

CHILE

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RULES/GENERAL LAWS

General	National Constitution (2005) https://www.leychile.cl/Navegar?idNorma=242302
	Penal Code (1874) https://www.leychile.cl/Navegar?idNorma=1984
	Code of Military Justice (1944) https://www.leychile.cl/Navegar?idNorma=18914
	Code of organization of the courts (1943) https://www.leychile.cl/Navegar?idNorma=25563
	Regulation of administrative investigation procedure of the armed forces (1974) https://www.leychile.cl/Navegar?idNorma=1016506
	Discipline regulations for the armed forces (1951) https://www.leychile.cl/Navegar?idNorma=1017601
	UN rules on sexual exploitation and abuse are implemented by MOU's, SOFA or LOA depending on the mission and their requirements, when those rules are compatible with the chilean legislation and the national caveats.
	The Military Justice Code in his article 3, declares that Military Tribunals have jurisdiction to judge military personnel that commits crimes while deployed.
SEA: military offence?	Chilean armed forces regulate SEA cases on a disciplinary level and on a legal level, the military justice system has jurisdiction to investigate and judge those conducts that can be considered as crimes in accordance with the chilean criminal law.
Powers of the Commanding Officer (CO)	The commanding officer cannot promulgate rules and policies as those rules and policies are established by the correspondent Military Authority before the deployment. Nonetheless, the commanding officer has the duty and the responsibility of giving orders to their subordinates to prevent the transgression of those rules and policies. Commanding officers are empowered to take administrative (including administrative investigations) and disciplinary measures. Criminal punishment and investigation relays to Military Tribunals (criminal law).

INVESTIGATION

Who can investigate?	The commanding officer can investigate for all disciplinary and administrative aspect. If there are evidence of a criminal conduct, the investigation is conducted by a military prosecutor.
National Investigation Officer (NIO)	National Investigations Officers are not deployed with units as the chilean forces are deployed with legal advisors and officers in charge of civilian affairs.

PROSECUTION

Referral	The chilean military authority in charge of the forces.
Who can charge?	The military prosecutors.

JUSTICE

Military justice	Chile has a military justice system that comprehends the Constitution, laws and regulations that statutes and regulate the jurisdiction and functioning of Military Tribunals either on peace time or at war.
Deployable Court Martial?	Chile has permanent Court Martials for the Army, Airforce, Carabineros (police) and the Navy, but they are not deployable. Nevertheless, our system considers the possibility of deployable prosecutors to investigate and to present charges because of the crimes comitted abroad by chilean soldiers or sailors.

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