

Chile

Update on the context and situation of children

Political analysis

In 2021, five electoral processes were held at the national level, beginning with the election of regional governors, mayors, councillors and constituents in May and followed by regional councillors, deputies, senators and presidential elections in November (with the second presidential round in December). The electoral environment, the preparation of the new constitution, the socioeconomic effects of the pandemic and the migratory crisis in the north of the country, as well as the successful vaccination process and the fragile economic situation, were all topics in the national agenda.

The 2021 elections showed that the centre-left and centre-right political blocks, which have traditionally held power alternatively over the last 31 years of democracy, have lost an important part of their electorate. The current political system is fragmented, expressing itself under new personal leaderships and representative groups of various territorial issues without representation at the national level. This new scenario is characterized by high uncertainty. Nevertheless, the childhood agenda has managed to reach different sectors of society, especially when it comes to the most vulnerable children and adolescents.

In October 2020, more than 7.5 million people (50.9% of the electoral roll) participated in the national plebiscite resulting in 78% of support for the development of a new constitution. Nevertheless, in its fifth month of operation, the Constitutional Convention obtained only a 29% approval rate, with a disapproval rating of 51%. This could be an expression of the general low trust and credibility towards the institutions in Chile. The last year, the current government's mandate, saw the most critical levels of trust since the return to democracy with a disapproval rating of the current President and his government of 72%.

Economic and social situation

In general, the economic situation in 2021 was characterized by a socioeconomic crisis because of the COVID-19 pandemic. The impact of this crisis on the economy and employment demanded a strong increase in public spending. After this expansionary fiscal policy, the public budget approved for 2022 is 22% lower than that of 2021, with social support such as Emergency Family Income (IFE) being strongly reduced. This scenario is especially complex due to the strong inflationary pressure faced because of the international context as well as the local effect of massive withdrawals of private pension funds in 2021.

At the level of economic development, the pandemic – together with the 2019 social demonstrations – caused a significant contraction in 2020, especially during the second and third quarters with a decrease of 14.2% and 9.0%, respectively, compared with the same quarter of 2019. Activity has been recovering, especially in the second quarter of 2021, where the gross domestic product (GDP) grew by 18.1%. A general increase in economic activity has been noted, highlighting the contributions of essential services (mainly education and health), commerce and, to a lesser extent, the manufacturing industry. The Latin America and the Caribbean United Nations Economic and Social Council (ECLAC) projects that Chile's GDP will grow 3.2% in 2022 (*Economic survey from Latin America and the Caribbean 2021*).

Even though the increase in economic activities during 2021, the economic contraction caused an increase in poverty not seen in Chile for the last three decades. According to the latest income poverty measurement, 10.8% (2,112,185 people) of the country's inhabitants live in poverty and 55% of these

are females. Of the 10.8%, 4.3% live in extreme poverty – which represents an increase since the 2017 measurement and a break in trend since poverty has been measured using the CASEN Survey.

In relation to poverty and age groups, children and adolescents living in poverty rose from 13.9% to 15.6% between 2017 and 2020. According to the data, there are 703,045 children and adolescents living in income poverty, an increase of around 126,000 children above the previous measurement. In the case of extreme poverty, there was an increase of 2%, with more than 260,000 children and adolescents living in this situation. Significant inequalities persist and some children population groups are at greater disadvantage than others. For example (i) indigenous children, 17.3%; (ii) inhabitants of rural areas, 18.1%; (iii) migrants, 26.0%; and (iv) younger age groups (aged 0–3 years), 17.1%.

The average work income of the first decile fell more than 1,000%, dropping from CL\$78,171 (US\$ 96) per capita in 2017 to CL\$7,024 (US\$ 8,7) in 2020. Similarly, the monetary income of households (including subsidies) decreased from CL\$207,111 (US\$256) to CL\$124,479 (US\$154) so in 2020, the average per capita disposable income of households in the first decile was below the income level of the poverty line (CL\$176,625 / US\$218).

Earned income and monetary income of the highest-income decile did not decrease between 2017 and 2020. This translated into greater inequality where the earned income of the wealthiest decile was 416.6 more times than of the first decile and 27.4 times higher when monetary income is considered.

Legislation for children

The Ministry of Justice and Human Rights continues to push for the approval of a law that will create the National Juvenile Social Reinsertion Service. The changes are expected to strengthen the specialized workforce and improve the social reintegration of adolescents in conflict with the law. Between January and October 2020, 979 adolescents were placed in pre-sentence detention centers and, in 2021, this number decreased to 771. Meanwhile, in 2020, 246 adolescents received custodial measures and, in 2021, dropped to 200.

Additionally, the Ministry of Justice and Human Rights, in coordination with the judiciary, promoted legal representation and specialized defense of children in alternative residential care, strengthening the capacities of the workforce (lawyer, social worker and psychologist) so that these children can restore their right to live in a family environment, through reunification with their family or adoption

In October 2021, Law No. 21.302 came into effect, creating the new *National Service for the Specialized Protection of Children and Adolescents named Mejor Niñez* (Better Childhood), replacing the National Service for Minors (SENAME). This involved the transfer of the workforce from one service to another to provide continuity of care for children and adolescents.

Major contributions and drivers of results

Goal 1: Every child survives and thrives

UNICEF continue to provide technical assistance to the government to support families and improve public services for parenting and health. In 2021, during the COVID-19 pandemic, UNICEF disseminated materials on parenting, child nurturing and care– such as *Active Parenting Guide in COVID-19* and *Talking about Coronavirus-19 with the youngest children* – to counterparts and widely through social networks and TV campaigns. UNICEF participated in six webinars with the Government and non-governmental organizations (NGOs) to promote children’s development, health, and well-being trajectories after the pandemic.

In 2021, the study *Sociocultural elements regarding the care of boys and girls in Santiago, Chile* was published, identifying the gaps and weaknesses of services oriented to support childcare. This study

generated complementary evidence for the Longitudinal Survey of Early Childhood (ELPI) that reviews the role of parental interactions and styles of discipline and revealed as the main barriers for positive parenting gender inequalities in the distribution of household tasks, unsafe/violent neighbourhoods, poverty, and exclusion. Results of the study were included in the advocacy actions developed by UNICEF to reinforce the need of maintaining a national budget for the early childhood policy *Chile grows with you* and strengthen programmes that have been diminished because of the pandemic.

UNICEF provided technical support to the Ministry of Health by reviewing normative documents such as the *Technical standard for the supervision of children's health*; *Technical guidance for the health control of children with disabilities*; *Technical guidelines for cyberbullying*; *Document for early identification and first response to commercial sexual exploitation of children and adolescents and dating violence*; and the *National Health Strategy 2020–2030*. UNICEF carried out the training of more than 300 health officials in their response to the health care for migrant children and disseminated material to tackle childhood obesity and physical inactivity. UNICEF also commissioned a study to measure the effects of the pandemic on children's health. The study was completed in 2021 and will be crucial to define CO Work Plan 2022 and future actions in this new area.

UNICEF organized training for 3,000 teachers from all regions in the country to prevent COVID-19 transmission in schools. Technical support was also given to the NGO implementing partner *Accion Educar* to help 15 educational establishments in the process of returning to school, including documents created for this purpose – *Framework for the reopening of schools* and *Guidelines for the reopening of comprehensive early childhood care services in times of COVID-19*.

Goal 2: Every child learns

In 2021, children's rights to education were severely affected by school closures with vulnerable children and adolescents being the most impacted. UNICEF advocated school reopening, addressing disparities in access to open schools and preschools, and equity in remote education. As part of this process, UNICEF was an active member of the Ministry of Education Advisory Council for School Reopening, advocating special attention for the most vulnerable students, including those with disabilities, with no access to internet or devices, and those living in poverty. UNICEF has continued to monitor the reopening process of public preschools and has developed two technical notes with lessons learned (“Sanitary protocols, participation and organizational barriers in reopening process” and “Preschools are not a contagion places”) and an online seminar was conducted to disseminate these results (“Reopening preschools: Lessons learned and Challenges for 2021”). In 2021, a national online survey was conducted, reaching 20,000 families with preschool children, to learn about their experiences with distance learning and the preschool's reopening process. The main results were published in a document named “Families' experience with preschool education during the pandemic in Chile”, expecting to influence policy decision-making regarding families' partnership with preschools.

UNICEF has continued to support dialogue among civil society actors. The initiative *Recreando el aprendizaje* put in place three round tables on (i) hybrid education for 2022; (ii) challenges to address learning losses for 2022; and (iii) school reopening good practices. A media campaign was launched across social media to promote school reopening, and three concept notes are being developed as a result of the round table's work. A public-private partnership was also developed, including civil society actors, to enhance the quality of 11 preschool playgrounds to promote the use of open spaces for learning. This pilot project is expected to be scaled up by JUNJI (National Preschool Board) in other preschools under their administration. The CO will share the experience and lessons learned with the region to promote similar innovations in other countries.

The socio-emotional impact of COVID-19 on school communities was addressed through the

development of a guideline document to help school communities in the implementation of socio-emotional support programmes. UNICEF has also raised awareness about the difficulties that children with disabilities faced during the school closures and is currently developing a study to identify policies and service bottlenecks in the school system. UNICEF has continued advocating the end of violence in schools and is actively advocating the promotion of education rights in the new constitution.

Goal 3: Every child is protected from violence

In 2021, the government requested technical support from UNICEF to develop content and guidelines for a programmatic package under the new *National Service for the Specialized Protection of Children and Adolescents named Mejor Niñez* (Better Childhood) to ensure the effectiveness of measures to protect children whose rights have been violated. UNICEF also monitored the situation of the children who remain in massive residential care.

The approval of the law that creates the National Child Protection System is pending and is urgently needed to ensure the decentralization of protection institutions and policies at the territorial level. UNICEF has participated throughout 2021 in congress discussions around this law and provided a technical proposal to the Undersecretariat for Children on how to establish administrative protection at the local level. Despite advocacy efforts and systematic contributions from UNICEF, approval from congress for the creation of the National Service for Youth Reintegration and the reform of the Adoption System is still pending.

UNICEF and the Ombudsperson's Office for Children have advocated the approval of child protection legislation and established a training programme for the police on the use of force according to international standards. At the end of 2021, UNICEF and the Ombudsperson's Office for Children agreed on a work plan to strengthen its monitoring role with respect to the situation of migrant children in the northern border and indigenous children affected by the socio-political conflict in the southern region of the country. UNICEF's work with the Ombudsperson's Office for Children has been documented as a case study carried out by UNICEF Headquarters as part of the global technical guidance for staff in Country Offices to build their capacity to advance the work of independent human rights institutions.

To improve access to justice for children, UNICEF signed an agreement with the judiciary authority and produced a guide to support justice operators in the evaluation and determination of children's best interests in protection matters. UNICEF integrated two sectorial working groups promoted by the supreme court on children's rights: one group to establish a protocol for the attention of unaccompanied and separated children on the move, and a second group to monitor the transition to the new Service *Mejor Niñez* (Better Childhood). UNICEF has also collaborated with the Ministry of Justice and the Undersecretariat for Children to design a reparation road map to address violations committed by state officials against children placed in alternative care. UNICEF is also supporting the development of a common action framework to ensure adequate implementation of Law No. 21,057 on videotaped interviews, which aims to avoid secondary victimization of children who have suffered sexual violence.

With the significant growth of migrant flow crossing borders irregularly into Chile, UNICEF responded to a government request to support the establishment of two child and family-friendly centres in the northern region of the country to provide humanitarian and psychosocial support. UNICEF also advocated to prevent family separation as a series of expulsions of Venezuelan migrants entering through irregular borders took place during the pandemic. UNICEF is working with other United Nations agencies, the judiciary branch, and the Ombudsperson's Office for Children to promote actions for the regularization of migratory status for children and their families. UNICEF has provided criteria and indicators for determining the best interests of unaccompanied and separated children, and protocols for first reception and protection hearing in family courts standards. UNICEF has also

trained justice operators at the northern border and approximately 2,000 police officers.

To protect children from violence, UNICEF is advocating legal reform and implementation of better prevention programmes as well as generating evidence. In November 2021, UNICEF launched an innovative study on knowledge, attitudes, and practices on violence against children, focusing on the discipline of caregivers towards children. Findings from the study have been widely disseminated through press coverage, and recommendations will be addressed through a Communication for Development (C4D) strategy to promote social and behaviour change in 2022. UNICEF also supported the Undersecretariat for Children in the development of the fourth national framework to end sexual exploitation.

UNICEF has submitted its confidential report for Chile to the Convention on the Rights of the Child with United Nations Country Team (UNCT) contribution and took part in the pre-session discussion promoting the participation of adolescent groups. UNICEF is currently helping to prepare for the forthcoming Member State dialogues in 2022.

Goal 5: Every child has an equitable chance in life

According to the Sustainable Development Goals (SDGs) 1 and 10, UNICEF has been working to eradicate poverty and promote equity among every child in Chile with special emphasis on those that are more disadvantaged, from low-income families and children on the move. In 2021, UNICEF continued working with the government and parliament to strengthen legal and institutional frameworks to guarantee comprehensive protection of children's rights, advocating the approval of the law that creates the National Child Protection System, which is still pending. UNICEF maintained its permanent participation in the special commissions where the law is being discussed, elaborating technical documents to clarify international standards that should be considered in the incoming law.

UNICEF played an important role in the discussion of the immigration law that was approved in December 2020. Since the new law presents many weaknesses, UNICEF continues monitoring its implementation and providing technical advice to encourage compliance with international standards in the regulations. As the migration flow continued to grow in 2021, the Ministry of Social Development and Family requested UNICEF to support the implementation of two child and family friendly centres in Colchane and Iquique, providing humanitarian support including food, hygiene supplies, accommodation, primary health care, information and recreation for children and families.

UNICEF concluded a two-year study on child poverty with the Alliance to Eradicate Poverty (Hogar de Cristo, Colunga Foundation, the Ibero-American Centre for the Rights of the Child and the Millennium Nucleus for the Study of the Course of Life and Vulnerability). The research named *Born and Raised in Poverty and Vulnerability* delved into the long-term consequences of children living in poverty and vulnerability, raising public awareness on the urgent need to implement a child-sensitive social protection floor (SPF) that guarantees conditions of well-being for every child and their family. The findings were disseminated to relevant actors in government, parliament, academia and civil society, and through columns and interviews in social media and webinars.

UNICEF continued giving technical assistance to the Undersecretary of Children for the implementation of the Action Plan for Children and Adolescents, generating materials to train public officials at the local level (children local offices and municipalities) in rights' approach and participation mechanisms. UNICEF was also a partner in the study "Methodological Manual: Estimation of Public Investment in Childhood of the Central, Regional and Local Government in Chile", developed by the Undersecretary of Children. It established a methodology to measure public investment in childhood and carried out a consultancy based on the 2020 budget. As a result of successful advocacy in congress, a budget item was established for 2022 requiring the measurement and monitoring of public investment in children.

A milestone in 2021 was the process towards a new constitution, which created a new constituent body

– the Constitutional Convention. Its mandate is to present a proposal for the new constitution to be approved through an exit plebiscite in September 2022. As UNICEF's mandate on children is related to this process and the current Constitution does not recognize children and adolescents as rights holders, UNICEF provides technical support to the constituent process in coordination with other United Nations agencies and partners.

UNICEF has defined a strategic work plan to ensure that the constitutional text proposed complies with the Convention on the Rights of the Child standards, incorporating children's voices in the whole process to constitute the first guarantee of children's rights in Chile. UNICEF has carried out different advocacy actions throughout 2021: presentations in different thematic commissions of the Constitutional Convention; working and training meetings with members of the Constitutional Convention and their technical teams; elaboration of technical documents in various matters of constitutional relevance for children and adolescents; elaboration of audio-visual capsules of *31 Minutos* to inform about the constituent process; and launches of a specific landing on the UNICEF website to disseminate the materials developed. Collaborative work has also been carried out with other United Nations agencies, the Ombudsperson's Office for Children and NGOs to strengthen UNICEF's advocacy in the process.

UN Collaboration and Other Partnerships

UNICEF has maintained close coordination with the two key institutions for child protection: the Undersecretary of Children (Ministry of Social Development and Family) and the Ombudsperson's Office for Children. The childhood agenda has benefited from UNICEF's alliance with the Ombudsperson's Office for Children in its work in parliament, advocating for change within the specialized protection service, which is currently under transition. On many occasions, the Ombudsperson was able to deliver messages, which would have been far more complicated for UNICEF to do. UNICEF also supported the Ministry of Education and Ministry of Justice.

There has been an important re-establishment of UNICEF's work with the justice system to ensure that justice operators are more effective in their role to protect children.

UNICEF has consolidated partnerships with other important stakeholders to promote children's rights such as the Alliance to Eradicate Poverty (Hogar de Cristo, Colunga Foundation, the Ibero-American Centre for the Rights of the Child and the Millennium Nucleus for the Study of the Course of Life and Vulnerability), the Alliance to Recreating Learning (America Solidaria and Fundación Educación 2020) and a partnership with academia, generating evidence and supporting the initiative *We need to talk about education* (Universidad Católica and Universidad de Chile).

UNICEF has also promoted alliances with other United Nations agencies to provide humanitarian support ensuring a holistic approach for the needs of migrant children and their families. The alliance included: International Organization for Migration (IOM), United Nations High Commissioner for Refugees (UNHCR), and the Office of the United Nations High Commissioner for Human Rights (OHCHR). UNICEF promoted joint efforts to bring technical support to the constituent process with United Nation Development Program (UNDP), OHCHR, UNHCR, United Nations Educational, Scientific and Cultural Organization (UNESCO) and UN Women). UNICEF signed an agreement with ECLAC to start using some of the services they already have under contracts.

In 2021, UNICEF promoted partnerships with private sector companies to support children's rights and mobilize funds to cover its programmatic work. A two-year alliance was established with BNP Paribas Cardiff on childhood overweight and obesity prevention. With a contribution from Google, 11 playgrounds in kindergartens located in Santiago Metropolitan Region were rehabilitated to allow children to do education and recreational activities outdoors.; while Chilena Consolidada, part of Zurich group, provided funding to support COVID-19 global emergency. Meri Foundation is partnering with UNICEF in climate change issues and is supporting the installment of a consultive council that will cluster organizations and companies interested in the promotion of children's rights. TECK has given an economic contribution to support UNICEF response in northern Chile for providing services to migrant children and their families.

UNICEF partnered with the Ministry of Energy and conducted training on children's rights and business for energy companies (2) and representatives of indigenous communities (1) and developed a guide for companies on the engagement of children and adolescents in energy projects (not yet released). Technical advice was provided to the Ministry to develop Chile's 2nd Business and Human Rights Action Plan.

Lessons Learned and Innovations

Important lessons were learned regarding the advocacy work undertaken by UNICEF. First, it is always crucial to analyze and understand the political situation of the country in order to define the

relationship with different partners. As 2021 was the last year of the current government, UNICEF had to adapt its work plan by promoting other alliances. To maintain continuity, UNICEF strengthened partnerships with civil society such as the Alliance to Eradicate Poverty, complementing the role of each of the members to advocate in different environments to raise public awareness on the urgent need to implement a child-sensitive SPF. Other important alliances that were enhanced during 2021 were those with key partners in the education area such as *Recreating learning* and *We need to talk about education*. UNICEF supported both initiatives by providing technical and financial support to amplify the voice in favour of the school reopening process, sharing good practices and highlighting the relevance for children's development.

Another lesson learned was the importance of maintaining a closer relationship with the National Congress as a key partner for promoting changes that improve children's lives. Taking advantage of the solid relationship constructed over the years with different members of congress and their advisers, UNICEF was able to directly influence the definition of a budget item in the Budget Law for 2022, requiring the measurement and monitoring of public investment in children. This close relationship with Congress also facilitated the relationship with the Constitutional Convention as many of the officials and advisers who support the Convention are also linked to the legislative work.

An important lesson learned has been to forge a closer relationship with the justice system beyond previous work on juvenile justice. UNICEF's role in ensuring compliance with the Convention on the Rights of the Child standards requires convening efforts with the range of actors that play a decisive role in the protection of children – of which justice operators are very relevant. All violation cases or threats of rights violations go through judicial channels and, more specifically, family courts. Therefore, the removal of children from massive institutional care will depend on how a judge determines their best interests in a protection case; this includes migrant children needing their migratory status regularized or to be reunited with their families.

UNICEF continued to deepen its work with universities and study centres to generate evidence such as the 2021 rights reparation road map to develop guidelines for determining the best interests of the child and to conduct innovative research on violence against children. It has been very important that UNICEF produces evidence and guidelines to orient the work of justice operators to evaluate and determine the best interests of children, especially those in vulnerable conditions. Since the country still does not follow a system to ensure administrative protection in cases of threats or violations to the rights of children, judicial protection is fundamental. It is not enough to ensure access to justice if the system is not able to uphold international human rights standards. Strengthening UNICEF's work with the justice system has therefore been very important, particularly in the context of the COVID-19 pandemic. Judges are the only ones able to visit and monitor the situation of children under the care of the state and to ensure that protection services give adequate attention to families and children in the context of service transition. It has also been very important to have justice operators prepared to determine family reunification in a timely manner and regularize migratory status, given the current migration crisis at the northern border.

The COVID-19 vaccination campaign initiated by the government in February 2021 was an opportunity for UNICEF to make children and adolescents visible and to take advantage of the experience that UNICEF has with vaccines worldwide. The campaign *Me Vacuno por Ti*, carried out by UNICEF, focused on situations in the daily lives of children affected by the pandemic, such as the suspension of face-to-face classes and isolation from their family and friends. Public service announcements were launched on TNT Sports during the match between Universidad de Chile versus Colo-Colo (the two most popular soccer teams in the country) and broadcast on the social networks of UNICEF, TV Educa and Constitutional Convention TV, for example, at the airport and billboards on public roads. UNICEF supported the campaign with interviews with specialists on the effectiveness and safety of vaccines through photos of vaccinated people, animated stories, the history and importance of vaccines, a vaccination calendar against COVID-19 and the national vaccination

schedule. UNICEF made an alliance with DNA radio to promote vaccination among its male audience, who were in the group of slow uptakes, through interviews with the immunologist Miguel O'Ryan (a member of the vaccines committee). UNICEF also gave children a voice through several interviews.

One of the most important lessons learned in 2021 was the importance of ensuring the well-being of staff in order to maintain the working continuity of the Country Office. Human Resources promoted initiatives to address staff wellbeing. Among the tools most circulated and used by staff were i) Flexible working arrangements; ii) Wellbeing tips for UN personnel. and iii) Staff counselling.

Although the office premises remained closed for much of the year, staff continued to demonstrate their efficiency and effectiveness in working under such special circumstances. The results of the first pulse survey were presented and actions taken allowed the results of the second pulse survey to be significantly higher.

Despite facing a lot of restrictions due to the COVID-19 pandemic, especially in the first part of the year, private sector fundraising closed the year with an extraordinary performance achieving a total income of CPL 11,388 billion (US\$14,6 million – exchange rate of 20 December 2021), representing a 45% increase over the last year in local currency. An important lesson learned was to strengthen and develop the team's skills in a variety of themes that were needed and improving coordination and teamwork within UNICEF Operations, Communication and Programme Sections is also necessary for achieving good results.