



Chile

International Religious Freedom Report 2004

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution provides for freedom of religion, and the Government generally respects this right in practice.

There was no change in the status of respect for religious freedom during the period covered by this report, and government policy continued to contribute to the generally free practice of religion. A 1999 law, "Norms for the Legal Establishment of Churches and Religious Organizations," commonly known as the "Ley de Cultos", gives other religious entities the same legal status which the Catholic Church enjoys; however, the Catholic Church unofficially still retains a privileged position.

The generally amicable relationship among religions in society contributed to religious freedom.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

Section I. Religious Demography

The country has an area of 292,260 square miles, and its population is just over 15 million. Seventy percent of the population who are 14 or older was identified as Roman Catholic by the 2002 census (down from 76.8 percent in 1992).

In the census, the term evangelical refers to all non-Catholic Christian churches with the exception of the Orthodox Church (Greek, Persian, Serbian, Ukrainian, and Armenian), the Church of Jesus Christ of Latter-day Saints (Mormons), Seventh-day Adventists, and Jehovah's Witnesses. Approximately 90 percent of Evangelicals are Pentecostal. According to the 2002 census, Evangelicals totaled 1,699,725 persons, or 15.1 percent of the population over the age of 14 (up from 12.4 percent in 1992).

Other numbers recorded in the 2002 census were members of Jehovah's Witnesses (119,455 persons), Mormons (103,735), Jews (14,976), Orthodox Christians (6,959), and Muslims (2,894). All other religions totaled 493,147 persons, or 4.4 percent. Atheists and those "indifferent" regarding religion constituted about 8.3 percent (931,990) of the population over the age of 14 (up from 5.8 percent in 1992). Members of the largest faiths are numerous in the capital, and Catholic, Evangelical, and Pentecostal churches are also active in other regions of the country. Jewish communities are located in Santiago, Valparaiso, Vina del Mar, Valdivia, Temuco, Concepcion, and Iquique (although there is no synagogue in Iquique).

Traditional Protestant churches, including Wesleyan, Lutheran, Reformed Evangelical, Seventh-day Adventist, Presbyterian, Anglican and Methodist are present. There is also a Buddhist population and a very small number of Unification Church members.

Foreign missionaries operate freely, and many priests are of foreign origin.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respects this right in practice. Church and State are officially separate. The 1999 law on religion ("Ley de Cultos") includes a clause that prohibits religious discrimination; however, the Catholic Church enjoys a privileged status and occasionally receives preferential treatment. In addition to Catholic events, government officials attend major Protestant and Jewish ceremonies.

Before the adoption of the 1999 law, religious faiths and organizations other than the Roman Catholic Church were required to register with the Ministry of Justice to receive tax-exempt status and the right to collect funds. Groups without such juridical status could worship but not enjoy the tax-exempt status, right to collect funds, or other benefits.

The 1999 law on religion allows any religion to obtain legal public right status. Under the law, the Ministry of Justice may not refuse to accept a registration petition, although it may object to the petition within 90 days on the grounds that all legal prerequisites to register have not been satisfied. The petitioner then has 60 days to address those objections raised by the Ministry or challenge the Ministry in court. Once a religious entity is registered, the State no longer has the authority to dissolve it by decree. Instead, the semiautonomous Council for the Defense of the State may initiate a judicial review; however, no organization that has registered under the Ley de Cultos has been deregistered.

In addition the 1999 law allows religious entities to adopt a charter and bylaws suited to a religious organization rather than a private corporation. They may set up affiliates (schools, clubs, and sports organizations) without registering them as separate corporations.

As of mid-year, 404 religious faiths and related organizations had registered under the new law. This number includes the Roman Catholic Church, Greek and Ukrainian Orthodox churches, a wide range of Protestant churches (Evangelical, Lutheran, Methodist, Pentecostal, Anglican, Presbyterian, Baptist, Episcopalian), several Buddhist temples, Jewish congregations, Islamic mosques, Mormons, Seventh-day Adventists, and members of Jehovah's Witnesses.

The registration process is often delayed due to the complexities of formulating a new charter and bylaws. Many groups have also delayed registration due to the taxes and fees involved in the transference of property from the old legal entity to the new one. The Ministry of Justice formed a committee that includes representatives of affected organizations to develop a way to avoid payment of the taxes and fees for the initial re-registration. The Committee continues to meet, seeking to arrive at satisfactory conclusions.

In addition to Christmas and Good Friday, three Roman Catholic holidays are celebrated as national holidays: Corpus Cristi, the Feast of St. Peter and Paul, and the Feast of the Immaculate Conception.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

The 1999 law on religion grants other religions and denominations the same right that the Catholic Church possesses to have chaplains in public hospitals, prisons, and military units. However, without specific regulations to implement the new law, non-Catholic religious leaders can still be subjected to arbitrary decisions of local administrators. Non-Catholic pastors report that their access to prisons and hospitals was generally good during the period covered by this report; however, they would like their respective faiths to have an official chaplain representing them in these facilities.

The celebration of a Roman Catholic Mass frequently marks public events. If the event is of a military nature, all members of the participating units are obliged to attend. The military continues to block efforts by non-Catholic faiths to provide military chaplains. According to one report, in 2002, the base commander on the air force base in the city of Iquique forbade members of the military

living on the base from conducting Bible study for children in their homes. Military recruits, whatever their religion, are required at times to attend Catholic events involving their unit. Membership in the Roman Catholic Church is considered beneficial to a military career, and in the navy, it is said to be almost a requirement for advancement to the highest posts. However, in 2001 an ecumenical chapel was opened in the Investigative Police Academy and an Evangelical chaplain was appointed. Two ethics instructors at the Academy are Evangelical. In December 2001, for the first time, the President appointed an Evangelical chaplain to the chapel in the Presidential Palace.

Religious instruction in public schools is almost exclusively Roman Catholic. Schools are required to offer religious education, on an optional basis twice a week through middle school. Teaching the creed requested by parents is mandatory; however, enforcement is sometimes lax, and religious education is often provided through Sunday schools and other venues. Local school administrations decide how funds are spent on religious instruction; this is predominantly in the Roman Catholic faith. In 2001 the Education and Gospel Task Force in San Pedro de la Paz had to secure a court order to permit an Evangelical teacher to teach religion at the public school. Church leaders also report continued resistance by school administrators, based on economic considerations, to appointing evangelical religion teachers in the Santiago suburbs of Quinta Normal and Puente Alto. In December 2003, the Ministry of Justice issued an objection to the registration of the Unification Church, on the basis that the Church's doctrine threatens constitutional order. This was the first time under the new law on religion that an organization's registration was contested for other than technical reasons. The Unification Church case currently is being heard in the Santiago Court of Appeals.

There were no reports of religious prisoners or detainees.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Abuses by Terrorist Organizations

There were no reported abuses targeted at specific religions by terrorist organizations during the period covered by this report.

Section III. Societal Attitudes

The generally amicable relationship among religions in society contributed to religious freedom; however, some discrimination occurred.

Ecumenical groups exist, although they often form on an individual basis to address certain issues. All major faiths participated in a human rights "dialogue table" led by the Defense Minister, which submitted a report to the Government in January 2001.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

U.S. Embassy representatives met with a wide variety of religious leaders, including Santiago's Archbishop and key representatives of evangelical and Jewish organizations. Informal contact is maintained with representatives and leaders of several other faiths.

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[International Religious Freedom Report Home Page](#)