

UNIVERSAL PERIODIC REVIEW – FOURTH CYCLE

**Submission to the 46<sup>th</sup> Session of the Human Rights Council's  
Universal Periodic Review Working Group**

**October 2023**

**Geneva, Switzerland**

**CHILE**

**Joint submission by:**

ADF International

Corporación Comunidad y Justicia

## Introduction

1. This joint submission addresses the growing pattern of violence incidents targeting churches in Chile, including at the hands of extremist indigenous groups. It also offers practical recommendations aimed at enhancing the situation of freedom of religion or belief in the country.

### (a) Freedom of Religion or Belief

#### *Background*

2. According to the World Bank, Chile has a population of approximately 19.6 million, with 50.6 percent identifying as Roman Catholic, and an estimated 8.4 percent as “evangelical”, a term encompassing various non-Catholic Christian denominations.<sup>1</sup> Additionally, around 35.1 percent of the population identifies as nonreligious.<sup>2</sup>
3. 12.8% of the population self-identify as indigenous, with Mapuche being the largest indigenous group.<sup>3</sup> Within this group, approximately 40.8% identify as Roman Catholic and 29.42% as Evangelical.<sup>4</sup>
4. In the Araucanía Region of the country, where most of the Mapuche indigenous community lives, certain factions have resorted to violence as a means to advocate for their claims over their ancestral territory.<sup>5</sup> These groups perceive the encouragement of private investment in the region as a form of colonization and demand the return of the majority of lands in the region – which have historically belonged to them – from the forestry companies that currently own them as part of their self-determination claims.<sup>6</sup>
5. From the perspective of these extremist groups, church arsons combat the alleged “cultural damage” that Christianity has done to their community.<sup>7</sup> Evangelical houses of worship are especially targeted because their prohibition of alcohol consumption contravenes traditional Mapuche beliefs, which see alcohol as integral to their cultural rituals.<sup>8</sup>

---

<sup>1</sup> World Bank, *Population, total – Chile* (last visited on 7 September 2023) available at <https://data.worldbank.org/indicator/SP.POP.TOTL?locations=CL>.

<sup>2</sup> Statista, *Religion Affiliation in Chile as of 2020, by type* (last visited 2 October 2023) available at <https://www.statista.com/statistics/1066977/religious-affiliation-in-chile/>.

<sup>3</sup> IWGIA, *The Indigenous World 2022: Chile* (1 April 2022), available at <https://www.iwgia.org/en/chile/4664-iw-2022-chile.html>.

<sup>4</sup> Joshua Project, *Mapuche, Araucanian in Chile* (last visited on 7 September 2023) available at [https://joshuaproject.net/people\\_groups/13526/ci](https://joshuaproject.net/people_groups/13526/ci).

<sup>5</sup> Veronica Figueroa Huencho, *Mapuche Movements in Chile: From Resistance to Political Recognition* (21 May 2021) available at <https://gjia.georgetown.edu/2021/05/21/mapuche-movements-in-chile-from-resistance-to-political-recognition/>.

<sup>6</sup> Id.

<sup>7</sup> Interview to Hugo Alcamán Riffo, Mapuche, kimeltuchefe (Mapuche professor), President of the non-profit organization named National Mapuche Encounter (“ENAMA” for its acronym in Spanish) and leader of the citizen movement named “Aboriginal Peoples for Peace”.

<sup>8</sup> Id.

6. In recent years, multiple arson attacks on Christian churches have been reported in the Araucanía Region. While authorities have not thoroughly investigated these cases, and perpetrators have not been identified, there have been multiple reports associating them with radical Mapuche groups.<sup>9</sup>
7. Attacks against churches have also been reported in the Metropolitan Region from 2019 through 2023. Unlike the violence in Araucanía, these have been mainly attributed to the massive protests started in Santiago de Chile in October 2019. What often started as peaceful demonstrations have, on several occasions, escalated into violent riots, resulting in the deliberate burning of churches.
8. Regrettably, attacks against Christian churches, predominantly in the Araucanía Region, persist to this day. In most cases, the perpetrators of these crimes have evaded prosecution.

### *Legal Framework*

9. Article 19(6) of the Chilean Constitution guarantees “the freedom of conscience, expression of any belief and the free exercise of all religions which are not contrary to morals, good customs, or public order. Religious denominations may erect and maintain temples and their dependencies under the safety and hygiene conditions established by the laws and ordinances. Churches, religious denominations, and institutions of any cult shall have the rights regarding assets, which the laws currently in force grant and recognize”.<sup>10</sup>
10. Law No. 19.638, governing the establishment of churches and religious organizations, provides the framework for the protection of the right to freedom of religion or belief in Chile. The law reaffirms the State’s obligation to guarantee freedom of religion, religious non-discrimination as well as the rights of all persons, churches, confessions, and religious entities to freely develop their religious activities.<sup>11</sup> In particular, Articles 3 and 7(a) of said law protect the right of all people from discrimination in the exercise of their chosen religious belief undisturbed.<sup>12</sup>
11. Notwithstanding Chile’s legal safeguards for freedom of religion or belief, there has been a dramatic uptick in violent incidents against Christian churches. From October 2019 to October 2020 alone, 59 churches experienced damage or vandalism, and while official

---

<sup>9</sup> Id.

<sup>10</sup> Rodrigo Delaveau Swett, *Chile 1980 (rev.2021)*, Constitute Project (last visited on 7 September 2023) available at [https://www.constituteproject.org/constitution/Chile\\_2021](https://www.constituteproject.org/constitution/Chile_2021).

<sup>11</sup> Biblioteca del Congreso Nacional de Chile, *Ley de Culto* (May 2018) available at <https://www.bcn.cl/portal/leyfacil/recurso/ley-de-culto>.

<sup>12</sup> Biblioteca del Congreso Nacional de Chile, *Ley 19.638 Establece normas sobre la constitución jurídica de las iglesias y organizaciones religiosas* (last visited on 7 September 2023) available at <https://www.bcn.cl/leychile/navegar?i=145268&f=1999-10-14>.

data has not been updated since, a significant increase in such incidents is widely acknowledged.<sup>13</sup>

### Cases

12. In 2019, amidst what media outlets reported to be a “mostly peaceful demonstration” of approximately 75,000 people in Santiago de Chile, hooded protesters looted and severely vandalized the Roman Catholic Church of the Assumption, located near the protest’s epicenter. Rioters pulled down statues and stripped away all iconography and furnishings, setting them ablaze in the streets.<sup>14</sup> They also beheaded a statue of the Virgin Mary outside the Church's west front.<sup>15</sup>
13. A year later, on 18 October 2020, Chileans gathered to commemorate the first anniversary of the 2019 protests. The Church of the Assumption was burned to the ground as hooded protesters cheered.<sup>16</sup> Rioters also vandalized, looted and ignited the Church of San Francisco de Borja, known as the Chilean National Police Force's place of worship.<sup>17</sup>
14. In April 2021, a church in Pedro Las Casas, Araucanía, was set alight.<sup>18</sup>
15. On 12 October 2021, a Catholic Church and an evangelical temple were set on fire almost simultaneously in the province of Arauco. Both the church and the temple were reduced to ruins.<sup>19</sup>

---

<sup>13</sup> Aid the Church in Need, *Chile sees another arson attack on a church* (9 March 2023) available at <https://www.churchinneed.org/chile-sees-another-arson-attack-on-a-church/>.

<sup>14</sup> DW, Chile: *Protesters burn university, loot church* (September 2019) available at <https://www.dw.com/en/chile-protesters-burn-university-loot-church/a-51177461>.

<sup>15</sup> Raven Saunt, *Demonstrators loot churches in Chile and burn statues of Jesus in the streets as month-long protest over inequality turns violent*, DailyMail (November 2019) available at <https://www.dailymail.co.uk/news/article-7666959/Demonstrators-loot-churches-Chile-burn-statues-Jesus-streets.html>.

<sup>16</sup> AlJazeera, *In Pictures: Churches set ablaze as Chile protests turn violent* (October 2020) available at <https://www.aljazeera.com/gallery/2020/10/19/in-pictures-chile-protests>.

<sup>17</sup> Chicago Tribune, *Quema de Iglesias en Chile despierta repudio generalizado* (October 2019) available at <https://www.chicagotribune.com/espanol/sns-es-quema-de-iglesias-en-chile-despierta-repudio-generalizado-20201019-tan5cnmo2vdebjm32iox5asdy-story.html>.

<sup>18</sup> ADN Radio, *Atentado incendiario en La Araucanía: queman iglesia en Padre Las Casas* (16 April 2021) available at <https://www.adnradio.cl/regional/2021/04/16/atentado-incendiario-en-la-araucania-queman-iglesia-en-padre-las-casas.html>.

<sup>19</sup> El Mostrador, *Una iglesia católica y un templo evangélico fueron quemados en ataque incendiario casi en paralelo en la provincia de Arauco* (October 2021) available at <https://www.elmostrador.cl/dia/2021/10/12/una-iglesia-catolica-y-un-templo-evangelico-fueron-quemados-en-ataque-incendiario-casi-en-paralelo-en-la-provincia-de-arauco/>.

16. On 10 January 2022, media outlets reported that the Church of San Sebastian de Curarrehue and its parish offices, both managed by the Piarist Fathers were set alight.<sup>2021</sup>
17. On 29 July 2022, a group of at least 15 armed, masked individuals set fire to church property, including a chapel, in the Trafún sector of Panguipulli. Two protest banners tied to the Mapuche cause were found by police upon arrival.<sup>22</sup> Shortly after, on 6 August 2022, another church burning occurred in Los Sauces, in the Malleco province of Araucanía.<sup>23</sup>
18. On 10 November 2022, the day Chilean President Gabriel Boric visited the region, violent extremists belonging to the Malleco Mapuche Resistance (MMR), which claims to defend the rights of the indigenous Mapuche people, reportedly burned a Catholic chapel in the commune of Victoria and another in Villa Cautín, in the sector of Selva Oscura. When the police arrived, the flames had already consumed the chapel, with MMR protest banners left at both sites decrying the President's visit.<sup>24</sup>
19. At around midnight on 4 March 2023, eight armed masked men arrived and set alight the chapel of Our Lady of Rays in the village of California, Araucanía, according to Aid to the Church in Need.<sup>25</sup> The flames consumed the building in minutes, leaving the community, mostly Mapuche families, without a place of worship. Police reported that at least eight individuals partook in the church burning, with a MMR banner left on site, reading "Every bullet you fire will be returned. Temuicui resists."<sup>26</sup> On 13 March 2023, the Chapel of the Sacred Heart of Jesus, in the Amaza sector, was also burned.<sup>27</sup>

---

<sup>20</sup> El Mostrador, *Histórica iglesia San Sebastián de Curarrehue resultó totalmente destruida tras sufrir incendio* (January 2022) available at <https://www.elmostrador.cl/noticias/multimedia/2022/01/10/historica-iglesia-san-sebastian-de-curarrehue-resulto-totalmente-destruida-tras-sufrir-gran-incendio/>.

<sup>21</sup> Carlos Zamorano, *Investigan origen de incendio que destruyó iglesia católica en La Araucanía* (January 2022) available at <https://www.latercera.com/nacional/noticia/investigan-origen-de-incendio-que-destruyo-iglesia-catolica-en-la-araucania/C55OLMZXVFF5HHJ5DR2TG7N7RI/>.

<sup>22</sup> Paola Valenzuela and Cristian Cerna, *Encapuchados armados queman 4 cabañas y una capilla en ataque incendiario registrado en Panguipulli*, BioBio Chile (29 July 2022) available at <https://www.biobiochile.cl/noticias/nacional/region-de-los-rios/2022/07/29/encapuchados-armados-queman-4-cabanas-y-una-capilla-en-ataque-incendiario-registrado-en-panguipulli.shtml>.

<sup>23</sup> Carlos Zamorano and Simona Paranhos, *La Araucanía: desconocidos queman una escuela, una iglesia y otra instalación en comuna de Los Sauces*, La Tercera (6 August 2022) available at <https://www.latercera.com/nacional/noticia/la-araucania-desconocidos-queman-una-escuela-una-iglesia-y-otra-instalacion-en-comuna-de-los-sauces/IJJSMN3IQVFVNOZPTLPNXUSNEE/>.

<sup>24</sup> Manuel Stuardo, *Resistencia Mapuche Malleco destruye capilla en medio de visita del presidente Boric a La Araucanía*, BioBio Chile (10 November 2022) available at <https://www.biobiochile.cl/noticias/nacional/region-de-la-araucania/2022/11/10/resistencia-mapuche-malleco-destruye-capilla-en-medio-de-visita-del-presidente-boric-a-la-araucania.shtml>.

<sup>25</sup> Maria Lozano, *Chile sees another arson attack on a church*, Aid to the Church in Need (9 March 2023) available at <https://www.churchinneed.org/chile-sees-another-arson-attack-on-a-church/>.

<sup>26</sup> Maria Lozano, *Grupo terrorista mapuche incendia iglesia en Chile*, ZENIT Noticias (9 March 2023) available at <https://es.zenit.org/2023/03/09/grupo-terrorista-mapuche-incendia-iglesia-en-chile/>.

<sup>27</sup> Pablo Cesio, *Chile y nuevos ataques incendiarios: Dos iglesias quemadas en 10 días*, Aleteia (14 March 2023) available at <https://es.aleteia.org/2023/03/14/chile-y-nuevos-ataques-incendiarios-dos-iglesias-quemadas-en-10-dias/>.

20. On 15 August 2023, an evangelical temple was burned in Ercilla, a town in the region of Araucanía.<sup>28</sup> An attempted arson by the MMR on a Catholic chapel in the same area was also foiled by firefighters in the early morning of 16 August 2023.<sup>29</sup>
21. Most recently, on 1 October 2023, the Chapel of Saint Alberto Hurtado in Curanilahue was vandalized and completely burned.<sup>30</sup> The same night, in the province of Arauco, another church was set on fire.<sup>31</sup>
22. These cases document the escalating string of attacks against churches nationwide, demanding the urgent intervention of the government of Chile.

#### *Freedom of Religion or Belief under International Law*

23. Chile ratified the International Covenant on Civil and Political Rights (ICCPR) on 10 February 1972. Article 18 of the ICCPR guarantees the right to freedom of religion or belief, which includes the right of each person to manifest their religion or belief in worship, observance, practice, and teaching, individually or in community with others and in public or private.<sup>32</sup> This right is also recognized under Article 12 of the Interamerican Convention on Human Rights, to which Chile is a State Party.
24. Furthermore, as recognized under Article 6(a) of the 1981 General Assembly Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief, the right to freedom of religion or belief also includes the right to worship or assemble in connection with a religion or belief, and to establish and maintain houses of worship with coreligionists.<sup>33</sup> As acknowledged by the Human Rights Committee in its General Comment No. 22, the building of places of worship encompasses the freedom to manifest religion or belief in worship, and as such has to be regarded as a core outward manifestation of one's beliefs or convictions.<sup>34</sup>
25. The ongoing violence perpetrated against places of worship across Chile has a chilling effect on the exercise of the human right to religious freedom, as it prevents Christians

---

<sup>28</sup> Malleco 7, *Incendio destruye iglesia y furgón en Ercilla* (15 August 2023) available at <https://www.malleco7.cl/incendio-destruye-iglesia-y-furgon-en-ercilla/>.

<sup>29</sup> Malleco 7, *Otro atentado en Malleco, ahora queman escuela en Curacautín* (16 August 2023) available at <https://www.malleco7.cl/otro-atentado-en-malleco-ahora-queman-escuela-en-curacautin/>.

<sup>30</sup> Vatican News, Chile. *Incendian la Capilla de San Alberto Hurtado en Curanilahue* (3 October 2023) available at <https://www.vaticannews.va/es/iglesia/news/2023-10/incendian-la-capilla-de-san-alberto-hurtado-en-curanilahue.html>.

<sup>31</sup> Roberto Urbina, *Queman dos iglesias en el sur de Chile* (3 October 2023) available at <https://www.vidanuevadigital.com/2023/10/03/queman-dos-iglesias-en-el-sur-de-chile/>.

<sup>32</sup> International Convention on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (ICCPR), art. 18.

<sup>33</sup> United Nations Office of the High Commission for Human Rights (OHCHR), *General Assembly Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief*, adopted by General Assembly resolution 36/55 on 25 November 1981, available at [Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief | OHCHR](#).

<sup>34</sup> UN Human Rights Committee (HRC), *CCPR General Comment No. 22: Article 18 (Freedom of Thought, Conscience or Religion)*, 30 July 1993, CCPR/C/21/Rev.1/Add.4, available at: <https://www.refworld.org/docid/453883fb22.html>.

from fully manifesting their religion or belief, particularly through worship. The violent attacks documented in this submission have not only deprived many communities of their worship spaces but also inhibited those who have not been victimized from attending religious services freely and without fear of violence.

26. Moreover, Chile has fallen short in fulfilling its international obligations to safeguard the right to freedom of religion or belief by failing to implement adequate measures to halt violence against the Christian community. In this regard, Chile should be urged to redouble its commitment to investigate, prosecute, and sanction those responsible for these crimes.

**(b) Recommendations**

27. In light of the aforementioned, ADF International suggests the following recommendations be made to Chile:

- a. Ensure that the right to freedom of religion or belief is promoted and protected in Chile, including the right to worship or assemble in connection with a religion or belief and to establish and maintain places for these purposes;
- b. Scale up efforts to protect religious communities from all forms of violence and harassment, including by taking all necessary preventative measures to guarantee their safety and the security of their places of worship and other properties;
- c. Guarantee prompt and effective investigations into all attacks perpetrated against religious communities and their places of worship, ensuring accountability for perpetrators and justice for victims.