



# Chile Report

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## Sustainable Governance Indicators 2019

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## Executive Summary

In accordance with the decision of the Development Assistance Committee (DAC), Chile left the group of countries eligible for Official Development Assistance (ODA) in October 2017. There is no doubt that this “graduation” reflects the economic and social development the country has achieved since the return of democracy in 1990. Despite its sound macroeconomic performance, Chile is still facing structural challenges that impede equal participation in economic growth and the active claim of social rights, especially by the more vulnerable population. The country has not managed to significantly reduce poverty or close the income inequality gap, with both variables among the highest in Latin America and having shown no significant change during the period under review.

Chile is a high-income economy, its gross income per capita has consistently grown over the last decade. It is also a highly open economy. Yet, the country remains extremely dependent on copper exports and, consequently, vulnerable to commodity price volatility.

The prevailing legacy of Augusto Pinochet’s military government must be taken into account in any evaluation of the country’s democracy and governance. Turbulence under the Salvador Allende government and subsequent military dictatorship led to a political culture that favors consensus and avoids conflict. Key actors and citizens generally tend to favor the status quo and harmony. Nevertheless, social tensions are rising in the OECD’s most neoliberal country. Official and unofficial strikes as well as protests have led to violence and police repression with relative frequency.

Agitated by several far-reaching corruption scandals that involved both right-wing and left-wing politicians and parties, Chile’s traditional political coalition groupings seem to have changed significantly for the first time since the country’s return to democracy in 1990. Several serious cases of corruption have involved representatives of important state institutions, including the national tax authority, the police and the military, which had been evaluated in

public opinion polls over the past 20 years as among the most trusted institutions. Political institutions tend to have a bad reputation because it is widely known that many of the current influential political and economic actors are interrelated due to direct family bonds or business relations. Moreover, public officials tend to abuse their position by sharing high-level political and administrative posts only within this very limited oligarchic circle. The government has responded to recent corruption scandals by introducing more restrictive regulations on party and campaign financing. Nevertheless, political disaffection is growing. Participation in the October 2016 communal elections and in the November 2017 presidential elections dropped to a historic low of 35% and 46.7% respectively – a clear indication of widespread discontent among the Chilean population, irrespective of their political background. Discontent with national politicians and politics in general is especially strong among the younger population and in middle-income households – a development that notably influenced the 2017 presidential elections.

Chile is a particularly heterogeneous country, yet economic and political power remain highly centralized in the capital Santiago. Consequently, regional and local interests are often insufficiently reflected in national policymaking. Unresolved ethnic conflicts often trigger a response by the state that, at times, fails to respect the civil and political rights of ethnic minorities (e.g., the Mapuche). In addition, certain forms of political discrimination inherited from the military dictatorship remain. For example, convicts with a prison sentence exceeding three years are barred from voting. Furthermore, convicts with less severe sentences and individuals in custody are *de facto* excluded from voting as institutional structures do not provide the necessary internal procedures to guarantee their constitutional right to participate in elections.

The downside of Chile's relatively stable political system has been low citizen participation in politics. The country lacks mechanisms of direct democracy and citizen participation that could promote citizens' interests as well as public (vertical) accountability. Even the media is unable to fulfill its role as the fourth estate. Chile's oligopolistic media system shows strong biases in the expression and depiction of various political, social and economic positions. This constrains pluralistic public debate, especially on highly ideological topics such as economic inequality and the country's military past. Nevertheless, both the audit office and congressional control over the government work quite well (horizontal accountability).

In general, several necessary reforms have not been thoroughly addressed and some implemented reforms have had to be significantly scaled back during the

last legislative period in order to reach congressional approval. Nevertheless, the reforms that have been successfully introduced (especially in the field of education and of the binominal election system) represent a constructive change for the country's development in the long run. So far, major reforms announced or already presented by the current government of President Piñera aim at economic growth, labor market regulations, taxes and the pension system.

## Key Challenges

Although Chile, an OECD member, has undergone a considerable and successful modernization process in recent years, it continues to face serious challenges in closing the gap to more developed countries, and the gap between the privileged rich and marginalized poor within the country. The former government of Michelle Bachelet only partially succeeded in implementing its ambitious political, economic and social reform agenda. A lack of consensus and financial resources (due to a decline in key commodity prices that determine the country's macroeconomic performance) undermined wider reform aspirations on tax, labor, pensions, education and health care policies.

### Long-term challenges:

Political and strategic planning is being undermined by a lack of state capacities and instruments that would ensure policymaking adopts a medium- to long-term perspective, especially in the case of social, economic and ethnic issues. A lack of political and economic decentralization also hampers efficiency. Chile is one of the most centralized OECD countries despite its economic, geographic and ethnic diversity. Considering its stable macroeconomic performance over the last decade, neither poverty rates nor socioeconomic disparities have significantly reduced. Chile remains one of the most unequal countries in the region and the OECD. This has consequences for the whole social system, but the effects are particularly palpable in education, health care and the pension system. The lower-middle class is highly indebted and faces strong social pressure to consume. Many middle-income families struggle to maintain their living standards; if one wage earner loses a job or falls ill, families almost immediately have to significantly lower their living standard. The enormous gap between the quality of the poorly funded public educational system (where per student expenditure tends to be less than half the OECD average) and its expensive private counterpart renders the elimination of structural poverty and socioeconomic disparities much more difficult. Additionally, the private educational system is largely controlled by

economic and political elites, both in government and the opposition. In this context, the effect of education reform, especially the end of state-subsidies for private and profit-oriented educational institutions within primary and secondary education, will become apparent in the medium term.

Short- and medium-term challenges:

In the general election of November 2017, former President Sebastián Piñera received the highest number of votes in the first round (36.6%) and won the runoff for the presidency (54.6%) for a second term of office, but voter turnout dropped to a historic low – only 46.7% of the entitled population voted in the first ballot. During the new congressional period 2018 – 2022, Chile Vamos, a coalition of four center-right parties that President Piñera leads, will hold 46% of the mandates in the lower chamber and 44% of the mandates in the upper chamber of congress. Due to the impact of gender quotas, the share of women has significantly increased in both chambers. Today, 22.5% of deputies and 26% of senators are women.

In his electoral campaign and particularly during the runoff, Piñera pursued a moderate course that even considered the extension of fee-free education, a demand closely associated with the political left. Since he lacks an absolute majority in congress and widespread social demands call for a stronger role of the state, some convergence to the center will be needed to get opposition support for political initiatives. A series of economic and labor reforms are expected in order to put Chile on the path to economic growth. Chile Vamos' proposal includes lowering corporate tax rates. The implementation of the reform proposal on the pension system presented in November 2018 by the current government under President Piñera as well as the relatively high unemployment rate most likely represent the main short-term challenges for the current government.

In contrast to the former president, Piñera's government does not support a major reform of the constitution, but a gradual evolution by means of smaller changes. Therefore, it will not carry forward the participative debate process over the proper institutional mechanism for a substantial constitutional reform initiated by Bachelet.

Citation:

About the Government Program:

<https://observatorioplanificacion.cepal.org/es/planes/programa-de-gobierno-de-chile-2018-2022>

## Party Polarization

Since the return of democracy, ideological and political polarization in Chile has been strongly characterized by the legacy of Augusto Pinochet's military regime. The original binominal electoral system, which was modified in 2015, strengthened the tendency in parliament to form two ideological blocks. Therefore, party polarization as such has not been a major obstacle for policymaking in the past. In general, the search for consensus rather than conflict has prevailed among political actors since the transition to democracy. Since 2007, party polarization has been slightly lower than the OECD average as the SGI dataset on ideological polarization in party systems highlights.

This tendency might change in the future as the traditional constellation of political parties and their representation in parliament, especially within the traditional center-left alliance of the Nueva Mayoría changed significantly following the presidential elections of 2017. (Score: 9)

# Policy Performance

## I. Economic Policies

### Economy

Economic Policy  
Score: 7

Chile has an advanced macroeconomic and financial policy regime in place. This is rule-based and combines a floating exchange rate, inflation targeting, an autonomous central bank, an overall government budget rule, and effective regulation and supervision of banks and capital markets. As a result, macroeconomic performance has generally been quite satisfactory. A dominant economic role is assigned to foreign trade, markets and the private sector, complemented by active government regulation and policies aimed at limiting noncompetitive market conditions, extending social protection, and – to a limited degree – reducing poverty and income concentration. Economic legislation and regulation provide a level playing field for domestic and foreign competitors. Barriers to international trade and capital flows are negligible, and international competitiveness, adjusted for labor productivity, is relatively high. These policies have enabled a relatively high level of growth, and poverty rates have fallen substantially in the last few decades. As studies by Chile's central bank indicate, economic growth increased about 4.0% during the period under review (2018). A similar scenario is expected for 2019.

At about 7.2%, the unemployment rate increased slightly in comparison with the previous period under review, despite the registered economic growth. Therefore, the unemployment rate remains at a relatively high level in comparison to the past 10 years.

At the same time, major structural weaknesses can be observed. Low labor productivity represents a persistent problem. This is especially the case in small- and middle-size businesses, which are the main employer in Chile. Low labor productivity is – among other factors – connected to the qualification of the workforce. Minor education-sector reforms have focused on higher

education, but given Chile's economic structure, there is a strong need to enhance capacities at a technical level. In the long run, deficiencies in the education system along with low investment rates in infrastructure and R&D will probably hinder economic growth and undermine the sustainability of the country's development path. The highly bureaucratic public administration is a further factor impairing productivity.

In Chile, economic stability and growth primarily depend on the export of commodities (e.g., copper, and agricultural and silvicultural products) with relatively low or no added value at all. Thus, this South American country shows a comparatively low level of industrialization; the manufacturing sector is small and the majority of consumer, intermediate and capital goods have to be imported. Chile is also highly dependent on energy imports.

Citation:

Informe Política Monetaria del Banco Central

<http://www.bcentral.cl>

<http://www.bcentral.cl/web/guest/-/informe-de-politica-monetaria-septiembre-2018>

Instituto Nacional de Estadística

<http://www.ine.cl>

## Labor Markets

Labor Market  
Policy  
Score: 7

By international comparison, Chile (like most Latin American countries) has very wide-ranging and restrictive labor-market laws and regulation, at least on paper. Excessive regulation of job content, termination restrictions and flexible and part-time contracts create disincentives to formal-sector employment. Minimum wages are high relative to average wages in comparison with other OECD countries.

Despite significant economic growth, the unemployment rate increased slightly during the period under review, reaching about 7.2%, one of the highest rates in the past six years. Also, about 70% of salary earners work in low-wage sectors or do not even earn minimum wage, despite being statistically registered as employed. Policies that would increase labor market flexibility (e.g., greater integration of groups such as women and low-skilled workers), have largely been ignored. The strength of trade unions varies greatly, from very powerful (in the public sector) to very weak (in the informal private sector); different factors influence this divide, such as inadequate legislation, a lack of enforcement or the prevalence of informality.

Since powerful labor unions, including the Central Unitaria de Trabajadores (CUT) and Comisiones Obreras (CCOO), stress wage-related issues, the



limited labor-market policies that have been implemented focus on wage levels rather than on work conditions or on the quality of the labor force. Continuing education and skill enhancement training programs receive little support. Despite diminishing productivity, comparatively high wage levels have been established, mostly in the mining sector, with wage increases exceeding the rate of inflation.

Originally intended to be introduced in Congress in October 2014, the labor reform package was pushed back due to disagreements between government and opposition. After several disputes in the Senate and an intervention by the Constitutional Court, the labor reform was finally enacted by former President Michelle Bachelet in August 2016. The original reform proposal aimed to alter a number of laws originally passed under Augusto Pinochet and addressed the country's high degree of inequality. It was only able to pass Congress after several modifications. The enacted reform sought to modernize labor relations, mainly relating to collective bargaining, broadening negotiable topics and implementing a female quota of at least 30% among the respective labor union representatives. Although the long-term effect of these reforms on unemployment and labor market performance in general still remains unclear, the reform can be considered a step forward. Its effects will be visible in the years to come, as regulatory laws are enacted.

In 2018, President Sebastián Piñera announced a further labor reform initiative, which had already been included in his government program. The initiative that was finally presented to the Congress in January 2019 focused on modifying the Labor Code in the following way : (1) ensuring that a company be able to continue its operations in the event of a strike; (2) ensuring the recognition and involvement of all stakeholders in collective bargaining processes; and (3) the flexibilization of work schedules, which include the introduction of an overtime account with a weekly or monthly limit. Chile has working hours per month, which can now be distributed differently each week. The working week is spread over no less than four and no more than six days (previously: no less than five and no more than six days). Supporters of this reform argue that it will promote labor flexibility and productivity while providing regulations for cases that today must be decided by the courts. Critics anticipate a strengthening of the employers' side at the expense of the trade unions and workers.

Citation:

See news on labor reform, for instance:

<http://www.emol.com/noticias/Economia/2016/08/29/819506/Cuales-son-las-principales-modificaciones-de-la-Reforma-Laboral.html>

<http://www.cnnchile.com/noticia/2016/08/29/presidenta-bachelet-promulgo-la-reforma-laboral>

<http://www.lanacion.cl/noticias/economia/laboral/reforma-laboral-senado-aprobo-veto-presidencial-y-esta-listo-para/2016-06-22/203636.html>

<http://reformalaboral.carey.cl/>

Study about wages and salary income structure in Chile:

<http://www.fundacionsol.cl/estudios/los-verdaderos-sueldos-chile-panorama-actual-del-valor-del-trabajo-nesi2016/>

Sebastián Piñera's labor reform initiative:

<https://radio.uchile.cl/2018/12/27/proyecto-de-reforma-laboral-derecho-al-abuso/>

## Taxes

Tax Policy  
Score: 7

Chile has a moderately complex tax system. The tax reforms passed in September 2014 and February 2016 raised the corporate-income tax rate from 20% to between 25% and 27% (since companies may choose between two tax regimes) and eliminated a tax credit (Fondo de Utilidades Tributarias, FUT). This latter measure expanded the base for taxes on capital income. Thus, companies now have to pay taxes not only on distributed profits, but also on profit retained for future investments. These changes are expected to increase overall equity within the system, according to a World Bank study commissioned by the Chilean Ministry of Finance. However, the short- and long-term effects are not fully evident as a portion of the reform package has not measurably taken effect yet (e.g., elimination of the FUT tax credit).

The more ambitious aspects of Bachelet's tax-reform initiative, seeking to increase revenues, reduce tax evasion and avoidance, promote company investments and private savings, and make the fiscal system more equitable, were partially introduced in the latest two reforms packages, but their impacts have not been shown yet.

During the period under review, President Sebastián Piñera announced a further, smaller tax reform project in order to simplify the tax system and foster horizontal equity, especially for small- and medium-sized enterprises. These measures are planned to become effective from the beginning of next year's tax declaration period.

The highest marginal rate for personal-income taxes is 40%. This implies that high-income wage earners have a high tax burden compared to low-income earners in general, and to high-income non-wage earners in particular. Few exemptions are applied to corporate and income taxes, reflecting a relatively high level of horizontal equity within each income-tax category. High-income non-wage earners can legally avoid high-income taxes through incorporation. The value-added tax (VAT) of 19% is the third highest in Latin America (after Uruguay and Argentina) and remains flat. It favors allocative efficiency but has a regressive impact. There is certainly tax evasion in Chile, probably at

higher levels than the OECD average due to the prevalence of informality. Yet efforts to ensure tax compliance have generally been successful. Moreover, Chile probably has one of the most efficient computer-based tax-payment systems in the world.

The government's tax and non-tax revenue is sufficient to pay for government expenditure, at least at current spending levels. Additional revenue stemming from newly introduced fiscal changes is slated to finance reforms within the education and health systems. By and large, Chile has been successful in generating sufficient public revenue. There are flaws in the efficiency of tax spending, but in general the national budget corresponds to the claims of different sectoral ministries. However, most of the tax income generated by corporate and personal taxpayers is based on VAT, and therefore has a very regressive effect. The fiscal reform is expected to make improvements in this regard. Nevertheless, the tax system promotes vertical equity through redistribution at only a relatively low level in comparison to other OECD member states.

Expenditures for education and social security are far too low compared to other countries in the region and to the demands of the lower middle class and the poorer population. Tax policy fails to produce equity with regard to tax burden, as bigger companies and economic elites pay relatively low tax rates. This supports Chile's relatively strong international competitiveness, especially for services and products of comparatively low sophistication. Thus, in general terms, Chile's tax system contributes to the country's competitiveness with respect to world-trade and investment flows. On the other hand, taxation policy does not foster innovation or increase productivity, and thus endangers competitiveness in the long run.

The only reasonable way to assess Chile's tax system and the amount of revenue in order to finance a welfare state equivalent to 50% of GDP is to check whether Chile's ratio of government expenditure to GDP per capita is within the empirical cross-country range suggested by Wagner's law, which predicts that the development of an industrial economy will be accompanied by an increased share of public expenditure in GDP: In Chile, this is the case.

Citation:

<http://www.kpmg.com/global/en/services/tax/tax-tools-and-resources/pages/corporate-tax-rates-table.aspx>

<http://www.tradingeconomics.com/chile/highest-marginal-tax-rate-individual-rate-percent-wb-data.html>

<http://www.latercera.com/noticia/negocios/2015/10/655-649927-9-banco-mundial-73-de-la-recaudacion-de-la-reforma-tributaria-provendra-del-01-de.shtml>

<http://radio.uchile.cl/2014/09/09/lo-bueno-lo-malo-y-lo-escandaloso-de-la-reforma-tributaria>

<http://www.reformatributaria.gob.cl/principales-modificaciones.html>

<http://www.sii.cl/pagina/valores/global/igc2015.htm>

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Luis Eduardo Escobar, “Michelle Bachelet en busca de la transformación de Chile,” in: Nueva Sociedad, Nr. 252. Julio-agosto 2014, 4-14.

Tax Reform:

<http://www.reformatributaria.gob.cl>

Tax Reform Initiative 2018:

<https://www2.deloitte.com/content/dam/Deloitte/cl/Documents/tax/ReformaTributaria/cl-modernizaci%C3%B3n-reforma-tributaria.pdf>

<https://www.cooperativa.cl/noticias/economia/impuestos/los-ejes-de-la-reforma-tributaria-del-presidente-sebastian-pinera/2018-08-21/202417.html>

[http://www.sii.cl/portales/reforma\\_tributaria/index.html#&panel1-1](http://www.sii.cl/portales/reforma_tributaria/index.html#&panel1-1)

On VAT in Chile in comparison: <http://www.emol.com/noticias/Economia/2015/07/28/740297/Chile-tiene-el-tercer-IVA-mas-alto-de-America-Latina-y-se-ubica-por-encima-del-promedio-mundial.html>

## Budgets

Budgetary Policy  
Score: 9

Chilean budgetary policy has been very successful in terms of national debt reduction and reserve fund accumulation. The country’s budgetary policy is based on a fiscal rule that explicitly – and relatively transparently – links overall government spending to an estimate of government revenue trends. This puts Chile at the international best-practice frontier regarding budget policies and fiscal regimes. Although temporarily suspended during the difficult 2009 – 2010 period, this rule’s application since 2001 (and the adherence to fiscal orthodoxy even without comparative legislation since the mid-1980s) has allowed the government to reduce overall debt, accumulate sovereign wealth and reduce its overall financial liabilities to negative levels. This policy proved absolutely adequate in dealing with the global financial crisis. In order to improve fiscal transparency and the validation of the public balance, the Fiscal Consulting Council (Consejo Fiscal Asesor) was created in 2013.

Recent trends have been somewhat more worrisome. The country’s budgetary policy has come under pressure due to declines in the price of copper, slowing economic growth, state spending that has risen faster than GDP, the continued presence of a structural deficit, and an increase in debt. This trend forced the Chilean government to significantly lower expenditures of some ministries and public services in the latter half of 2016.

According to the U.N. Economic Commission for Latin America and the Caribbean, in 2018, an increase in tax revenues together with a decrease in

public spending (from 4.7% in 2017 to 3.3% in 2018) reduced the fiscal deficit (from 2.8% of GDP in 2017 to 1.9% of GDP in 2018). The fall in public expenditure was mainly related to a fall in current expenditure (from 6.3% of total expenditure in 2017 to 3.0% of total expenditure in 2018), as capital expenditure recorded a recovery (-3.1% in 2017 and 4.8% in 2018). The fiscal policy stance allowed the central government's gross debt to moderate its growth (24.8% of GDP in 2018 compared to 23.6% in 2017).

Citation:

Cf. DIPRES, Política de Balance Estructural:

<http://www.dipres.gob.cl/572/w3-propertyvalue-16156.html>

Instructions on the implementation of the budgetary law in the public sector (Ley de Presupuesto)

[http://www.dipres.gob.cl/597/articles-172486\\_doc\\_pdf.pdf](http://www.dipres.gob.cl/597/articles-172486_doc_pdf.pdf)

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## Research, Innovation and Infrastructure

R&I Policy  
Score: 5

Research and development (R&D) expenditure as a share of GDP is very low in Chile compared to other OECD countries, and most of this expenditure is undertaken by the government rather than the private sector. But Chile has shown that it is aware of shortcomings regarding the necessities of technological innovation, especially for its future economic and social development. Significant reforms have been put in place to raise R&D funding, including earmarked taxation (a royalty tax on mining), higher government expenditure, and the improvement of tax incentives for private R&D. Although results have to date been disappointing – in large part because of bureaucratic hurdles to the approval of private and public projects – Chilean institutions show good results at least in the area of basic research. But the steps necessary to transform this good basic research into applied research are almost never taken. Universities are often not prepared to support research that operates at the interface between basic research and industrial development. This is reflected in the comparatively low number of patents registered per year on a per capita basis, whereas the number of scientific publications is relatively high. In general, access to the limited public funds available for research tends to be quite difficult due to high bureaucratic barriers. Despite these facts and considering the development of the last decade, clear improvements regarding innovation policy and scientific cooperation can be observed.

According to the latest version of the Global Innovation Index (2018), Chile is ranked 47 out of 126 countries. In comparison to the previous year, when it was ranked 46 out of 128 countries, the country's innovation performance appears to be stable.

Citation:

[http://www.expansiva.cl/media/en\\_foco/documentos/17032010150429.pdf](http://www.expansiva.cl/media/en_foco/documentos/17032010150429.pdf)

<http://www.scidev.net/america-latina/innovacion/noticias/tres-paises-lideran-innovacion-en-latinoamerica.html>

<https://www.globalinnovationindex.org/>

Stabilizing  
Global Financial  
System  
Score: 6

### Global Financial System

Given its small size, Chile has quite limited power within international arrangements and, although it participates in regional institutions and regimes, the country has distanced itself from the recent tendencies of its Latin American neighbors to strengthen their respective independence from international-level political hegemony and financial sources. During the world economic and financial crisis, the government applied an austerity policy and engaged in a responsible budgeting policy mandating a 1% structural surplus, largely shielding itself from crisis effects. Nevertheless, in the national as well as international context, the official political discourse privileges the virtue of a totally deregulated and free market, combating any forms of state regulation.

## II. Social Policies

### Education

Education Policy  
Score: 5

Chile's school and education attainment levels are very mixed, and are generally much lower than the OECD average. Pre-primary education coverage is still low, but rising. Primary and secondary education coverage is high, reaching nearly 100% of current age cohorts. Tertiary-education coverage is moderate but increasing, although the quality of universities and private-sector technical institutions varies significantly. Former governments were not able to reduce the qualitative and social gap between the private and public systems; this failure has led to strong public protests that have endured since 2010, though these peaked in 2011 and 2012.

Traditionally, high-quality education in Chile has been accessible only to those able to afford it. There is a huge financial divergence between private and public education, with per month spending per pupil in the public system averaging CLP 40,000 (approximately \$60), and private-schooling fees averaging about CLP 300,000 (approximately \$450). Chile used to have a broad public-education system, but as a result of the poor quality of the public schools, the share of students attending public institutions has declined to

approximately 40%. This rate might change in the near future as a result of the recent reforms, but even then numbers could be further raised. There is still a great gap in the quality of education for less gifted students, as the system is strongly focused on preparing students for careers requiring higher education. There are consequently comparatively few applied, vocational training options for students who cannot afford or do not obtain the necessary grades to enter university, or are simply skilled in fields that require technical training rather than an academic degree.

Furthermore, there is wide variance in standards between universities and even technical training centers, with insufficient quality-control standards. In general, Chile's education system – with the exception of a few top universities – fails in the task of enabling students to acquire the knowledge and skills required for the country to make a quantum leap in economic development and growth. This hampers labor-productivity growth and undermines efforts to diminish poverty rates. This weak performance results from failures in past and current education policies, as well as the strong teachers' lobby that has effectively opposed necessary reforms to school curriculums and management structures, and has blocked attempts to link teacher pay to teaching productivity.

The general ideological disagreement between the government and opposition, regarding the role of the free market and of the state in the education system, has made it more difficult to pass reforms. In addition, there have been conflicts between teachers' boards and the corporations or enterprises offering private education services. The former government's campaign platform included reforms that sought to abolish profit-seeking in the education sector. A series of legislative proposals on the issue were submitted to Congress, but not all have been passed. The latest significant changes were introduced in March 2016 by the enactment of Law Nr. 20,845 (*Ley de Inclusión Escolar*), which increased subsidies for the most vulnerable students in primary and secondary education. At the same time, public subsidies for providers of education are now granted only to private entities which legally count as non-profit organizations. Additionally, financial contributions (*copagos*) by those families whose children attend a public school should be lowered. Prior to this latest reform, Law Nr. 20.882 (*Ley de Presupuestos del Sector Público*), enacted in December 2015, introduced subsidies to the tuition fees for most vulnerable students who attend higher education (about 25% of the newly matriculated students in 2017).

In summary, the education reform of 2015/16 aimed at eliminating profit, selection and copayments within the private-education sphere, and was based on four fundamental principles:

- 1) Ensuring that institutions provide a strong education and protect families' financial security;
- 2) Creating a high-quality public-education system;
- 3) Providing for a modern, well-paid, highly skilled teaching profession; and
- 4) Creating a free (no-fee) higher-education system of high quality.

In line with these goals, the budget proposal submitted by former President Michelle Bachelet to Congress on 1 October 2014 included a 27.5% increase in public investment. Public education received a funding increase of 10.2%, largely dedicated to nurseries, kindergartens, public-school infrastructure and training programs for teachers. As one of the programmatic focuses of the former government of President Bachelet, the past national budgets included an increase in educational spending. In 2018, the current government under President Sebastián Piñera continued this trend with an increase of 5.9% in comparison with the fiscal year 2017. However, a significantly lower increase of 2.9% (roughly equal to inflation) is foreseen for educational spending in 2019.

In January 2018, three months before Piñera's inauguration, the Congress adopted a tuition-free policy for university education ("gratuidad"), professional institutes and technical training centers after some modifications to Bechelet's initiative were made by the Senate and objections against one article by the Constitutional Court were resolved. Thanks to the new law, 60% of students from lower-income families who study in institutions attached to this benefit will not have to pay tuition fees.

The effects of the latest reforms, especially regarding coverage of higher education and quality of the public education system as a whole, will be reliably measurable in the medium and long term. Nonetheless, they can be seen as an important step toward more equitable access to (higher) education and an improvement regarding the quality standards of public education.

Citation:

Education budgeting

[http://www.dipres.gob.cl/597/articles-178468\\_a\\_presentacion\\_IFP\\_2019.pdf](http://www.dipres.gob.cl/597/articles-178468_a_presentacion_IFP_2019.pdf)

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Educational Reform

<http://leyinclusion.mineduc.cl/>



<http://reformaeducacional.gob.cl/documentos/>  
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## Social Inclusion

Social Inclusion  
 Policy  
 Score: 5

In terms of opportunity for upward mobility, Chile still fails to overcome a long lasting and broadening social gap. For instance, considerable exclusion along ethnic lines and a large gap between poor parts of the population and the middle class remain. There is also little upward mobility within higher income groups. The middle class in general and especially the lower middle class can be considered highly vulnerable given the lack of support for those suffering unemployment or health problems. Middle-class wealth tends to be based on a high level of long-term indebtedness and its share in the national income is low even by Latin American standards. The income distribution is highly unequal. Although GDP (2018) is about \$280 billion and GDP per capita (2018) is about \$15,087, nearly 70% of the population earns a monthly income less than \$800 (CLP 530,000). About half of the population earns less than \$550 (CLP 380,000) per month. Furthermore, poverty rates among elderly people are disturbingly high. In general terms, political discussions and thus policy proposals on how to promote social inclusion and social mobility still tend to be characterized by profound ideological biases.

The public education system provides a comparatively low-quality education to those who lack adequate financial resources, while the approach to social policy promoted and supported by the Chilean elite maintains this very unequal social structure. Although some social programs seeking to improve the situation of society's poorest people have been established and extended, the economic system (characterized by oligopolistic and concentrated structures in almost all domains) does not allow the integration of considerable portions of society into the country's middle class. Moreover, the lower-middle class in particular can be regarded more as a statistical category than a realistic characterization of people's quality of life, given that the majority of the Chilean middle class runs a perpetual risk of falling (material) living standards, as their consumer spending is mainly financed by credit and individual debt. If a household's primary income earner loses his or her job, or a family member has serious health troubles, families tend to face rapid impoverishment.

The reforms introduced by the former government (in the realms of taxation, education and labor) are expected to have substantial pro-inclusionary effects,

but their potential impacts still have to be shown.

In August 2017, an important law initiative of President Bachelet regarding women's rights was approved by the Congress after significant controversy over the depenalization of abortion on three grounds. Today, women can opt for abortion in cases involving sexual assault, a nonviable pregnancy or a significant risk to the mother's life. In November 2018, under Piñera's government and after five years of debate, the Gender Identity Law was enacted, which allows people to legally change their name and sex from the age of 14, and provides a new ID card with the corresponding new inscriptions.

In contrast to the trend observed in Latin American in recent years and to the mandate of the Inter-American Court of Human Rights, Chile has yet to pass a bill submitted to Congress by Bachelet in 2017 that would legalize same-sex civil unions. Although Piñera is opposed to same-sex marriage, he has stated that he will respect the Inter-American Court of Human Rights decision; a vote in Congress on the bill is expected to take place in June of 2019.

Citation:

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## Health

Health Policy  
Score: 7

For more than three decades, Chile has maintained a dual health system, with one pillar represented by private insurance and private health care services chosen by self-financing participants (typically upper middle-income and high-income groups), and another pillar of public, highly subsidized insurance and public health care services for participants who pay only part of their

health costs. This system provides broad coverage to most of the population, but with large differences in the quality of health care provision (especially in the waiting times for non-emergency services). A significant reform has been implemented gradually since 2003, expanding the range of guaranteed coverage and entailing a corresponding extension of government subsidies to low- and middle-income population groups. In contrast to other policies, this reform has been pursued in a very consistent and solid way, although some failures can be detected regarding the budget provided for public health and administrative processes. Above all, primary health care within the public system has shown great advances in coverage and in quality. These standards have remained stable in recent years.

In the domain of the more complex systems of secondary and tertiary health care, a more problematic situation is evident regarding the public health care system. These levels show funding gaps and an insufficiency of well-trained professionals. There is still a huge gender gap with regard to health care contribution rates, since maternity costs are borne only by women. For these reasons, the quality and efficiency of public health care provision (government clinics and hospitals) vary widely.

A survey released in November 2017 by Centro de Estudios Públicos (CEP), one of Chile's most important polling agencies, showed that 36% of the respondents cited health care as their third highest concern (after crime, 47%, and pensions, 38%).

Citation:

Healthcare as one of the chief concerns:

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## Families

Family Policy  
Score: 5

In recent years, there have been efforts to establish wide-ranging preschool-education coverage. These policies offer Chilean parents more opportunities to place their children in free or low-priced nurseries and kindergartens. As enacted, former President Michelle Bachelet's 2015 budget included a significant increase in public funding in both categories.

Under the current government of President Sebastián Piñera, the respective budgets remained stable, although it is disputable whether the former government's goal to create 70,000 new nursery places by the end of 2018 will be continued and finally achieved. (By the end of former President Bachelet's government in March 2018, 45,000 new nursery places had been established).

The national social program “Chile crece contigo” (Chile grows with you), which supports expecting mothers and families during a child’s early years, also includes support for adolescent mothers.

However, this system does not yet fulfill actual labor-market requirements, given that nursery opening times often do not coincide with parents’ long working hours. The average annual working hours in Chile (1,954 hours per year and worker) far exceed the OECD average (about 1,759 hours per year and worker). Families’ abilities to find day care for their children depends to a great degree on their economic backgrounds, as wealthier families normally pay for private housekeepers and nannies. Aside from the issue of women’s labor-market-participation opportunities, Chilean family policy does not fully respect fathers’ concerns, as tuition for children is paid solely to mothers, for example. Chilean family policies still lack a holistic vision of modern families; for example, they are weak on issues such as single parents and adoption.

Citation:

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## Pensions

Pension Policy  
Score: 5

Chile’s pension system combines a redistributive means-tested pillar financed by general taxation with a self-financed pillar based on individual contributions and individual pension accounts, which are administrated by private pension fund managers and invested both domestically and abroad. The redistributive pillar was extended and broadened very substantially in the context of a pension reform in 2008 that implemented means-tested pension subsidies, guaranteeing a pension floor to all older citizens that is very high relative to the country’s minimum and average wages. The reform also provided pension benefit entitlements to women based on the number of children they have, with no ceiling on the number of children. It is a matter of some debate whether the Chilean pension system guarantees intergenerational equity or prevents old-age poverty. It can be argued that both public and private pension systems are fiscally sustainable (like those of Norway, the best-funded system among all OECD countries), and thus provide both

intergenerational and intragenerational equity across income groups. Nevertheless, the Chilean system largely fails to guarantee poverty prevention among large parts of the socioeconomically weaker and elderly population who depend on the support of their families or have no pensions at all if they worked under unstable and/or informal conditions. Thus, because of the capitalization logic, the pension system has a negligible redistributive effect.

An advisory presidential commission (Comisión Asesora Presidencial sobre el Sistema de Pensiones) was set up in April 2014 with the task of analyzing possible pension-system changes. The current system, which was established under Augusto Pinochet's military regime, is strongly criticized as being designed to guarantee and provide sufficient funds for the economic and political elite and their financial interests, as these groups have strong links to the pension-fund management companies. The commission presented its final report in September 2015. It contained no radical reform proposals, but did suggest some slight changes such as an increase in contributions and an expansion in the coverage provided by basic solidarity pensions (pensión básica solidaria). The current scenario indicates that poverty among the elderly will rise in the medium and long term if reforms are not introduced soon. Thus, it is no surprise that surveys indicate that the topic of pensions ranks as one of the most pressing concerns for Chileans. During 2015 and 2016, dissatisfaction with the pension system increased significantly and led to peaceful, but massive demonstrations in more than 50 cities.

In October 2018, President Piñera announced a reform to the pension system that includes six main provisions:

(1) an increase of 40% in the solidarity pillar by means of a tax contribution in order to protect the most vulnerable groups; (2) an increase in contributions from 10% to 14% at the employer's expense; (3) greater competitiveness among pension fund managers by incorporating new market participants; (4) stronger incentives to postpone the age of retirement; (5) a dependence insurance for those who lose their physical or intellectual capacities; (6) an insurance for pension gaps. By the end of the period under review, the reform proposal not yet passed the Congress.

Citation:

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## Integration

Integration Policy  
Score: 6

The number of immigrants in Chile has increased significantly during the last years. The integration of immigrants from other Latin American countries, who represent nearly 75% of all immigrants (by far the largest group of foreigners in Chile), does not face significant difficulties since these immigrants share a common language and, to a certain degree, a similar cultural background. Typically, Peruvians have been the biggest immigrant group in Chile. However, in the period under review, most residence applications were submitted by Venezuelans due to the multiple crises in their country. Since 2013, immigration from Venezuela has grown by a factor of 19.

Latest estimates indicate that there were about one million immigrants living in Chile at the end of 2018 (about 5.5% of the population), nearly one-third of immigrants lack a valid residence permit. This is a significant increase from 2014, when about 420,000 immigrants were living in Chile (about 2.3% of the population at that time)

Also noteworthy is the fact that the relationship between emigration and immigration in Chile has changed. While in the past Chile registered higher rates of emigration than immigration, this is reversing due to the country's economic development and political stability. The vast majority of immigrants settle in Chile's capital Santiago and in those parts of the country characterized by a high concentration of mining activities – the country's most important source of income. Because immigration happens most in these highly visible regions, migration policy has become more present in public discussions. It is fair to assume that its importance will further increase, considering its impact on the country's economic and social development.

In 2016 and 2017, laws were enacted that foster protection of refugees and their integration into Chilean society. Refugee children now receive privileged access to Chilean citizenship regardless of age and residence time when one of their parents adopts Chilean citizenship. Before this reform, only adult children qualified for receiving citizenship through a parent. Additionally, some administrative barriers for migrants to attend public schools have been lowered.

On the basis of Chile's experience with the humanitarian resettlement of Palestinians, the former government of Michelle Bachelet promised to host

between 50 and 100 Syrian families, regardless of religion. Although only 14 families had arrived by the end of October 2017.

During 2018, Chile became the fourth most popular Latin America destination for Venezuelan migrants. According to the investigative police, in the first half of the year, 147,429 Venezuelan citizens entered Chile – almost as many as during the previous 12 months (177,347 people in 2017). Since April 2018, the so-called Visa of Democratic Responsibility, introduced by President Piñera, has been accessible to Venezuelans. A total of 64,932 Venezuelan citizens have applied for this special visa, which has been granted in only 9,626 cases, while 42,000 applications are still being processed.

Also in April 2018, President Piñera presented a new law on migration to the Congress that would modify the existing regulation introduced in 2013. Anticipating a long parliamentary debate, the executive passed several administrative decrees in order to address “urgent challenges,” which included changing the existing law on aliens (Ley de Extranjería). Since the introduction of these executive decrees, visas to stay in Chile are issued in a person’s country of origin and the possibility of applying for a temporary work visa in Chile has been eliminated.

Together with another 10 Latin American countries, the Chilean government under Piñera signed in September 2018 the Quito Declaration on the Venezuelan migration crisis, which recognized the need for greater regional cooperation in this realm. Although, in contrast to this, President Piñera belongs to the small group Latin American heads of state that did not sign the U.N. Global Compact for Migration in December 2018.

Citation:

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## Safe Living

Internal Security  
Policy  
Score: 7

Internal security policy is quite effective. While organized crime is not apparent to the average citizen, there are some disturbing trends: selective acts of terrorism (or acts classified as such) based on ethnic or political grounds, and a slightly rising incidence of drug-trafficking (and related crimes). Homicide rates in Chile are among Latin America's lowest. Common crime rates have not shown any significant changes since 2012. Still, public perceptions of criminality tend to overestimate the statistical reality. According to a poll released in November 2017 by the Chilean survey institute Centro de Estudios Públicos, insecurity remains the overriding public concern (47%), ahead of pensions (38%) and health care (36%), despite the fact that crime rates, especially regarding serious crime, have been relatively stable during the last few years.

Private security services are widespread in the wealthier urban areas, especially in Santiago. Chile has an extremely high share of prisoners among the younger population in particular. Prevention measures are not well developed. The last two governments each launched anti-crime programs focusing more on detection and repression than on prevention. These had very mixed results. Crime-control programs such as the Plan Cuadrante and the marked increase in the numbers of police officers have significantly reduced crime rates. Penal-code reforms and their implementation over the last eight years have also significantly raised the efficiency of crime detection and criminal prosecution. In the government's 2017 state budget, security is one of the top three budgetary priorities (along with education and health).



In July 2018, President Piñera received the final report of the working group on security (Mesa de Trabajo por la Seguridad). The working group consisted of government ministers, undersecretaries, senators, deputies, mayors and civil society representatives. Over 90 days, the working group debated public safety issues. The final report included 150 recommendations across five topic areas, namely: modernizing the police, fostering the Intelligent System of the State, tightening controls on the circulation of firearms, stressing the key role of municipalities in the realm of public security and improving the coordination between actors in the System of Criminal Prosecution. The report represents a further step on the way to a new National Public Security Agreement, which President Piñera seeks to achieve. Some of these recommendations were included in the draft laws that the executive presented to the Congress in November 2018.

Citation:

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## Global Inequalities

Global Social  
Policy  
Score: 7

The Agencia Chilena de Cooperación Internacional para el Desarrollo (AGCID) under the Ministry for External Relations has been the national agency responsible for international cooperation, South-South and triangular cooperation since 1990. Its current Strategy for the International Development was defined for the period 2015-2018.

While Chile is a member of the OECD, it has only an observer status in the Development Assistance Committee (DAC).

Chile formally follows and promotes the United Nations' Sustainable Development Agenda (Agenda 2030) and its 17 Sustainable Development Goals in its foreign policies. In practice, those criteria do not necessarily constitute the main emphasis when it comes to decision-making regarding international cooperation with developing countries in the region (Chile cooperates nearly exclusively with Latin American developing and emerging countries). In respect of promoting fair access to global markets, Chile offers virtually no subsidies to domestic producers, and does not maintain protectionist trade barriers to imports.

Citation:

Agencia Chilena de Cooperación Internacional para el Desarrollo (AGCID):

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### III. Environmental Policies

#### Environment

Environmental  
Policy  
Score: 6

Chile has an efficient but scarcely restrictive environmental regulatory system. From 2010 onwards, it has boasted a modern environmental institutional system. For example, the former National Commission for Environmental Issues (Comisión Nacional del Medio Ambiente) has been upgraded into the Ministry of Environment (Ministerio del Medio Ambiente). The creation and implementation of complementary institutions, such as environmental tribunals (Tribunales Ambientales) and a chairperson for the environment (Superintendencia Ambiental), showed some progress by the end of 2012. However, Chilean environmental policy is basically designed for compliance with standards required by international markets and thus does not necessarily focus on aspects like ecological sustainability. In addition, Chilean environmental policy is also exposed to major domestic political pressures from the industrial sector, especially in the field of water and forestry policies and regulation. This often leads to clashes over the protection, preservation and sustainability of natural resources and the quality of the environment. It is quite common for the judiciary to stop investments and projects on ecological-sustainability grounds. In September 2016, Chile signed the Paris Agreement on climate change, which was ratified in January 2017. This entry into force might foster institutional efforts to protect and preserve natural resources and environmental quality in the near future. Chile will host the next U.N. Climate Conference Cop25, which will take place at the end of 2019 or beginning of 2020.

Chile is poised to enact a climate change law (Ley de Cambio Climático) in 2019 in order to establish an effective climate governance system and help to reduce carbon dioxide emissions.

Citation:

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## Global Environmental Protection

Global  
Environmental  
Policy  
Score: 6

The government demonstrates commitment to existing regimes and international efforts but it is not a genuine promoter of global environmental protection. There has been at least one specific initiative regarding the protection of Antarctica, but in general terms, the government neither initiates significant reforms nor plays a leading role in their advancement. Chile signed the Paris Agreement on climate change in September 2016, which was ratified by the parliament in January 2017.

Citation:

[http://www.senado.cl/ratifican-acuerdo-de-paris-sobre-cambio-climatico/prontus\\_senado/2017-01-25/110753.html](http://www.senado.cl/ratifican-acuerdo-de-paris-sobre-cambio-climatico/prontus_senado/2017-01-25/110753.html)

<http://www.oecd.org/env/country-reviews/34856244.pdf>

<http://www.oecd.org/chile/oecd-environmental-performance-reviews-chile-2016-9789264252615-en.htm>

[https://read.oecd-ilibrary.org/environment/oecd-environmental-performance-reviews-chile-2016\\_9789264252615-en#page1](https://read.oecd-ilibrary.org/environment/oecd-environmental-performance-reviews-chile-2016_9789264252615-en#page1)

## Quality of Democracy

### Electoral Processes

Candidacy  
Procedures  
Score: 9

In general terms, candidates and parties are not discriminated against in the registration process. Electoral procedures are very reliable and there is no ideological bias.

Beginning with the 2013 presidential election, a non-compulsory primary-election system (primarias) for the designation of presidential candidates was established. The 2013 presidential and congressional elections showed a slight improvement due to the fact that one of the two main coalitions, the former Concertación – now renamed Nueva Mayoría – broadened its ideological spectrum in order to integrate several small leftist parties (Partido Comunista; Izquierda Ciudadana; Movimiento Amplio Social). Under the second government of Michelle Bachelet, these political forces were also assigned ministerial responsibility. This can be regarded as an improvement within Chilean democracy in general.

Also, the Electoral Service (Servicio Electoral de Chile, SERVEL) has been assigned a wider range of oversight mechanisms regarding registration procedures. It has also been given more autonomy from other state organs, with the aim of ensuring more efficient monitoring of the registration process and of political-party and campaign financing. To a certain degree, this shift can be seen as a response to the electoral fraud that occurred in 2013, when two independent candidates forged signatures in order to meet the candidate-registration threshold. Both were found guilty in 2014.

In April 2015, a new electoral law (Law No. 20,840) was enacted that replaced the 25-year-old binominal electoral system for parliamentary elections with a system of “proportional and inclusive representation.” The allocation of seats continues to be based on the D’Hondt method, but now in multimember districts of smaller magnitude (3 to 8 deputies and 2 to 5 senators). Further changes include the following:

- An increase in the overall number of deputies (from 120 to 155) and senators (from 38 to 50);

- A reduction in the number of districts and constituencies for the election of the Chamber of Deputies (from 60 to 28);
- A reduction in the number of districts and constituencies for the election of the Senate (from 19 to 15);
- The introduction of a gender quota applied to party lists: neither males nor females may exceed 60% of the total number of candidates presented by a party (up to 2029);
- An increase in the amount of state reimbursement for each vote received by female candidates and the introduction of a gender bonus of about \$20,000 for each woman elected as deputy or senator (up to 2029);
- A lowering of the requirements for creating parties. The number of signatures parties must collect decreased from 0.5% of the voters in the last election for the Chamber of Deputies in eight of the 15 regions or in three geographically contiguous regions to only 0.25%, but limited to the region in which they are registered;
- The introduction of the M+1 rule: unlike the binominal system, each party list must now include as many candidates as seats are to be distributed, plus one. As before, the lists are open.
- Electoral pacts between parties are only allowed at the national level.

In December 2016, another electoral law (Law No. 20,990) was enacted which introduced the direct popular election of the executive branch of the twelve regions in which the country is administratively divided. The former “Intendentes” which were designated by the central government will be replaced by elected “Gobernadores Regionales” in order to foster decentralization and citizen participation. The office term will be four years and only one consecutive reelection possible. To be elected, a candidate requires at least 40% of the valid votes in the first round or more than 50% in the runoff (second round between the two candidates with the most votes). The new electoral system for congress was first applied in the legislative elections of November 2017 together with the presidential election. The first direct election of regional governors will take place in 2020.

Citation:

<http://www.bcn.cl/leyfacil/recurso/nuevo-sistema-electoral-para-elecciones-parlamentarias-%28fin-del-sistema-binominal%29>

<https://www.bcn.cl/leyfacil/recurso/eleccion-democratica-de-gobernadores-regionales>

Ricardo Gamboa/Mauricio Morales 2016: Country Note. Chile’s 2015 Electoral Reform: Changing the Rules of the Game, *Latin American Politics and Society*, 11 October 2016, 126-144. DOI: 10.1111/laps.12005, <http://onlinelibrary.wiley.com/doi/10.1111/laps.12005/Abstract>

<http://www.gob.cl/consiste-la-eleccion-directa-gobernadores-regionales-aprobada-este-miercoles/>

<https://www.leychile.cl/Navegar?idNorma=1098725>

<https://www.efe.com/efe/america/politica/bachelet-promulga-una-ley-que-permitira-la-eleccion-directa-de-gobernadores-regionales/20000035-3136356#>

Media Access  
Score: 4

Access by candidates and parties to public TV channels is regulated by law (Law No. 18,700, Ley Orgánica Constitucional sobre Votaciones Populares y Escrutinios, and Law No. 18,603, Ley Orgánica Constitucional de los Partidos Políticos). Given the high concentration of media ownership with a specific political viewpoint, candidates and parties de facto lack equal opportunity of access to a plurality of media and other means of communication. La Nación, a former daily paper owned and run by the state, stopped publishing a print edition during Sebastián Piñera's first administration in 2010 (although the publication is still accessible online). Chile's largest free TV channel (TVN) is state-owned, and is required by law to provide balanced and equal access to all political views and parties – a regulation which is overseen by the National Television Directorate (Consejo Nacional de Televisión, CNTV). The private media is mainly owned and/or influenced by elite associated with the Chile Vamos (until 2015, Alianza por Chile) coalition, which represented the opposition until March 2018 and has been the ruling political force since then. Although La Nación and TVN are state-owned, they must operate according to market rules, relying on advertising revenues and strong audience ratings. In general, regional candidates tend to have fewer media-access opportunities due to the strong centralization of Chile's political and media systems.

Voting and  
Registration  
Rights  
Score: 8

Law No. 20,568, enacted in January 2012, and Law No. 20,669, enacted in April 2013, changed the voter registration system, eliminating the voluntary registration and compulsory voting system and replacing it with automatic registration and a voluntary right to vote for citizens older than 18 years. This reform promoted the participation of younger and especially first-time voters in the 2013 presidential elections. This law also introduced assisted voting for citizens with disabilities. Since April 2014, Chileans living abroad have been automatically registered to vote if they are registered correctly with the register office. Thus, in the presidential elections of 2017, Chileans living abroad participated for the first time in national elections.

These individuals are now in theory allowed to participate in presidential elections, presidential primaries and national plebiscites (which are not explicitly provided for by the constitution), but not in parliamentary or municipal elections. However, only the electoral-roll inscription is carried out automatically today.

Individuals who have been charged with a felony and sentenced to prison for more than three years and one day, as well as people classified as terrorists, lose their suffrage rights. Prisoners who have not been charged but remain on remand de facto lose their right to vote as administrative and infrastructural barriers impede their participation in elections. Nevertheless, Law No. 20,568 eliminated penalties previously dealt to registered voters who did not vote and

failed to have an explicit and officially approved excuse for not doing so. The fact that the act of voting is now completely voluntary is questioned by some politicians and intellectuals who argue that voting not only represents a civil right but also a civil duty. Fears were raised by academics that the transition to voluntary voting would be accompanied by a bias toward middle- and upper-class voters, since lower-class and marginalized voters would disproportionately stay home. These fears ultimately turned out to be unjustified, as balloting has demonstrated no significant bias with regard to socioeconomic status in comparison to previous elections. However, voter-turnout rates dropped to an historic low in the municipal elections of 2016. The presidential election of 2017 confirmed this tendency as voter-turnout in the first ballot dropped to 46.65% in comparison to 49.13% in the previous election of 2013.

Citation:

<http://www.bcn.cl/leyfacil/recurso/voto-de-chilenos-en-el-extranjero>

<http://www.biobiochile.cl/2014/04/30/presidenta-bachelet-promulga-ley-de-voto-chileno-en-el-extranjero.shtml>

<https://www.servel.cl/voto-de-chilenos-en-el-exterior-2/>

About suffrage of prisoners:

[https://scielo.conicyt.cl/scielo.php?script=sci\\_arttext&pid=S0718-34372018000100233](https://scielo.conicyt.cl/scielo.php?script=sci_arttext&pid=S0718-34372018000100233)

<https://ciperchile.cl/2013/08/27/votando-en-la-carcel/>

Party Financing  
Score: 6

In general, party and campaign financing processes have not been very transparent in the past. Upper limits to campaign financing are set by law, but enforcement and oversight are not very effective. Electoral campaign expenditures are financed by public funds and private financing, but ineffective monitoring often enables the latter to be rather opaque. De facto, there are no real mechanisms for applying penalties in the event of irregularities. Law No. 20,640, approved in October 2012, made it possible for a political coalition to support candidates on a joint basis. This process is voluntary and binding, and joint campaign expenditures are limited by the current public-transparency law (Ley de Transparencia, Límite y Control del Gasto Electoral). This limit is set at 10% of the amount allocated for normal elections.

At the end of 2014, wide-ranging evidence of corruption in political-party funding came to light. As the investigation progressed, more and more politicians and political parties have turned out to be involved, across the political spectrum. Known as “Pentagate,” the scandal reached such a dimension that the former head of the Chilean General Accounting Office (Contraloría de la República) said in his end-of-term speech in April 2014:

“We can’t shut our eyes, corruption has arrived.” The scandals have been particularly striking given that Chile has always tended to be considered an exception to the endemic corruption found elsewhere in Latin America.

As a response to this crisis, President Bachelet convoked an anti-corruption council that proposed several anti-corruption measures, including new restrictions on private campaign funding, which were largely enacted in April 2016. With the new Law No. 20,900, which modifies former Law No. 19,884, a higher base amount is provided by the state for electoral campaigns, but enterprises are barred from providing funding to political parties or campaigns. In addition, anonymous donations have become illegal and all donations must be transparently registered.

The lawsuits, which concluded during the period under review (2017 – 2018), regarding the previously mentioned corruption scandals, tended to impose rather light sanctions. At the time of writing, it remains to be seen how the new law will effect electoral campaigns and political financing, and if the responsible authorities will be able to monitor the law’s adherence.

Citation:

<http://www.servei.cl/financiamiento-de-campanas/>

<http://www.latercera.com/noticia/politica/2016/04/674-676080-9-estas-son-las-normas-que-fija-la-nueva-ley-para-regular-el-financiamiento-de.shtml>

<https://www.emol.com/noticias/Nacional/2018/07/04/912103/Caso-Penta-Tribunal-acoge-juicio-abreviado-y-condena-por-delitos-tributarios-a-Lavin-y-Delano.html>

Popular Decision-Making  
Score: 3

The Chilean constitution is one of the most restrictive on the topic of direct democracy (e.g., referenda, plebiscites and citizens’ initiatives) in present-day Latin America. The last nationwide plebiscite was initiated by the government in 1989, albeit during a military dictatorship and in the midst of the agreement process on the transition to democracy. At the moment, the national government does not contemplate mechanisms for direct democracy, though they have been called for by various civil society groups and movements. At the municipal level, the Organic Constitutional Law of Municipalities (2002) provides for popular consultations (i.e., plebiscites). These may be either top-down (at the initiative of a mayor, with the agreement of the council, or by the municipal council itself, with a two-thirds majority) or bottom-up (by a minimum of 10% of a municipality’s citizens). Thus, the possibility to initiate referenda at the municipal level officially exists, but these referenda are not necessarily legally binding and may be ignored by the authorities.



### Access to Information

Media Freedom  
Score: 8

In general, the rules and practice of media supervision guarantee sufficient independence for public media. Privately owned media organizations are subject to licensing and regulatory regimes that ensure independence from the government. During the last two years, the Freedom House index evaluated Chile's freedom of press as "free" whereas in 2015 it was still evaluated as "partly free." The report's authors argued that the level of violence and harassment faced by journalist covering protests had significantly decreased in recent years. The index takes into account "the legal environment in which media operate, political influences on reporting and access to information, and economic pressures on content and the dissemination of news." The latest Press Freedom Index 2018, published by the international NGO Reporters Without Borders, ranked Chile 38 out of 180 countries, a dropping five places compared to the previous year. Nonetheless, covering demonstrations still remains difficult. Given Chile's media landscape and its ideological and economic concentration, the degree of government influence over the media depends largely on which coalition is leading the government and clearly limits democratic debate. The presidency of Piñera, a successful entrepreneur, is more market friendly, and closer to business and – consequently – media interests.

Citation:

Freedom House Index (freedom of the press):

<https://freedomhouse.org/report/freedom-press/freedom-press-2017>

Reporters without borders press freedom index:

<https://rsf.org/en/chile>

Media Pluralism  
Score: 5

In general terms, the high concentration of media ownership in Chile notoriously limits democratic debate. This is especially the case among print media, which is practically a duopoly. The El Mercurio group and Copesa together account for much of the country's print sector, have the greatest share of readers and control of a considerable amount of the country's advertising portfolio. The papers owned by these two dominant groups offer essentially uniform political-ideological projects, editorial positions, styles and news coverage. However, these newspapers tend to be more influential among Chile's upper-middle class and political elites than among the broader public. The official government daily, La Nación, presents views and opinions that run counter to those in the dominant papers; however, its print edition was eliminated during the first administration of President Sebastián Piñera in 2010 (although it is still accessible online). A similar pattern can be found in the public-television sector, but on the whole the electronic sector offers a more diversified scope of opinion (especially on local radio stations and in a few

online publications). In general, there is a very narrow informational mainstream, with the government-owned TVN being the most dominant free station. Whether it presents politically balanced views and provides access to all viewpoints is a point of debate. At the end of 2017, TVN was declared bankrupt. A bailout package to ensure the channels survival was approved by the Senate in January 2018. The government also decided to create a cultural channel as part of the TVN capitalization project.

Citation:

<https://www.eldinamo.cl/entretencion/2018/01/24/senado-culmino-la-tramitacion-del-proyecto-de-capitalizacion-de-tvn/>

Access to  
Government  
Information  
Score: 7

The statute on access to public information (Ley No. 20,285 sobre Transparencia de la Función Pública y Acceso a la Información de los Órganos de la Administración del Estado) was approved by Congress in August 2008 and implemented in 2009. It stipulates two dimensions of transparency. The first is “passive transparency,” and obliges all public institutions and authorities of the government to respond to any request for information constituted as public information within a 20-day period (with extensions of up to ten more days possible). The other dimension is that of “active transparency,” and requires governmental ministries and agencies to publish broad information on various topics on their websites. The statute also creates the Transparency Council (Consejo para la Transparencia), an independent agency responsible for monitoring transparency, regulating transparency practices and compelling public services to provide information should they refuse to do so. The Transparency Council’s board of directors is nominated by the executive and approved by the Senate. Information classified as a state secret is exempted from these transparency stipulations. This remains an important clause, as there are about 200 Chilean laws that are officially still classified as secret. These laws derive in some cases from the beginning of the 20th century, and in others from the military regime. Most are actually common knowledge, but remain formally treated as secret. The current government of Sebastián Piñera presented a law proposal (Ley de Transparencia 2.0) to facilitate access to the laws. Although the Transparency Law (Ley de Transparencia) leaves very little room for administrative interpretation, there have been cases of negligence regarding access to and publication of relevant information.

Citation:

<http://www.freedominfo.org/regions/latin-america/chile/>

<http://www.chiletransparente.cl/>

<http://www.leychile.cl/Navegar?idNorma=276363&idParte=0>

[http://anticorpp.eu/wp-content/uploads/2014/03/Chile-Background-Report\\_Final.pdf](http://anticorpp.eu/wp-content/uploads/2014/03/Chile-Background-Report_Final.pdf) (S. 14)

<http://www.elmostrador.cl/noticias/pais/2018/08/24/ley-de-transparencia-2-0-de-pinera-incluirea-levantar-la-reserva-de-casi-200-leyes-secretas/>

<https://www.consejotransparencia.cl/a-un-ano-de-la-publicacion-de-la-ley-reservada-del-cobre-aun-existen-199-leyes-secretas-en-nuestro-pais/>

### Civil Rights and Political Liberties

Civil Rights  
Score: 7

The state and the courts efficiently protect civil rights, but certain specific conflicts (e.g., those related to indigenous groups) have led to human-rights violations in the recent past. In conflicts involving ethnic minorities, such as the ongoing conflict regarding the Mapuche minority in the southern region of Chile, anti-terror legislation – which dates back to 1984 and violates international conventions signed by Chile – have been applied in recent years. Additionally, within the context of the Mapuche conflict, it is quite noticeable that there have been multiple cases of detainees being held significantly longer than average, independent from the respective results of an investigation.

Furthermore, some occasional conflicts between civilians and the military or the police have been overseen by military courts, whose impartiality is questionable. In general, the enormous income gap between population groups tends to marginalize the poorest people, who receive less state protection against infringements of their rights and for whom access to justice is more difficult.

In November 2016, Law No. 20,968 was enacted which modified the competences of the military justice defined by Law No. 20,477. Henceforth, no civilian – perpetrator or victim – will be prosecuted by military courts. The new law also introduced the crime of torture into the criminal code.

Citation:

<http://www.latercera.com/noticia/bachelet-pide-perdon-al-pueblo-mapuche-presenta-medidas-la-araucania/>

<https://prensa.presidencia.cl/comunicado.aspx?id=56160>

<https://www.bcn.cl/leyfacil/recurso/delito-de-tortura>

<http://radio.uchile.cl/2016/12/02/nueva-modificacion-a-la-justicia-militar-un-avance-hacia-el-pleno-estado-de-derecho-en-chile/>

Political Liberties  
Score: 7

In general, political rights are protected by the constitution and legislation, and are enforced by government policy and practice. Nevertheless, police interventions have sometimes crossed the line from guaranteeing law and order into repression – especially during the more intense period of the student movement and protests by Chile’s indigenous people. Furthermore, the biased

Non-  
discrimination  
Score: 6

media landscape limits equal access to information and the opportunity to communicate different political opinions and versions of conflict situations.

In general terms, political rights are protected by legislature and government bodies. Major failings can be seen, for example, in the case of the Mapuche indigenous conflict in the southern part of Chile. The Mapuche are not constitutionally recognized as an ethnic minority with collective rights. Despite official denials, some Mapuche captives claim to be political prisoners. There have been some important attempts to diminish discrimination, such as the Civil Union Agreement (Acuerdo de Unión Civil) that allows for the official acceptance of same-sex unions. The law on this issue was enacted in October 2015. In June 2017, former President Bachelet officially apologized to the Mapuches for the mistakes and horrors (errores y horrores) committed or tolerated by the state toward these communities and presented the Plan de Reconocimiento y Desarrollo (Plan for Recognition and Development) Araucanía. This initiative seeks the recognition of collective rights and their language (mapudungún), introduces a holiday in their honor (Día Nacional de los Pueblos Originarios) and creates the Ministry of the Indigenous Peoples and the Council of Indigenous Peoples. The current president, Sebastián Piñera, has continued with its implementation, emphasizing the urgent need to create a proper ministry and secure constitutional recognition for indigenous peoples. Once operational, it remains to be seen if the ministry will improve protections against discrimination for the indigenous population.

With regard to gender, Chile is ranked 63 out of 144 countries in the latest Global Gender Gap Index (2017); its parity-imparity score (ranging from 0.00 = imparity to 1.00 = parity) is 0.704. Both figures represent an improvement compared to previous years. Only about 22.6% of Chile's serving deputies and senators are women, a slightly better average than last year. Nonetheless, these averages are much lower than comparable shares elsewhere in Latin America or in the OECD as a whole. In order to improve the ratio of women representatives, a new electoral law obligates political parties' electoral slates to be composed of at least 40% women beginning in the 2017 elections and provides financial incentives for the candidacy and election of women. Furthermore, a new labor reform package enacted in August 2016 implemented a 30% female quota for the representatives of labor unions.

Gender-discrimination issues are relevant in other spheres as well. For example, health care insurance is twice as expensive for women as for men due to maternity costs. Many other social, political, economic and legal policies and practices lead (directly or indirectly) to gender and ethnic discrimination.

## Citation:

Interparliamentary Union, Situation as of 1. September 2018  
<http://archive.ipu.org/wmn-e/classif.htm>

Global Gender Gap Index (reviewed by October 18th 2018)  
<https://www.weforum.org/reports/the-global-gender-gap-report-2017>

<http://www.t13.cl/noticia/nacional/bachelet-anuncia-creacion-ministerio-pueblos-indigena>

<https://www.biobiochile.cl/noticias/nacional/region-de-la-araucania/2018/09/24/plan-araucania-reconocimiento-constitucional-de-pueblos-originarios-ley-de-cuotas-y-financiamiento.shtml>

**Rule of Law**

Legal Certainty  
 Score: 7

Acts and decisions made by the government and official administrative bodies take place strictly in accordance with legislation. There are moderately effective autonomous institutions that play an oversight role with regard to government activity, including the Office of the General Comptroller (Contraloría General de la República) and the monitoring functions of the Chamber of Deputies. Government actions are moderately predictable and conform largely to limitations and restrictions imposed by law.

Judicial Review  
 Score: 8

Chile's judiciary is independent and performs its oversight functions appropriately. Mechanisms for judicial review of legislative and executive acts are in place. The 2005 reforms enhanced the Constitutional Tribunal's autonomy and jurisdiction concerning the constitutionality of laws and administrative acts. Arguably, the Tribunal is one of the most powerful such tribunals in the world, able to block and strike down government decrees and protect citizens' rights against powerful private entities. In November 2016, Law No. 20,968 was enacted which modified the competences of the military justice defined by Law No. 20,477. Henceforth, no civilian – perpetrator or victim – will be prosecuted by military courts. The new law also introduced the crime of torture into the criminal code.

During the current evaluation period, Chilean courts demonstrated their independence through their handling of the corruption scandals revealed over the past few years, which have included political parties and a large number of the country's politicians. Nevertheless, the sentences imposed thus far have tended to be rather light.

## Citation:

<https://prensa.presidencia.cl/comunicado.aspx?id=56160>

<https://www.bcn.cl/leyfacil/recurso/delito-de-tortura>

Appointment of  
 Justices  
 Score: 9

Members of the Supreme and Constitutional Courts are appointed collaboratively by the executive and the Senate. During recent years, there have been several cases of confrontation between the executive power and the

Corruption  
Prevention  
Score: 6

judiciary, for example in the area of environmental issues, where the Supreme Court has affirmed its autonomy and independence from political influences.

In general terms, the integrity of the public sector is a given, especially on the national level. The most notable problem consists in the strong ties between high-level officials and the private sector. Political and economic elites overlap significantly, thus reinforcing privilege. In general terms, this phenomenon can be observed irrespective of the larger political parties' ideology, although it tends to be more evident in the current government of Sebastián Piñera as many members of the Alianza – including the president himself – are powerful businesspeople.

Such entanglements produce conflicts of interest in policymaking (e.g., in regulatory affairs). There are no regulations enabling the monitoring of conflicts of interest for high-ranking politicians (e.g., the president or government ministers). However, there are some independent projects emerging that aim to increase public awareness about this issue.

The scandals revealed in recent years have shown that corruption and abuses of power within Chile's political and economic elite, as well as some cases of higher ranked public servants (as in the case of the police and the military), is in fact more common than (international) indicators regarding corruption and transparency suggest. It is unclear how state institutions will confront these challenges.

In 2016, a minister and an undersecretary of state of the former government were convicted of corruption, while during the period under review several high-ranking military and police officials have been prosecuted for corruption. Due to these corruption scandals, discussions about making public a large number of secret laws, which relate to military budgets and spending, have been revived.

As a response to this crisis, former President Bachelet convoked a council (Consejo Asesor Presidencial contra los Conflictos de Interés, el Tráfico de Influencias y la Corrupción) that in its final report (April 2015) proposed several anti-corruption measures intended to prevent abuse of office. Due to their conclusions, restrictions on private campaign funding (Ley sobre Fortalecimiento y Transparencia de la Democracia) and the creation of a public register for all lobbyists were implemented in 2016. In August 2018, current President Piñera announced a draft law on transparency (Ley de Transparencia 2.0) in order to improve the existing regulation.

Citation:  
<http://consejoanticorruccion.cl/>

<http://consejoanticorruccion.cl/lanzamiento-final/>

<https://www.leylobby.gob.cl/>

<http://www.latercera.com/noticia/estas-son-las-normas-que-fija-la-nueva-ley-para-regular-el-financiamiento-de-campanas-politicas/>

<https://www.cooperativa.cl/noticias/pais/politica/transparencia/pinera-anuncio-ley-de-transparencia-2-0-que-incluire-al-congreso-al-tc/2018-08-24/121235.html>

# Governance

## I. Executive Capacity

### Strategic Capacity

Strategic  
Planning  
Score: 7

The president has the ability to ask for and ensure strategic planning, whether through formal or informal channels. Line ministries, most notably the Ministry of Finance, and the president's advisory ministry (Secretaría General de la Presidencia, Segpres), have considerable influence in strategic-planning processes. Meetings between strategic-planning staff and the head of government are held frequently. However, no long-term view of policy challenges and viable solutions is necessarily presented – these are either limited in scope or depth of impact depending on the topic. Strategic planning, policy planning and regulatory reforms, budget planning, and ex ante evaluation of government policies and public-investment programs are carried out by specialist units and departments inside the various ministries. While there is no explicit multi-year budget planning process in place in Chile, this takes place implicitly due to the fiscal rule that (by law) links overall government expenditure to forward-looking estimates of long-term government revenue, based on growth trends and copper-price projections. These forecasts are provided in a transparent way by specialist budgetary commissions comprised of academic and private-sector experts (mostly professional economists).

Expert Advice  
Score: 8

Technocratic institutions and practices play an important role in government decision-making. Experts from academia, NGOs, partisan think tanks and the private sector are very influential in the preparation of government (presidential) programs and the development of policy reform proposals by presidential or ministerial technical commissions. These technical commissions, which are charged with proposing policy reforms in specific areas (education, pension, social and wage policies, minimum wage policy, fiscal rule, etc.) or for singular policy challenges (e.g., corruption), tend to have significant impact on government legislation. Commissions are largely comprised of experts, and to a minor extent of representatives of interested



parties, and cover a wide political spectrum. This kind of technical input into the policymaking process belongs to the technocratic tradition in Chilean politics. As a political practice, this can be described as institutionalized, as both the former and the current coalition followed this tradition. The main policies of government programs tend to be elaborated and accompanied by expert commissions. Some reform initiatives in the education and environmental sectors, for example, have been accelerated or even blocked due to ideological differences within the commissions dealing with the issue. Experts (economists in particular) are a key factor in drafting the reform proposals submitted to the president or to ministers.

### Interministerial Coordination

GO Expertise  
Score: 9

The president's advisory ministry (Ministerio Secretaría General de la Presidencia, Segpres) and the Government or Cabinet Office (Ministerio Secretaría General de Gobierno, Segegob) have at their disposal the necessary instruments and capacities to monitor and evaluate the policy content of line-ministry proposals. Nevertheless, channels of evaluation and advice are not fully institutionalized, and may change with a new head of state.

Line Ministries  
Score: 9

The Government or Cabinet Office (Ministerio Secretaría General de Gobierno, Segegob) and line ministries have a strong tendency to coordinate activity, and in practice the president or Government Office and the Ministry of Finance are nearly always involved in the preparation of policy proposals. No serving minister would ignore the president's opinion in the preparation and elaboration of a policy proposal.

Cabinet  
Committees  
Score: 5

Ministerial or cabinet committees are not necessarily central when it comes to decision-making on policy matters. Depending on the topic, ministerial committees are more or less involved in preparing cabinet proposals, especially those of relatively significant strategic or financial importance. These proposals are normally coordinated effectively.

Ministerial  
Bureaucracy  
Score: 7

Ministry staff and civil servants do not always play a dominant role in the drafting of policy proposals before those proposals reach ministerial committees. Depending on the ministry and the importance of the proposal, officials and civil servants are more or less effectively involved in the preparation and coordination process.

Informal  
Coordination  
Score: 8

Informal coordination plays an important role in settling issues so that the cabinet can focus on strategic-policy debates. Existing informal mechanisms might be characterized as "formal informality," as informal coordination mechanisms are de facto as institutionalized as formal ones in daily political practice.

Digitalization for  
Interministerial  
Coordination  
Score: 7

The president's advisory ministry (Ministerio Secretaría General de la Presidencia, Segpres) and the Division for Digital Government support line ministries and respective services with digitalization, facilitating instruments and providing advice regarding the implementation of digital services. The implementation of the Digital Agenda 2020, released in 2015, has been continued by the current government of Sebastián Piñera. In general, and especially in comparison with other Latin American countries, the level of digitalization regarding public information and services in Chile is quite advanced.

Citation:  
<https://digital.gob.cl/>  
<http://www.agendadigital.gob.cl/#/>

### Evidence-based Instruments

RIA Application  
Score: 8

All newly proposed laws must be accompanied by a report summarizing their predicted fiscal impact and the financial implications for the government budget. This report is always prepared by the fiscal department of the corresponding ministry. Chile also has a constitutional restriction on policy proposals that imply budget changes. Legally, there is no obligation to present a report concerning potential socioeconomic impacts that do not implicate the state budgets, but political practice shows that those aspects are normally also considered. Furthermore, there are supervisory bodies (Superintendencias) that monitor enterprises within specific sectors and produce evaluations and reports. In a strictly legal sense, these supervisory bodies do not have the specific objective of evaluating the impact of new regulations or proposed modifications to the legal framework. Nevertheless, the evaluation of possible impacts tends to be one result of their work. The following supervisory bodies exist in Chile:

- Supervisory Board for Health (Superintendencia de Salud)
- Supervisory Board for Banks and Financial Institutions (Superintendencia de Bancos e Instituciones Financieras)
- Supervisory Board for Education (Superintendencia de Educación)
- Supervisory Board for Health Services (Superintendencia de Servicios Sanitarios)
- Supervisory Board for Electricity and Fuels (Superintendencia de Electricidad y Combustibles)
- Supervisory Board for Social Security (Superintendencia de Seguridad Social)
- Supervisory Board for Pensions (Superintendencia de Pensiones)
- Supervisory Board for Casinos (Superintendencia de Casinos de Juegos)

- Supervisory Board for Bankruptcy and Re-entrepreneurship (Superintendencia de Insolvencia y Reemprendimiento)
- Supervisory Board for the Environment (Superintendencia del Medio Ambiente)

In some areas, the line ministries serve as the oversight body for this type of review.

In January 2018, the former Supervisory Board for Securities and Insurance was transformed into the Steering Committee for the Financial Market (Consejo de la Comisión para el Mercado Financiero) with a wider scope of responsibilities.

Citation:

OECD (2016), Regulatory Policy in Chile: Government Capacity to Ensure High-Quality Regulation, OECD Reviews of Regulatory Reform, OECD Publishing, Paris.  
<http://dx.doi.org/10.1787/9789264254596-en>

OECD (2017), Reviews of Regulatory Reform

Evaluation Report: Regulatory Impact

Assessment (Chile)

<http://www.oecd.org/gov/regulatory-policy/Chile-Evaluation-Full-Report-web.pdf>

About the Steering Committee for the Financial Market

<http://www.cmfchile.cl/portal/principal/605/w3-propertyvalue-25543.html>

Quality of RIA  
 Process  
 Score: 6

Given the partly informal and non-institutionalized character of instruments used for regulatory impact assessments, reports do not necessarily specify the purpose of and the need for a regulation. Furthermore, they do not tend to analyze alternative options. Depending on the topic, stakeholders may play a certain role in the RIA process, but this does not entail a high degree of relevance within the political process over the middle or long term. As stated in Regulatory Impact Assessment published by the OECD in 2017, there is no standardized practice on how to conduct regulatory consultation, including its length, scope, timing and underlying procedures. RIA assessments are not routinely evaluated by independent bodies.

Citation:

OECD (2016), Regulatory Policy in Chile: Government Capacity to Ensure High-Quality Regulation, OECD Reviews of Regulatory Reform, OECD Publishing, Paris.  
<http://dx.doi.org/10.1787/9789264254596-en>

OECD (2017), Reviews of Regulatory Reform

Evaluation Report: Regulatory Impact

Assessment (Chile)

<http://www.oecd.org/gov/regulatory-policy/Chile-Evaluation-Full-Report-web.pdf>

Sustainability  
Check  
Score: 5

RIAs do not necessarily analyze a regulation's impact on sustainability in the broad sense. Short-, medium- and long-term analysis tends to focus exclusively on economic rather than ecological or social issues. Some exploratory efforts have been made to include wider and standardized sustainability checks within the RIA framework in future.

Citation:  
OECD (2016), Regulatory Policy in Chile: Government Capacity to Ensure High-Quality Regulation, OECD  
Reviews of Regulatory Reform, OECD Publishing, Paris.  
<http://dx.doi.org/10.1787/9789264254596-en>

OECD (2017), Reviews of Regulatory Reform  
Evaluation Report: Regulatory Impact  
Assessment (Chile)  
<http://www.oecd.org/gov/regulatory-policy/Chile-Evaluation-Full-Report-web.pdf>

Quality of Ex  
Post Evaluation  
Score: 6

Since 1997, the Ministry of Finance's Budget Office (Dirección de Presupuestos, DIPRES) has had the power to assign specific budgets to line ministries for the contracting of external consultants to carry out ex-post evaluations of their respective government programs (Evaluación de Programas Gubernamentales, EPG). Programs or institutions to be evaluated are agreed on with the Congress annually and instructed by a ministerial decree. The evaluation results are normally made publicly and freely available.

Citation:  
<http://www.dipres.gob.cl/598/w3-article-111762.html>

Evaluación Ex-Post: Conceptos y Metodologías (Dipres 2015)  
[http://www.dipres.gob.cl/598/articles-135135\\_doc\\_pdf.pdf](http://www.dipres.gob.cl/598/articles-135135_doc_pdf.pdf)

### Societal Consultation

Public  
Consultation  
Score: 7

Frequent consultations with civil society groups and particularly stakeholder organizations take place. However, consultations tend to be inclined toward economic interest groups. By contrast, unions and environmental organizations are frequently underrepresented. Online surveys have been implemented with the aim of gauging opinions within the non-institutionalized public. The president's advisory ministry (Secretaría General de la Presidencia, Segpres) is primarily responsible for initiating and monitoring consultations. Depending on the issue, sectoral institutions can also be involved. The ad hoc advisory commissions represent another means of societal consultation, as they include interest-group representatives, experts and other stakeholders.

## Policy Communication

Coherent  
Communication  
Score: 6

Each new government designs its own communication policy. As a result, strategic communication often tends to be rather haphazard at the beginning of a presidential term, but improves as the administration gains experience. Both the governments of former president, Michelle Bachelet, and the current president, Sebastián Piñera, have shown a fairly high number of communication lapses. However, there is no reason to evaluate the coherency of the government's communication as significantly inferior to previous years.

## Implementation

Government  
Effectiveness  
Score: 6

Implementation performance varies widely, ranging from excellent in areas where benchmarks and oversight mechanisms are strictly enforced (i.e., the general government budget) to weak in less rigidly monitored areas (i.e., implementation of some sectoral reforms such as Transantiago, the Santiago transport system). For example, the former government of Michelle Bachelet had to downsize its tax- and education-reform proposals. In general terms, far-reaching reforms that would require constitutional change and thus support by at least three-fifths of the national deputies and senators have not been considered as a part of government programs. Thus, this high hurdle has not yet proved to be a practical obstacle in the achievement of governments' policy objectives. The former government launched a constitutional reform debate. However, by the end of the period under review, no concrete proposals regarding possible next steps had been presented.

Citation:

Independent initiative to measure implementation of the government program:

<https://ciudadanointeligente.org/>

<https://deldichoalhecho.cl/>

Ministerial  
Compliance  
Score: 9

The president annually evaluates his or her ministers' policy performance. In a commission consisting of the president's advisory ministry (Secretaría General de la Presidencia, Segpres) and budgetary units of the government, ministers have to present their sectoral priorities, and if necessary, arrangements and modifications are made to ensure alignment with the government program.

Monitoring  
Ministries  
Score: 9

The president's advisory ministry (Secretaría General de la Presidencia, Segpres) and the respective budgetary units of the government monitor the line ministries (especially within the annual performance evaluation). If necessary, arrangements and modifications are made in order to ensure effective alignment with the government program. Monitoring of effectiveness seems to have improved slightly since 2011.

Monitoring  
Agencies,  
Bureaucracies  
Score: 7

To a certain extent, high positions in government agencies are filled not via political appointments but through the government's civil service department (Alta Dirección Pública, ADP), based on candidates' technical capacity and experience. Clear goals are identified by the directors of executive agencies and the corresponding ministries. Exhaustive evaluations of the system and of personnel choices are performed annually by the minister, the civil service and the president's advisory ministry (Secretaría General de la Presidencia, Segpres). In addition, the Ministry of Finance's budget office monitors decentralized agencies and public enterprises from a budgetary perspective very tightly and effectively. Nevertheless, the changes in government in 2014 and 2018 showed that the selection of candidates through the ADP is in fact moderately established, as there is still an understanding that a successful candidate is a "government officer" rather than a "state officer." The monitoring of bureaucratic activities and executive agencies, especially at the subnational level, tends to be distorted by this effect.

Task Funding  
Score: 6

Chile's central government exercises strong control over municipal and regional budgets, and accounts for a significant proportion of local revenue. Currently, about 18% of the federal government's budget is redistributed to the regional and local level (OECD average is about 45%). However, the assignment of new duties to the municipal level does not necessarily imply a corresponding allocation of adequate funds.

Municipal programs are monitored relatively closely by the central government, although spending overruns do sometimes occur, resulting in local-government debt. The quality of services (e.g., the public health and education systems) provided by less wealthy municipalities are sometimes below average as some municipalities are unable to raise the income required to effectively provide the services themselves. This challenge is characteristic of Chile's centralized political system and must be regarded as a structural problem. The former government convened a commission to study decentralization, with the ultimate goal of addressing these ongoing issues. The commission's proposal, which was presented publicly in October 2014 and supported by the then President Bachelet, included several proposals designed to strengthen regional governments. Two such measures were originally slated for implementation by the end of 2017, but finally were delayed until 2020:

- Regional governors (Gobernadores Regionales) will replace the current regional mayors (Intendentes Regionales) and be directly elected, enabling citizens to hold them accountable for promises made in their political campaigns.

- Regional governors (Gobernadores Regionales) will be given responsibility for regional and urban planning, administration of the National Fund for Regional Development, and implementation of social and economic policies at the regional level. The regions will create three new divisions for this purpose: Industrial Advancement (Fomento e Industria), Human Development, and Infrastructure and Transport. During the period under review, these new divisions were being piloted in some regions, with the aim to upscale the experience in 2020.

With regard to a possible increase in the amount of federal funds provided to regional governments, no consensus had been reached by the end of the period under review.

The current scenario points to a less extensive implementation of the reform proposals by 2020. So far, Chile and Turkey have been the only OECD-member countries where regional authorities are not democratically elected but appointed by the central government. As a consequence of the electoral reform introduced under the presidency of Bachelet, regional governors will be directly elected every four years in Chile from 2020.

Citation:

<http://www.descentralizacion.subdere.gov.cl/index/index.php>

<http://chiledescentralizado.cl>

<http://www.senado.cl/appsenado/templates/tramitacion/index.php>

<http://chiledescentralizado.cl/eleccion-de-gobernadores-regionales/>

About the implementation of regional governors:

<https://www.bcn.cl/leyfacil/recurso/eleccion-democratica-de-gobernadores-regionales>

<http://www.kas.de/chile/es/publications/47796/>

Democratic election of regional governors:

<https://www.bcn.cl/leyfacil/recurso/eleccion-democratica-de-gobernadores-regionales>

Constitutional  
Discretion  
Score: 6

Chile is a centrally organized state. This represents a structural problem given the wide-range of differences between the respective regions regarding geography, development and density of population. Nevertheless, local governments legally enjoy a considerable degree of autonomy concerning mandates and tasks that do not touch on constitutional issues and can be executed within the allocated budget. Furthermore, the government has tended to devolve responsibilities to local governments (i.e., in the domain of urban regulation). In comparison to the local or municipal levels, regional governments enjoy a high degree of budget autonomy. At the regional level, however, governors' autonomy is limited by their simultaneous function as representatives of the national government.

In January 2018, a new law (Ley No. 21,074) was enacted that enhances the regionalization of the state (Ley de fortalecimiento de la regionalización del país). This can be seen as an important step in the context of the ongoing decentralization process, which is planned to be fully implemented with the first direct democratic election of regional governors in 2020.

Citation:  
<http://www.senado.cl/appsenedo/templates/tramitacion/index.php>

<http://www.descentralizacion.subdere.gov.cl/index/index.php>

<http://chiledescentralizado.cl/eleccion-de-gobernadores-regionales/>

<http://www.subdere.gov.cl/sala-de-prensa/proyecto-que-regula-traspaso-de-competencias-fue-despachado-por-comisi%C3%B3n-mixta>

Law Nr. 21,074:  
<http://www.diariooficial.interior.gob.cl/publicaciones/2018/02/15/41984/01/1353452.pdf>  
<https://aldiachile.microjuris.com/2018/02/16/ley-no-21-075-fortalece-la-regionalizacion-del-pais/>

National Standards  
Score: 4

Due to the different financing structures at regional and municipal levels, the national government can only guarantee services at an adequate standard at the regional level. The central government clearly fails to establish national standards at municipal level across the whole country. In addition, relatively poor municipalities and those in rural regions often lack the capacity to meet national standards for public services, especially in the fields of health care and education. This segregation is also evident in Santiago itself, where public schools in richer districts clearly tend to show higher standards and better results than public schools from poorer districts. In comparison to previous years, a slight improvement can be noticed in the field of education and primary health care. Nevertheless, there is still a huge gap to be closed.

Effective Regulatory Enforcement  
Score: 6

Some regulations are highly influenced by economic interest groups, especially regulations affecting the productive sectors (e.g., fishing, agriculture and the mining industry). However, once enacted, government agencies usually enforce regulations effectively and without bias. Therefore, it's more a question of how regulations are designed than a question of their enforcement.

**Adaptability**

Domestic Adaptability  
Score: 5

The modernization of Chile's state is still under way in some areas, but national institutions have already become quite solid over the last decade. In general terms, the reform of domestic governing structures tends to be driven by national fiscal-policy concerns, which implies that any innovations that might imply financial changes (such as a budget augmentation for a certain ministry or for a department within a ministry) are very difficult or even impossible to realize. Changes concerning topics that might be of future



interest and do not directly affect current political challenges – for example, the expansion of a department’s staff or the creation of a new unit dedicated to topics of possible future interest – are driven more by fiscal or political reasons and political cycles rather than international or supranational developments. Law No. 20,600 of 2012 established environmental tribunals (Tribunales Ambientales) in three regions of the country (north, central and south), two of these had already been established, as well as a Supervisory Board for the Environment (Superintendencia del Medio Ambiente, SMA). This can be seen as a domestic adaptation responding to international and supranational developments.

Citation:

Environmental Tribunals:

<http://www.tribunalambiental.cl/2ta/informacion-institucional/sobre-el-tribunal-ambiental/historia/>

<http://www.mma.gob.cl/1304/w3-article-53480.html>

International  
Coordination  
Score: 7

The government is endowed with the institutional capacity to contribute actively to international efforts to foster the provision of global public goods. The government actively participates in the international coordination of joint reform initiatives. This is underlined by the fact that Chile represents one of the most active countries in Latin America with regard to international policymaking initiatives. However, the impacts of national policies on these global challenges are not always systematically assessed and then incorporated into the formulation, coordination and monitoring of policies across government.

### Organizational Reform

Self-monitoring  
Score: 6

Ministries are required to establish sectoral goals, which are then evaluated annually. Reports are presented on a quarterly basis but do not focus directly on the adequacy of institutional arrangements. For example, the accomplishment of ministerial goals is evaluated, but not the adequacy of the ministry in general. The Ministry of Finance assesses the adequacy of institutional arrangements in the case of new law proposals, but there is no specific institution assigned to monitor preexisting institutional arrangements. Furthermore, to a certain degree, changes in institutional arrangements tend to be influenced by personnel criteria and are not driven by an effort to introduce strategic structural change. Ministry portfolios are subject to sporadic monitoring while procedures and work formats are subject to regular monitoring.

Institutional  
Reform  
Score: 6

In recent years, some improvements in strategic capacity have been made by modifying institutional arrangements. For example, in 2012 the erstwhile Planning Ministry (Ministerio de Planificación, MIDEPLAN) was transformed

into the Ministry of Social Development (Ministerio de Desarrollo Social, MDS), with some minor institutional changes that increased its strategic capacity. Furthermore, the creation and implementation of complementary institutions – such as the environmental tribunals (Tribunales Ambientales) and the Supervisory Board for the Environment (Superintendencia de Medio Ambiente, SMA) in 2013, or the Steering Committee for the Financial Market (Consejo de la Comisión para el Mercado Financiero) in 2018 – have improved capacity in these areas. However, in general terms, attempts to alter institutional arrangements tend to encounter substantial bureaucratic obstacles.

## II. Executive Accountability

### Citizens' Participatory Competence

Political  
Knowledge  
Score: 5

Print-media discussion of policy-reform proposals and government programs is relatively widespread, including discussion of reform proposals and options presented by the ad hoc policy-reform commissions. This has been recently displayed following the proposal of education, pension, fiscal and labor reforms. New forms of public communication regarding government policymaking, in many cases through websites and social networks, are on the rise. Yet a large share of the population is excluded from such discussion due to low levels of education, limited understanding of in-depth analysis and/or its lack of exposure to media other than television. For instance, a study conducted by the National Cultural Council in 2011 (Consejo de la Cultura) indicated that 84% of Chileans of all ages did not have an adequate understanding of content they had read. This observation was confirmed by a 2015 PISA study on the reading comprehension of adolescents. Furthermore, Chile's oligopolistic media structures distort the political options offered to citizens (e.g., policymaking regarding ethnic minorities and the associated conflicts).

Disinformation and manipulations hinder public-policy discussions. In addition to these deficits in news coverage, citizens in general show low interest in policymaking. Policy interest within the socioeconomic elite is also generally fairly limited, at least as long as public policies do not substantially affect their lifestyle in a nearly completely privatized environment (discussions of fiscal redistribution, as took place during the 2014 fiscal reform, represent a notable exception). Those elements of the middle class that are interested in these debates tend to have access only to the low-quality information sources mentioned above, while members of the socioeconomically lower-class population often know only about the specific

public-subsidy systems they use, and lack broader familiarity with public policies and public policymaking.

Citation:

[www.uchile.cl/documentos/2Festudio-sobre-el-comportamiento-lector-a-nivel-nacional\\_110593\\_2\\_2405.pdf&usg=AFQjCNHhAyEyR819xPkhH1ch5LLI0dIGJQ&sig2=yRzmtJFaA1B-Bf3ltxYgsw](http://www.uchile.cl/documentos/2Festudio-sobre-el-comportamiento-lector-a-nivel-nacional_110593_2_2405.pdf&usg=AFQjCNHhAyEyR819xPkhH1ch5LLI0dIGJQ&sig2=yRzmtJFaA1B-Bf3ltxYgsw)

<http://radio.uchile.cl/2011/12/14/solo-el-84-de-los-chilenos-entiende-lo-que-lee>

Open  
Government  
Score: 7

In general terms, the level of digitalization with regard to public information (e.g., commission reports, draft laws, and information on line ministries and government activities) is quite high. Since the implementation of the transparency law of 2008 (Ley de Transparencia), data about the personnel structure and expenditure of public institutions is also publicly accessible. Though some delays in publishing relevant information may occur, and – considering the relatively high educational gap – information and data is not always published in a comprehensive way.

#### Legislative Actors' Resources

Parliamentary  
Resources  
Score: 5

The National Congress is furnished with a multidisciplinary staff of consultants in order to support deputies and senators in their representative, legislative and control functions as well as in the field of congressional diplomacy. Nevertheless, this support tends to be asymmetric in comparison with ministerial analytical and investigatory capacities. The National Congress' oversight function is based in the Chamber of Deputies. However, this function tends to operate as a reaction to journalistic complaints in combination with political conflicts rather than as a proactive mechanism for monitoring the government's ongoing activity.

Obtaining  
Documents  
Score: 8

Congressional committees or individual deputies can request documents, which must be delivered by the government within legally defined time limits. Those deadlines are generally met, but there are de facto limitations in the exercise of oversight, as the majority party or coalition can block the minority's request. Until recently, obtaining information from state-owned companies or the Ministry of Finance was difficult.

Summoning  
Ministers  
Score: 9

In August 2005, a constitutional reform (Law No. 20,050) established the process of ministerial interpellation. Committees in the Chamber of Deputies and the Senate have the right to summon ministers for questioning about matters concerning their area. The ministers are obliged to attend. This political instrument has been used on various occasions. The effectiveness of this instrument of congressional oversight depends on the quality and quantity of information accessible to the National Congress through other channels.

Summoning  
Experts  
Score: 9

Congressional committees may summon any civil servant to interview as a subject-area expert. Private experts can also be invited, but the National Congress lacks the financial funds to pay for the assistance of prominent private experts. However, there is a group of 50 to 60 specialists from a variety of subject areas affiliated with the Library of the National Congress whose task it is to offer professional support to the members of Congress in their lawmaking, representative, diplomatic and oversight tasks.

Citation:  
<https://www.bcn.cl/>

Task Area  
Congruence  
Score: 7

The Chilean legislature's oversight function lies mainly with the Chamber of Deputies and its (currently) 30 permanent committees (Comisiones Permanentes) and several ad hoc investigative committees (Comisiones Investigadoras). These permanent committees correlate in part with the 23 ministries, but there are various exceptions in which a single committee is responsible for the domain of various ministries or one ministry's area of responsibility is distributed across multiple committees. It should be noted that Chile is not a parliamentary but a presidential system and thus ministers are not directly accountable to the Chilean National Congress. Therefore, the degree of control exercised by the congressional committees is institutionally rather weak.

Citation:  
Quantity and name of the permanent parliamentary committees:  
[https://www.camara.cl/trabajamos/comisiones\\_tipo.aspx?prmT=P](https://www.camara.cl/trabajamos/comisiones_tipo.aspx?prmT=P)

Quantity and name of ministers: <https://www.gob.cl/instituciones/>

About interpellations of ministers  
<http://www.educacion2020.cl/noticia/que-es-una-interpelacion-y-cual-es-su-objetivo>

## Media

Media Reporting  
Score: 4

Legal norms are published in the Official Journal (Diario Oficial de la República de Chile), a state institution dependent on the Ministry of the Interior and Public Security. Its print version was terminated on 17 August 2016. Since then, the Official Journal is available only as an online edition.

Although locally or regionally produced news programs tend to be of higher quality and draw large audiences – particularly through radio – Chile's newspapers and the main public TV stations report tabloid news, and employ bold headlines and techniques with strong popular and infotainment appeal. Furthermore, statistics released by the National TV Commission (Consejo Nacional de Televisión) show that on average, less than five hours a week per

channel or radio station is spent discussing in-depth political information. More than 50% of the news presented through publicly accessible channels is dedicated to sports and crime. Surveys indicate that the Chilean audience would prefer less sports news and more focus on national and international politics. Due to the biased media landscape, there is a strong ideological framing of political information and policy discussion.

Chile's largest free TV channel (TVN) is state-owned, and by law is required to provide balanced and equal access to all political views and parties – a regulation which is overseen by the National Television Directorate (Consejo Nacional de Televisión, CNTV). Although La Nación and TVN are state-owned, they must operate according to market rules; they have to fund themselves by relying on advertising and high audience ratings.

During the period under review, the Senate approved an extra \$47 million in funding for TVN in order to save the channel from bankruptcy.

Since the print edition of the La Nación newspaper was eliminated by the end of 2010, the quality of its reporting and in-depth information on government decision-making has dropped significantly.

Citation:

[http://www.cntv.cl/prontus\\_cntv/site/artic/20130723/asocfile/20130723171104/pluralismo\\_en\\_la\\_televisi\\_\\_n\\_p\\_\\_blica.pdf](http://www.cntv.cl/prontus_cntv/site/artic/20130723/asocfile/20130723171104/pluralismo_en_la_televisi__n_p__blica.pdf)

<http://www.diarioficial.cl/quienes-somos/>

### Parties and Interest Associations

Intra-party  
Decision-Making  
Score: 4

Chile has a presidential governmental system. As the president determines the government's policy agenda, presidential elections are much more relevant in terms of policy direction than are congressional ballots. Therefore, in campaigns for the presidency, government programs are presented by the presidential candidates and not by their coalitions or parties. These global program proposals tend to be limited to descriptions of policies' intended public effects rather than technical details or any detailed discussion of content. The primary elections (primarias) for the 2013 and 2017 presidential elections demonstrated that candidate selection and issue agendas are largely controlled by the parties' leaders.

Association  
Competence  
(Employers &  
Unions)  
Score: 4

Policy proposals by economic-interest groups do address relevant topics and are not always short-sighted or untenable; however, they tend to be narrow and largely guided by the groups' interests. Unions as a socioeconomic interest group are relatively weak, and their influence in formulating policies relevant

Association  
Competence  
(Others)  
Score: 7

to their interests is quite limited. Exceptions to this rule of thumb do occur.

A substantial number of autonomous, self-organized groups, associations and organizations exist in Chile. Civil society's organizational landscape has become increasingly differentiated since the return to democracy. Religious, environmental and social organizations, as well as NGOs, academic groups and professional associations often present substantive policy-reform proposals that contribute positively to policy discussions and government reforms and take long-term perspectives into account. Various political foundations and think tanks play a decisive role as formulators of relevant policies. On the other hand, there are great disparities in the durability and organizational strength of associations, mostly as a result of social inequalities. In addition, numerous think tanks are directly connected to economic interest groups.

### Independent Supervisory Bodies

Audit Office  
Score: 8

Chile's General Comptroller (Contraloría General de la República) has far-reaching competences, and is invested with strong political and legal independence. The officeholder is nominated by the president and must be approved by a three-fifths majority vote in the Senate. The comptroller has oversight power over all government acts and activities, and investigates specific issues at the request of legislators serving in the Chamber of Deputies. The office presents an annual report simultaneously to the National Congress and the president. The National Congress has the right to challenge the constitutionality of the comptroller's work.

Ombuds Office  
Score: 2

The congress does not have a formal ombuds office. Efforts to establish such an office failed twice under previous governments. However, the National Congress and its members listen informally (but not systematically) to concerns expressed by citizens and public advocacy groups, inviting them to congressional hearings. In general terms, direct-democratic elements in Chile are quite weak.

However, the first public and autonomous Ombudsperson's Office on a special issue was installed in 2018. In compliance with the act establishing the Office for the Defense of Children's Rights (18 April 2018), the Senate of the Republic of Chile, at the proposal of the Senate's Human Rights Commission, unanimously appointed the first Children's Ombudsperson.

Citation:

Ombudsperson on Children's Rights

<http://www.ilo-defensordelpueblo.org/noticias-blog/236-chile-senado-de-la-republica-designa-la-primera-defensora-de-la-ni%C3%B1ez>

Data Protection  
Authority  
Score: 2

To date, Chile lacks effective data protection, despite Article 19 of the constitution guaranteeing a right to privacy. As stated by the International Comparative Legal Guides, there is no data protection authority established by law. Therefore, the enforcement of the law is delivered by the courts of justice with those affected enforcing their rights individually.

During the period under review, a draft law has been elaborated which would transform the Chilean Transparency Council (Consejo para la Transparencia) into the Chilean Council for Transparency and Personal Data Protection (Consejo para la Transparencia y Protección de Datos Personales). It's effectiveness will have to be evaluated once the new law is enacted.

Citation:

<https://www.consejotransparencia.cl/presidente-del-cplt-asegura-estar-cada-vez-mas-cerca-el-fin-del-abuso-tras-anuncio-de-urgencia-al-proyecto-de-proteccion-de-datos-personales/>

<https://www.consejotransparencia.cl/consejo-para-la-transparencia-reitero-llamado-a-mejorar-normativa-en-proteccion-de-datos-personales-y-que-impacta-en-ciberseguridad/>

<http://www.eldesconcierto.cl/2018/06/03/carta-abierta-sobre-la-agencia-de-proteccion-de-datos-personales-debe-ser-especializada-e-independiente/>

<http://www.t13.cl/noticia/politica/nacional/la-moneda-deja-manos-del-consejo-transparencia-proteccion-datos-personales>

Chilean Constitution:

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