



FREEDOM IN THE WORLD 2020

Chile

FREE

90

/100

<u>Political Rights</u>	38 /40
<u>Civil Liberties</u>	52 /60

LAST YEAR'S SCORE & STATUS

94 /100 **Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

In 2019, Chile experienced massive and at times violent protests against the government and societal inequality, in the most severe unrest to occur in the country since the return of civilian rule in 1990. The turmoil eased after the government and opposition agreed to begin a process of drafting a new constitution, and the country remains a stable democracy that has experienced a significant expansion of political rights and civil liberties in the last four decades.

Key Developments in 2019

- On October 18, protests erupted in Santiago in reaction to an increase in metro fares. The scope of protesters' grievances expanded to include general dissatisfaction with government and societal inequality, and civil unrest quickly spread across the country. Demonstrations were severely disrupted by a variety of factors including people who took advantage of the upheaval to engage in looting, arson, and vandalism, and by severe police violence. Roadblocks and a restrictive state of emergency limited free movement in much of the country.
- By the end of the year, 29 civilians had died in the context of the protests, some 5,000 were injured, and more than 28,000 had been detained. More than 2,700 police officers were injured, and the country was left with massive property and infrastructural damage.
- The National Institute of Human Rights (INDH) and other human rights organizations accused security forces of committing human rights abuses including sexual assault and excessive violence. Hundreds of people sustained optical injuries after being struck by projectiles fired by police.
- On November 15, the government and opposition parties agreed to start the process of drafting a new constitution. The agreement calmed the protests somewhat, as polls showed widespread support for replacing the 1980 **TOP** constitution.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?	4/4
--	------------

Presidential elections in Chile are widely regarded as free and fair. The president is elected to a four-year term, and consecutive terms are not permitted. Piñera was elected in December 2017 to serve his second term; he had served as president previously, from 2010 to 2014.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?	4/4
---	------------

The 2017 legislative polls were the first to take place under new rules that established more proportional districts, and increased the number of seats in both houses. The Chamber of Deputies now has 155 seats, up from 120 previously. The number of Senate seats was increased from 38 to 50, but the new seats will be introduced gradually, with the Senate reaching its new 50-seat capacity in 2022.

Senators serve eight-year terms, with half up for election every four years, and members of the Chamber of Deputies are elected to four-year terms. Since 1990, congressional elections have been widely regarded as free and fair.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?	4/4
--	------------

Chile's electoral framework is robust and generally well implemented.

In November 2019, progovernment and opposition parties agreed to call a plebiscite on replacing the 1980 constitution, considered by its critics as an ideological embodiment of the Pinochet dictatorship. The plebiscite, signed by Piñera in late December and which will be put to citizens in April 2020, will ask if citizens want to replace the constitution, and, if so, how it should be drafted. This agreement was the main political reaction to the protest movement and accompanying unrest that erupted in Santiago in October 18. The constitutional agreement helped to appease the protesters, given that a large majority of the population supports a constitutional replacement.

B. Political Pluralism and Participation

B1 0-4 pts

<p>Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?</p>	<p>4/4</p>
---	-------------------

Chile has a multiparty political system. The current Congress, which held its first session in March 2018, includes representatives from more than a dozen political parties, as well as several independent candidates. Additionally, the number of important legislative coalitions has increased from two to three, with the leftist Frente Amplio, or Broad Front, joining the existing major blocs: the center-left Nueva Mayoría, or New Majority, and center-right Vamos Chile, or Let's Go Chile. Parties operate freely, and new parties have emerged in recent years.

B2 0-4 pts

<p>Is there a realistic opportunity for the opposition to increase its support or gain power through elections?</p>	<p>TOP 4/4</p>
--	----------------------------------

Power alternation between parties occurs regularly, both in Congress and for the presidency. The last four administrations have been led by only two politicians; center-left Michelle Bachelet (2006–10; 2014–18) and conservative Sebastián Piñera (2010–14; 2018–). However, they succeeded one another through democratic processes, as each has remained the most popular politician in their respective coalitions.

B3 0-4 pts

<p>Are the people’s political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?</p>	<p>4/4</p>
---	-------------------

People are generally free to exercise their political choices without undue influence from actors that are not democratically accountable.

B4 0-4 pts

<p>Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?</p>	<p>3/4</p>
--	-------------------

Women are represented in government, and the new electoral system includes a quota for women in the legislature. However, the presence of women in Congress and in other government positions does not guarantee that their interests are represented, and women report difficulty gaining influence in intraparty debates.

The interests of the Mapuche minority, which represents about 9 percent of the population, are present in political life, with Mapuche activists regularly making their voices heard in street demonstrations. However, this activism has yet to translate into significant legislative power. In 2017, one Mapuche candidate was elected to the Senate, and one to the Chamber of Deputies.

TOP

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

4/4

While lobbying and interest groups exist and work to shape policy, there is little significant intervention by actors who are not democratically accountable in policymaking processes.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

3/4

Anticorruption laws are generally enforced, though high-level corruption scandals crop up with some regularity. In June 2019, General Juan Miguel Fuente-Alba became the first former army commander in chief to face corruption charges in a criminal court; he remained under house arrest at year's end. Previously, he served six months under arrest due to a martial court sentence for money laundering. Separately, in April, a martial court accused General Alejandro Villagra of fiscal fraud. Villagra resigned his post in August, and the judicial process against him was still open at year's end. In November 2018, Piñera dismissed 21 army generals amid multiple corruption scandals in the military, marking the biggest change in the army's high command since 1990.

Corruption scandals dented former president Bachelet's popularity during her presidency, as well as that of her coalition.

C3 0-4 pts

Does the government operate with openness and transparency?

4^{TOP}

The government operates with relative transparency. In 2009 the Transparency and Access to Public Information Law came into force; it increases public access to

information and created a Council on Transparency. Agencies have generally been responsive to information requests, and failures to comply with the law or other measures designed to encourage transparent operations have been punished with fines.

In September 2019 the government replaced the decades-old Copper Law, in what was viewed as a major step toward improving transparency in the wake of series of corruption scandals involving the armed forces. The previous legislation had stipulated that 10 percent of state-run company Codelco's export sales be channeled to the armed forces without oversight. The new legislation establishes a 12-year transition to a new financial strategy under the supervision of the comptroller general, increased civilian oversight of the military's budget, and new transparency mechanisms.

Score Change: The score improved from 3 to 4 because the government replaced the decades-old Copper Law, increasing transparency and civilian oversight of the military's budget after a series of corruption scandals involving the armed forces.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?	4/4
---------------------------------------	-----

Guarantees of free speech are generally respected, though some laws barring **TOP** defamation of state institutions remain on the books. Media ownership is highly concentrated.

At least two newspapers saw their offices set on fire, looted, and otherwise vandalized during the 2019 protest movement: *El Líder*, and *El Mercurio de Valparaíso*, both located in Valparaíso. Separately, in November, freelancer photojournalist and media worker Albertina Martínez Burgos was found dead in her home in Santiago. It was unclear whether her killing was directly related to her work. Earlier, in August, domestic and international media watchdogs expressed concern about reports that the military had conducted surveillance against journalist Mauricio Weibel Barahona in 2016, as he was researching allegations of misconduct in the armed forces.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?	4/4
---	------------

The constitution provides for religious freedom, and the government generally upholds this right in practice.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?	3/4
---	------------

Generally, academic freedom is unrestricted in Chile. However, social unrest in 2019 forced most universities to end the semester early or move classes online in order to avoid being vandalized or occupied by protesters. Protesters occupied, vandalized, or looted some universities anyway, and one campus building was set on fire. Furthermore, some academics were publicly harassed, especially on social media, in response to perceived criticism of the protest movement.

*Score Change: The score declined from 4 to 3 due to protesters' obstruction of **TOP** university classes and intimidation of faculty.*

D4 0-4 pts

--	--

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

4/4

Chileans enjoy open and free private discussion.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?

2/4

The right to assemble peacefully has traditionally been widely respected. However, peaceful protest activity that arose in 2019, when people took to the streets to demonstrate against the government and against societal inequality, was severely disrupted by a variety of factors including people who took advantage of the protest movement's cover to engage in looting, arson, and vandalism; and by severe police violence and a restrictive state of emergency that came in response to the unrest.

On October 18, violent protests emerged in Santiago in reaction to an increase in metro fares. The unrest quickly spread to the rest of the country and continued to grow in the capital, where at one point 1.2 million protesters gathered in a single day. Piñera quickly declared a state of emergency in Santiago and nearby areas, which was soon extended to 15 of the country's 16 regions. The state of emergency gave the government considerable powers to restrict citizens' freedom of movement and their right to assemble. Furthermore, General Javier Iturriaga del Campo, who served as head of national defense, declared a curfew that was extended to numerous large cities. The state of emergency remained in place until October 28. **TOP**

Twenty-nine civilians were killed amid the protests and more than 3,000 were injured, with many abuses committed by the country's security services. According to Human Rights Watch (HRW), prosecutors were investigating at least five killings allegedly

caused by security forces in the context of demonstrations. The publicly funded National Institute of Human Rights (INDH), as well as HRW and Amnesty International, accused the *carabineros* (military police) and the military of perpetrating serious human rights violations during the protests and against those detained during the unrest. More than 350 reported eye injuries due to security forces' use of rubber bullets and pellets. There were also widespread reports of serious human rights abuses of people detained in connection with the protests. More than 2,700 members of security forces were also injured during the unrest.

Score Change: The score declined from 4 to 2 because peaceful protest activity during the year was frequently obstructed as a result of violent acts by both police and radical demonstrators.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?	4/4
--	------------

Nongovernmental organizations (NGOs) form and operate without interference.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	4/4
---	------------

There are strong laws protecting worker and union rights, but some limited antiunion practices by private-sector employers continue to be reported.

F. Rule of Law

F1 0-4 pts

TOP

Is there an independent judiciary?	4/4
---	------------

The constitution provides for an independent judiciary, and the courts are generally free from political interference. Judicial independence was tested in September 2018, when opposition deputies tried to remove three Supreme Court justices for “abandonment of duties” after they granted parole to seven prisoners convicted of human rights violations committed during the Pinochet dictatorship. The lower house of parliament declined to move forward with the removal.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	4/4
--	------------

The right to legal counsel is constitutionally guaranteed and due process generally prevails in civil and criminal matters. However, indigent defendants do not always receive effective legal representation.

Human rights groups and the United Nations have criticized the government’s use of antiterrorism laws, which do not guarantee due process, to prosecute acts of violence by Mapuche activists.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	2/4
---	------------

While the government has developed mechanisms to investigate and punish police abuses, excessive force and human rights abuses committed by the carabineros still occur, and such abuses intensified during the social unrest that took place in 2019. The protest movement was also marked by a general state of unrest in many places, as some took advantage of the uprising to commit acts of arson, looting, and vandalism.

TOP

The INDH, HRW, and Amnesty International accused the carabineros and the military of perpetrating serious human rights violations during the protests, including excessive use of force against protesters, as well as torture and sexual abuse of

people held in detention. One of the most frequent accusations was that police officers forced detainees, including minors, to undress, and sometimes perform squats.

Significant property damage that took place during the protests also contributed to a threatening and unstable environment. In Santiago, 80 out of 136 metro stations experienced major damage, including arson. Many private vehicles, supermarkets, shopping malls, stores, and buildings were vandalized or destroyed.

Earlier, before the unrest began, Amnesty International released a report in May that criticized the government's record on human rights, and denounced continuing police repression.

Score Change: The score declined from 3 to 2 due to physical injuries and other serious abuses committed by security forces against protesters, and the general breakdown in law and order associated with the year's protests.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?	3/4
--	------------

While indigenous people still experience societal discrimination and police brutality, their poverty levels have declined somewhat, aided by government scholarships, land transfers, and social spending.

LGBT+ people continue to face societal bias, despite a 2012 antidiscrimination law that covers sexual orientation and gender identity. In November 2018, the president signed a gender-identity law allowing for gender identity to be changed on the civil registry.

In July 2019, hundreds of people protested in Santiago to reject the migration policies of the Piñera administration. Protesters complained that new migration regularization policies demand documents that are too difficult to obtain. In June, the

TOP

government created a new tourist visa for Venezuelans in order to better regulate their increasing migration to the country.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?	3/4
--	------------

The constitution protects the freedom of movement, and the government respects this right in practice. However, freedom of movement has been constrained since the social unrest that erupted in October 2019. A temporary state of emergency in most regions, as well as a night curfew in a number of large cities, restricted people's ability to move around the country. In addition to legal restrictions, the protests, looting, and vandalism also in effect limited the freedom of movement for many Chileans. Protesters set buses and metro stations on fire, and blocked streets, plazas, and urban, rural, and interurban roads. In some cities, protesters demanded that drivers get out of their vehicles and dance if they wanted to continue driving.

Score Change: The score declined from 4 to 3 due to roadblocks, deliberate damage to train stations, and other restrictions on movement that accompanied the year's unrest.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?	4/4 TOP
--	--------------------------

Individuals generally have the right to own property and establish and operate private businesses, and are able to do so without interference from the government or other

actors. However, Mapuche activists continue to demand greater territorial rights to land, ancestral waters, and natural resources.

G3 0-4 pts

<p>Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?</p>	<p>4/4</p>
---	-------------------

The government generally does not restrict personal social freedoms. However, violence against children and women remains a problem. A law against femicide went into force in 2010. A total of 46 femicides and 109 attempted femicides were reported in 2019.

In 2017, a law introduced by then-president Bachelet that decriminalized abortion in the events of rape, an inviable fetus, or danger to the life of the woman, took effect.

A 2015 law recognizes civil unions for same-sex and different-sex couples.

G4 0-4 pts

<p>Do individuals enjoy equality of opportunity and freedom from economic exploitation?</p>	<p>3/4</p>
--	-------------------

While compulsory labor is illegal, forced labor, particularly among foreign citizens, continues to occur in the agriculture, mining, and domestic service sectors.

Although there have been improvements in fighting child labor, minors still suffer commercial sexual exploitation and work unprotected in the agricultural sector. Moreover, there is limited public information about forced child labor.

TOP



On Chile

See all data, scores & information on this country or territory.

See More >



Country Facts

Global Freedom Score

90/100 Free

Other Years

2019

Be the first to know what's happening.

Email

Join the Freedom House monthly newsletter

Subscribe

ADDRESS

1850 M St. NW Floor 11
Washington, DC 20036
(202) 296-5101

GENERAL INQUIRIES

info@freedomhouse.org

PRESS & MEDIA

press@freedomhouse.org

@2020 FreedomHouse

TOP