

QUESTIONNAIRE 1 ON HUMAN RIGHTS ISSUES: WORKERS¹

STAKEHOLDER TYPE: RIGHTS-HOLDERS

About the modernisation of the Chile-EU trade agreement

In 2003, Chile was the first South American country to have a trade agreement with the EU, as part of the EU-Chile Association Agreement. Since then, the global economy has changed profoundly, and trade agreements have also become much broader and deeper. Therefore, Chile and the EU have decided to modernize the existing agreement. Negotiations on the modernisation have started in November 2017 and are currently ongoing. Details about the negotiations, including the issues covered and text proposals are available from the [European Commission DG Trade](http://trade.ec.europa.eu/doclib/press/index.cfm?id=1793) (<http://trade.ec.europa.eu/doclib/press/index.cfm?id=1793>; in English) and the [Government of Chile](https://www.direcon.gob.cl/cuarto-adjuntotpp/acuerdo-de-modernizacion-chile-union-europea/) (<https://www.direcon.gob.cl/cuarto-adjuntotpp/acuerdo-de-modernizacion-chile-union-europea/>; in Spanish, with text proposals in English).

About Sustainability Impact Assessments (SIAs)

SIAs analyse the potential economic, social, human rights and environmental impact of trade agreements being negotiated by the European Union (EU). They are based on a robust analysis of the changes that are likely to be caused by the trade agreement in the EU, the partner country and specified other countries. Equally important, they include wide-ranging consultations with stakeholders in the EU and the partner country. SIA findings and recommendations feed into the negotiations, helping negotiators to optimise the related policy choices.

The SIA in support of the modernisation of the trade pillar of the existing EU-Chile Association Agreement is implemented by BKP Development, a German-based economic research and consulting firm, in cooperation with Vincular, the Center for Social Responsibility and Sustainable Development at the Catholic University of Valparaíso in Chile. More information about the SIA is available on a [dedicated website \(http://trade-sia-chile.eu/\)](http://trade-sia-chile.eu/).

About trade between Chile and the EU

The EU is Chile's third largest trading partner, after China and the US, in 2017 representing some 14% of Chile's total trade. Conversely, Chile accounts for 0.5% of total EU trade in goods. Trade between Chile and the EU in 2017 stood at € 17 billion (€ 8.2 billion EU imports and € 8.8 billion EU exports), with the EU's main exports to Chile being machinery and transport equipment (52% of total EU exports to Chile in 2017), manufactured goods (22%) and chemical products (15%). Chile's main exports to the EU are food and live animals (33%), raw materials (32%, mainly copper), and manufactured goods (23%). In addition, bilateral trade in services in 2016 amounted to € 5.5 billion (€ 3.7 billion EU exports and € 1.8 billion EU imports). Finally, the EU is Chile's first Foreign Direct Investment (FDI) provider. Total EU FDI stock in Chile in 2016 stood at € 47.2 billion.

About this questionnaire

We would like to hear from you how you think the modernisation of the trade agreement between Chile and the EU might affect the enjoyment of human rights in Chile or the EU. Do let us know!

Questionnaire responses will be handled anonymously. Any personal data provided will only be used by us to possibly follow up but this personal data will not be shared with any third parties.²

In case of questions, do not hesitate to contact us at: contact@trade-sia-chile.eu

¹ This questionnaire is adapted from the Human Rights Compliance Assessment (HRCA) Quick Check by the Danish Institute for Human Rights (2006), available at: https://hrca2.humanrightsbusiness.org/docs/file/HRCA%20Quick%20Check_English.pdf and NomoGaia Human Rights Impact Assessment Toolkit, available at: <http://nomogaia.org/tools/#item1>

² Please note that your contribution may be subject to a request for access to documents under EU Regulation 1049/2001 on public access to European Parliament, Council and Commission documents. In such cases, the request will be assessed against the conditions set out in the Regulation and in accordance with applicable data protection rules.

Personal information:

Are you an individual? Are you an organisation representing rights of the workers?

If an individual, please answer the following questions:

Your employment status:

- permanent contract temporary contract
 no contract prefer not to say

What country are you from? _____

What region are you from? _____

Age _____ Sex _____ prefer not to say

Do you belong to any of these vulnerable population groups?
(if appropriate, please mark more than one answer)

- Women Children Migrants
 Indigenous population LGBTI persons Minorities
 Persons with disabilities Refugees Other: _____

If an organisation, please answer the following questions:

Name of the organisation: _____

Where is the organisation based? _____

In what country/ies do you operate? _____

What kind of organisation? national
 regional
 local
 sectorial

If regional, local, or sectorial, please indicate the region/place/sector: _____

Which group of workers do you represent?
(if appropriate, please mark more than one answer)

- Workers in general Women Children
 Indigenous populations LGBTI persons Minorities
 Persons with disabilities Migrants Refugees
 Other: _____

Please provide the email address of a contact person in your organisation, in case of questions from our side:

	Current situation			How do you think the modernised agreement between the EU and Chile will change the situation?						Comments
	YES	NO	I DON'T KNOW	POSITIVE CHANGE	SOMEWHAT POSITIVE CHANGE	NO CHANGE	SOMEWHAT NEGATIVE CHANGE	NEGATIVE CHANGE	I DON'T KNOW	
Just and favourable working conditions										
1. Do employees have contracts that clearly specify the terms and conditions of employment, e.g. length of employment, working hours, wages, benefits, holidays, overtime remuneration, etc?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2. How many hours per week do employees work?	<i>Please specify</i>			<i>Please specify</i>						
3. Do employees have breaks during the working day?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4. Do employees get paid leave (e.g. sick leave)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
5. Do employees have paid holidays?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6. Do employees understand how their salary is determined?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7. Are salaries for women and men the same for the jobs of the same value?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8. Do employees have any concerns about health and safety (e.g. do employees have appropriate protective equipment / clothes when working in specific conditions)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9. Do employees receive health and safety training?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10. Do employees have access to any health facilities in case of accident or injury at work?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Social security / social protection										
11. Do employees provide contributions to the social security system (to receive a pension upon retirement)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12. Do employees have health insurance or free medical care?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Non-discrimination										
13. Do employees face sexual harassment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
14. Do women employees normally experience discrimination based on gender in terms of lower wages, fewer promotional opportunities, etc?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	Current situation			How do you think the modernised agreement between the EU and Chile will change the situation?						Comments
	YES	NO	I DON'T KNOW	POSITIVE CHANGE	SOMEWHAT POSITIVE CHANGE	NO CHANGE	SOMEWHAT NEGATIVE CHANGE	NEGATIVE CHANGE	I DON'T KNOW	
15. Do employees with disabilities normally experience discrimination in terms of lower wages, fewer promotional / employment opportunities, etc?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16. Do LGBTI employees normally experience discrimination in terms of lower wages, fewer promotional opportunities, etc?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17. Do employees that are part of minority groups normally experience discrimination in terms of lower wages, fewer promotional opportunities, etc?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
18. Do migrant employees normally experience discrimination in terms of lower wages, fewer promotional opportunities, etc?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19. Do refugee employees normally experience discrimination in terms of lower wages, fewer promotional opportunities, etc?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20. Do employees that are part of indigenous population normally experience discrimination in terms of lower wages, fewer promotional opportunities, etc?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21. [FEMALE] Did the employer ask female employees to take a pregnancy test or sign agreements not to become pregnant?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
22. Have employees ever been discriminated against at workplace?										
• based on religion;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• based on political preferences;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• based on trade union membership;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
• other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Child labour										
23. Are any child workers (under 15) employed in your enterprise?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If so, do they work during school times?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
If so, do they work in safe working conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

	Current situation			How do you think the modernised agreement between the EU and Chile will change the situation?						Comments
	YES	NO	I DON'T KNOW	POSITIVE CHANGE	SOMEWHAT POSITIVE CHANGE	NO CHANGE	SOMEWHAT NEGATIVE CHANGE	NEGATIVE CHANGE	I DON'T KNOW	
Trade unions										
24. Can you give an estimation, in percentage, how many employees are members of trade unions?	<i>Please specify</i>			<i>Please specify</i>						
25. Does the employer engage in collective bargaining with the trade unions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26. Can employees voice any concerns or complaints about their employment or working conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Forced labour										
27. Are employees forced to perform any work?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other										
28. [FEMALE] Are female employees entitled to maternity leave?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
29. If employees were to lose a job, would their savings be enough to cover three months without working while looking for a new job?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other comments										
30. If you have anything else to say about the impact of the proposed modernised agreement between the EU and Chile on human rights, please use this space here. Also, you can always contact us directly at: contact@trade-sia-chile.eu										