

### Introduction

Since democracy was restored to Chile in 1990, human rights, including freedom of religion or belief (FoRB), have been generally respected. The 2018 census found that 55% of the population identified as Catholic, 16% as Protestant, 4% other religions and 24% no religion. The constitution contains protection for FoRB and a 1999 law prohibits discrimination based on religion.

While Chile has ratified 22 international treaties that recognise the right to FoRB, none of these have been incorporated into national law. However, in recent years the government has actively engaged with religious minorities, and worked to improve understanding of and strengthen protections for FoRB.

### Attacks on churches in indigenous areas

Between December 2015 and January 2020, 44 organised arson attacks were recorded against a variety of religious buildings in the regions of Araucanía and Bío Bío.<sup>1</sup>

Both Protestant and Catholic churches have been targeted. Accelerants were used, indicating deliberate acts of arson, and pamphlets, signs or handwritten notes were found at the site which made reference to the Mapuche separatist cause.<sup>2</sup> The materials left behind clearly indicate that churches are a specific target. In one example, in an attack in the region of Bío Bío on 12 April 2016, a sign was left accusing a Catholic bishop of being 'complicit in state repression' and claiming the attacks on churches were his responsibility.<sup>3</sup> In another example on 20 September 2017, two Protestant churches, Collipulli, Araucanía and one Catholic church in Malleco, Araucanía, were attacked on the same evening. Handwritten notes were left outside all three, referencing the Mapuche Resistance and 'freedom for political prisoners.'

Initially, the government was reluctant to recognise that churches were being targeted, stating that arson was a common tactic used by separatists and churches were just one of many such targets. In spring 2016, however, high-ranking government officials publicly recognised that the attacks constitute an attack on FoRB. In November 2018 the government proposed plans to assist

in the reconstruction of 30 Catholic churches and 12 Protestant churches. Similar plans were announced in 2017 but had not been carried out.

The materials left at the arson sites referred exclusively to political aims, specifically freedom for 'Mapuche political prisoners'. There is speculation that those responsible for the attacks on churches are a small group supported by non-indigenous, outside organisations associated with extreme anti-Western movements across Chile, or that elements from anti-Western groups have infiltrated the Mapuche separatist movement and are now pushing their own agenda. It is important to note that the victims of these attacks, those whose churches have been destroyed are mostly Mapuche themselves.

### Indigenous law

Indigenous law provides protections for the indigenous culture and customs of nine indigenous groups in Chile. Article 2 and Article 9 of the 1993 Indigenous Law contain the criteria necessary for one to receive recognition as a member of one of the nine indigenous groups in Chile.

The criteria laid out in the Indigenous Law allow for those who are ethnically Mapuche, but no longer practise the traditional customs or religion, to be able to receive certain benefits. However, the National Corporation for Indigenous Development (CONADI), an entity set up to protect and promote indigenous communities through government policy, has arbitrarily excluded Mapuche Protestant Christians from access to indigenous grants for higher education because they were found to have failed to participate in Mapuche customs. The CONADI has not made publicly available the criteria it uses to establish whether an individual participates in the customs of the ethnic group.

### Freedom of movement

Article 19.7 of the constitution affirms that everyone has the right to reside and stay in any part of the republic and to move from one to another.

This right to freedom of movement is frequently restricted by armed groups in rural areas in La Araucanía and Bío Bío, which affects FoRB; many churches are without a pastor since there is no one willing to work or travel in these areas. Armed groups will close the roads and

<sup>1</sup> There are some discrepancies regarding the exact number as local press coverage is not consistent.

<sup>2</sup> The Mapuche are an indigenous people who live in parts of Chile and Argentina.

<sup>3</sup> The sign in Spanish: "Obispo Stegmaier Cómplice de la Represión del Estado, Responsable de la Violencia Hacia la Iglesia. Libertad a los Presos P. Mapuche."

demand a toll in exchange for safe passage. If people resist paying the toll, the vehicles and the people in them are attacked.

### Other attacks on churches

Nine arson attacks on Catholic churches in the capital city of Santiago and the regions of Araucanía and Los Ríos were recorded in January 2018. These have not been included along with the other attacks, described above, that took place in indigenous areas, as pamphlets left at some of the sites indicated that these attacks were specifically linked to the visit of Pope Francis from 15 to 18 January 2018. Fire accelerants were used in the majority of these cases. The churches targeted in Araucanía and Los Ríos were completely destroyed as a result of the flames.

In October 2019 an outbreak of protests in Santiago de Chile, initially over a rise in metro fares, led to a series of lootings and attacks on churches and other buildings amidst widespread violence. While some churches seem to have been affected inadvertently, because they happened to be located in a commercial building that was targeted by vandals, some churches appear to have been intentionally singled out. The majority of such attacks were against Catholic churches, the most prominent being the arson attack against Iglesia de la Veracruz, listed as an historic monument in 1983, and the attack on Parroquia de La Asunción Catholic Church, in which pews and other belongings were removed from the church and burned and the walls were scratched with slogans such as "The only church that enlightens is the one that burns."

### Recommendations

#### *To the government of Chile:*

- Continue engaging with religious minorities to improve protections for right to freedom of religion or belief.
- Ensure that no Mapuche are the victims of discrimination because of their religious beliefs or lack of belief by CONADI or other such bodies.
- Ensure that all churches that receive threats of attack are properly protected by security forces.
- Continue and enhance investigations into the attacks on churches and other religious buildings, and ensure that perpetrators are arrested and brought to justice.