

CHILE 2019 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for freedom of conscience and worship. The law prohibits religious discrimination and provides civil remedies to victims of discrimination. Religion and state are officially separate. The National Office of Religious Affairs (ONAR), an executive government agency, is charged with facilitating communication between faith communities and the government and ensuring the protection of the rights of religious minorities. ONAR continued to work with local authorities in the communities affected by attacks on churches in several regions of the country, including the Araucania and Santiago Regions, to coordinate and rebuild the damaged churches. During the year, ONAR held roundtable discussions with religious leaders in all regions of the country regarding possible changes to the law regarding religious organizations.

Jewish community leaders again expressed concern about a rise in anti-Semitism in the country, including anti-Semitic vandalism and chants by groups occurring during widespread protests in October. Jewish community representatives said they were particularly concerned about the violent episodes allegedly committed by members of the Patriotic and Social Movement of Chile (MSP), whose leaders produced statements criticizing Jews. By year's end, there were more than 60 reports of attacks, including vandalism, looting, and arson, on Catholic and evangelical churches, and one on a synagogue, associated directly with the social unrest occurring across the country since October. ONAR representatives stated the intensification of attacks on religious buildings directly restricted freedom of religion, in particular for communities most directly affected by social unrest.

The Ambassador, Charge d'Affaires, and other U.S. embassy representatives periodically met with government officials to discuss reports of anti-Semitism, religious minorities' security concerns, and institutional cooperation among government and religious organizations. They also met with civil society and religious leaders to discuss religious diversity and tolerance and to raise incidents of concern, including perceived threats to the Jewish community.

Section I. Religious Demography

The U.S. government estimates the total population at 18.1 million (midyear 2019 estimate). According to ONAR's 2018 estimates, approximately 60 percent of the population self-identifies as Roman Catholic and an estimated 18 percent identifies

as “evangelical,” a term used in the country to refer to non-Catholic Christian groups, including Episcopalians, but not The Church of Jesus Christ of Latter-day Saints (Church of Jesus Christ), Jehovah’s Witnesses, Orthodox Churches (including the Armenian, Greek, Persian, Serbian, and Ukrainian communities), and Seventh-day Adventists. In the most recent census that included religious affiliation, conducted in 2002, Baha’is, Buddhists, Jews, Muslims, Jehovah’s Witnesses, Seventh-day Adventists, members of the Family Federation for World Peace and Unification (Unification Church), Church of Jesus Christ, the Orthodox Churches, and other unspecified religious groups together constituted less than 5 percent of the population. An estimated 4 percent of the population identifies as atheist or agnostic, while 17 percent of the population identifies as nonreligious. According to ONAR, 9 percent of the population self-identifies as indigenous, of which approximately 30 percent identify as Catholic, 38 percent as evangelical, and 6 percent as other; the remaining 26 percent did not identify with any religion. ONAR states that many of those individuals also incorporate traditional indigenous faith practices into their worship.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for freedom of conscience and the free exercise of worship. It states that these practices must not be “opposed to morals, to good customs, or to the public order.” Religious groups may establish and maintain places of worship, as long as the locations comply with public hygiene and security regulations established by laws and municipal orders.

According to the constitution, religion and state are officially separate. The law prohibits discrimination based on religion, provides civil remedies to victims of discrimination based on their religion or belief, and increases criminal penalties for acts of discriminatory violence. The law prohibits discrimination in the provision of social services, education, ability to practice religious beliefs or gain employment, property rights, and the rights to build places of worship.

By law, registration for possible conscription to the military is mandatory for all men between the ages of 17 and 45. Eligible candidates are first allowed to volunteer for service; a draft is then conducted for the number of positions remaining up to the force requirements identified by the Ministry of Defense. Alternative service, by working for the armed forces in a job related to the selectee’s expertise, is possible only for those studying certain fields. The law

makes no provision for conscientious objection. Only ministers or priests from registered religious organizations are exempted on religious grounds.

The law does not require religious groups to register with the government; however, there are tax benefits for those that do. Once registered, a religious group is recognized as a religious nonprofit organization; religious organizations have the option of adopting a charter and bylaws suited to a religious entity rather than a private corporation or a secular nonprofit. Under the law, religious nonprofit organizations may create affiliates, such as charitable foundations, schools, or additional houses of worship, which retain the tax benefits of the religious parent organization. According to ONAR, public law recognizes more than 3,200 religious organizations as legal entities, mostly small evangelical or Pentecostal churches. By law, the Ministry of Justice (MOJ) may not refuse to accept the registration petition of a religious entity, although it may object to petitions within 90 days if legal prerequisites for registration are not satisfied.

Applicants for religious nonprofit status must present the MOJ with an authorized copy of their charter, corresponding bylaws with signatures, and the national identification numbers of charter signatories. The bylaws must include the organization's mission, creed, and structure. The charter must specify the signatories, the name of the organization, and its physical address, and it must include confirmation that the religious institutions' charter signatories approved the bylaws. In the event the MOJ raises objections to the group, the group may petition; the petitioning group has 60 days to address the MOJ's objections or challenge them in court. Once a religious entity is registered, the state may not dissolve it by decree. If concerns are raised about a religious group's activities after registration, the semiautonomous Council for the Defense of the State may initiate a judicial review of the matter. The government has never deregistered a legally registered group. One registration per religious group is sufficient to extend nonprofit status to affiliates, such as additional places of worship or schools, clubs, and sports organizations, without registering them as separate entities. According to ONAR, the MOJ receives approximately 30 petitions monthly. The MOJ has not objected to any petition and has registered every group that completed the required paperwork.

By law, all public schools must offer religious education for two teaching hours per week through pre-elementary, elementary, middle, and high school. Local school administrators decide how religious education classes are structured. The majority of religious instruction in public schools is Catholic. The Ministry of Education also has approved instruction curricula designed by 14 other religious

groups, including orthodox and reformed Jews, evangelical Christians, and Seventh-day Adventists. Schools must provide religious instruction for students according to students' religious affiliations. Parents may have their children excused from religious education. Parents also have the right to homeschool their children for religious reasons or enroll them in private, religiously oriented schools.

The law grants religious groups the right to appoint chaplains to offer religious services in public hospitals and prisons. Prisoners may request religious accommodations. Regulations for the armed forces and law enforcement agencies allow officially registered religious groups to appoint chaplains to serve in each branch of the armed forces, the national uniformed police, and the national investigative police.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

ONAR worked with local authorities in communities affected by attacks on churches to rebuild the damaged churches and guarantee continuity in the services they provide.

A wide-ranging investigation into sexual abuse and cover-up within the Catholic Church, launched in 2018, continued. In July prosecutors announced they were investigating Bishop Santiago Silva, president of the Episcopal Conference of Chile, for obstructing the investigation. Also in July, the Society of Jesus (Jesuits) in the country announced an internal investigation of abuse by the late Jesuit priest Renato Poblete found that allegations by all 22 purported victims were “plausible and credible.” The Jesuits apologized to the victims for failing to act earlier. To protect the identities of victims and witnesses, the Jesuits initially provided law enforcement with only an anonymized executive summary of the report. In October prosecutors obtained a court order forcing the Jesuits to turn over the full report.

In March an appeals court ruled in favor of three victims of Fernando Karadima, a Catholic priest who allegedly abused children for decades, in their civil case against the Archdiocese of Santiago for allegedly covering up the abuse. Karadima never faced criminal charges for his actions due to the statute of limitations; however, he was found guilty in a Church canonical trial in 2010 and removed from the priesthood.

Some religious leaders and groups continued to protest a gender identity law, which was passed in 2018 and came into effect in December, and allows transgender individuals 18 years and older (or 14 years and older with a parent's or guardian's consent) to change their name and gender in official records.

According to a December 2018 decision by the country's comptroller general, municipalities do not have the legal authority to conduct foreign relations, and all public tenders must be guaranteed "equal and nondiscriminatory treatment" under the law. This decision derived from a December 2018 suit filed by the Jewish Community of Chile to block a municipal law in Valdivia that would have associated the city to the "Boycott, Divestment, Sanctions (BDS)" movement. Jewish community leaders praised the decision on social media and in news reports.

During the year, ONAR held roundtable discussions with religious leaders in every region of the country to solicit their opinions on possible changes to law or policy regarding religious organizations and religious freedom. The roundtables replaced the previous government's Interfaith Advisory Council, disbanded in 2018. Members of the disbanded Advisory Council formed a nongovernmental organization to continue their work, offering training and certification on religious diversity and interfaith dialogue. According to ONAR representatives, the constitutional rewrite, to take place in 2020-21 in response to large-scale protests calling for a new constitution, would likely lead to contentious debates on religious freedom and other human rights.

Section III. Status of Societal Respect for Religious Freedom

According to ONAR and media reports, during widespread protests and civil unrest that began in October and continued through year's end, more than 60 Catholic and evangelical churches were vandalized, looted, or burned. In November protesters looted La Asuncion and Veracruz Catholic Churches in Santiago. According to reports, the protesters removed statues, other religious icons, and pews to burn them on the street. Protesters also attacked the San Francisco de Borja Catholic Church, which is dedicated to the Carabineros (national uniformed police), and burned down a historic wooden church in Ancud in the southern part of the country.

Unlike in the four previous years, only one of the church attacks was attributed to individuals from the Mapuche indigenous group. The Mapuche, the country's

largest indigenous group, considered most of Araucania as ancestral territory and continued to call for the government to return lands confiscated prior to the return to democracy in the late 1980s. Some factions of the Mapuche continued to burn churches, lumber trucks, and farms to demand the return of land. The number of violent incidents in Mapuche areas increased during the year; however, attacks on churches decreased significantly. Some analysts said they believed the high profile killing of a Mapuche activist by police in November 2018 caused violence to increase, focusing it more on direct symbols of the state, rather than churches.

Jewish community leaders again expressed concern about a rise in anti-Semitism in the country. During the protests and civil unrest in October and November, the main Jewish cemetery in Santiago and Jewish-owned business in Concepcion were vandalized with anti-Semitic and anti-Israeli graffiti, and protesters attacked the main synagogue in Concepcion with Molotov cocktails. Jewish community leaders also reported hearing anti-Semitic chants as protesters marched past Jewish community buildings.

The Jewish community also expressed concern regarding the increasing number of violent episodes allegedly committed by members of the MSP, whose leaders produced statements criticizing Jews, immigrants, and other minorities. In August the Santiago metropolitan government denied the MSP permission to hold an anti-immigrant march, which many observers criticized for inciting racial hatred. Some alleged MSP members made calls on social media for supporters to march armed. Jewish community leaders praised the government's decision to deny the permit, saying authorities could not have effectively guaranteed public safety.

Section IV. U.S. Government Policy and Engagement

The Ambassador, Charge d'Affaires, and other embassy representatives periodically met with government officials to raise the status of religious minorities in the country, expressions of anti-Semitism, religious minorities' security concerns, and institutional cooperation among government and religious organizations. They also met with civil society and religious leaders to discuss religious diversity and tolerance and to raise incidents of concern, including perceived threats to the Jewish community.

In May the embassy hosted an interreligious iftar for leaders from several of the country's faith communities, including Islamic, Jewish, Catholic, Protestant, evangelical, Orthodox, Church of Jesus Christ, Baha'i, and indigenous representatives, as well as government officials and foreign diplomats. The

embassy highlighted the iftar, International Religious Freedom Day, and the United Nations' International Day for Tolerance with social media posts encouraging interfaith understanding and religious tolerance.