type: none"> At 30 September 2014, there were 3,891 children in foster care. This contrasts with the number of children in the various types of residences (including for adolescent mothers, children with disabilities, etc), which was of 80,899 at the same date. For further information, see: SENAME, http://www.sename.cl/wsename/otros/bestnacionales/2014/BE_DEPRODE_201409.pdf. According to the statistics provided by Chile to The Hague Conference on Private International Law, 109 intercountry adoptions and 487 domestic adoptions were undertaken in 2013. For further information, see: Hague Conference on Private International Law, http://www.hcch.net/upload/adostat2010-2013cl.pdf. Between January and September 2014, 1,200 children were subject to some stage of the adoption process. For further information, see: SENAME, http://www.sename.cl/wsename/otros/bestnacionales/2014/BE_ADOPCION_201409.pdf.
RISKS	<ul style="list-style-type: none"> There is still a very high number of children placed in residential care, and there is a need to strengthen family-based alternative care.
POTENTIAL QUESTIONS	<ul style="list-style-type: none"> What is the current situation of the new Adoption Bill? What does it intend to address? Is it fully compliant with international principles and standards relating to adoption? What is being undertaken to strengthen family-based care and to reduce the institutionalisation of children? What actions are undertaken under the country's Deinstitutionalisation Plan for this period? Has the programme for mothers in conflict with their maternity been successful in decreasing the levels of abandonment in the country?