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Chile

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

International Religious Freedom Report 2010

November 17, 2010

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

There were a few reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

The U.S. government discusses religious freedom 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 an estimated population of 17 million in 2010. According to the most recent census (2002), 70 percent of the population over age 14 identified as Roman Catholic and 15.1 percent as evangelical. In the census, the term "evangelical" referred to all non-Catholic Christian churches with the exception of The Church of Jesus Christ of Latter-day Saints (Mormons), Jehovah's Witnesses, the Orthodox Church (Armenian, Greek, Persian, Serbian, and Ukrainian), and Seventh-day Adventists. Approximately 90 percent of "evangelicals" are Pentecostal. Anglican, Baptist, Episcopalian, Lutheran, Methodist, Presbyterian, Reformed Evangelical, and Wesleyan churches constitute the remaining 10 percent of "evangelicals." Other groups include Baha'is, Buddhists, Jews, Muslims, and members of the Unification Church.

Indigenous persons make up 5 percent of the population. Sixty-five percent of indigenous persons identify themselves as Catholic, 29 percent as evangelical, and 6 percent as "other." Mapuche communities, constituting 87 percent of indigenous citizens, continue to respect traditional religious leaders (Longkos and Machis), and anecdotal information indicates a high degree of syncretism in worship and traditional healing practices.

Members of the largest religious groups (Catholics; Pentecostals and other evangelicals) are present throughout the country. Jewish communities are located in Santiago, Valparaíso, Viña del Mar, Valdivia, Temuco, Concepción, La Serena, and Iquique (there is no synagogue in Iquique). There are mosques in Santiago, Iquique, and Coquimbo.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution provides for freedom of religion, and other laws and policies contributed to the generally free practice of religion.

Church and state are officially separate. The 1999 law on religion prohibited religious discrimination; however, the Catholic Church enjoyed a privileged status and occasionally received preferential treatment. Government officials attended Catholic events and also major Protestant and Jewish ceremonies. The National Office for Religious Affairs was mandated to work with all religious organizations to ensure the implementation of constitutional guarantees for religious freedom.

The government observes the following religious holidays as national holidays: Good Friday, the Feast of the Virgin of Carmen, the Feast of Saints Peter and Paul, the Feast of the Assumption, All Saints' Day, the Feast of the Immaculate Conception, and Christmas. In 2008 the government declared October 31 to be an annual national holiday to honor the evangelical and Protestant churches.

The law allows any religious group to apply for legal public right status (comprehensive religious nonprofit status). 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 for registration were not satisfied. The petitioner then has 60 days to address objections raised by the ministry or challenge the ministry in court. Once a religious entity is registered, the state cannot dissolve it by decree. The semiautonomous Council for the Defense of the State may initiate a judicial review; however, no organization that registered under the 1999 law was subsequently deregistered. In addition, the law allows religious entities to adopt a charter and bylaws suited to a religious organization rather than a private corporation. They may establish affiliates (schools, clubs, and sports organizations) without registering them as separate corporations. During the reporting period, 165 religious organizations registered under the 1999 law and gained legal public right status, bringing the total to more than 2,000 registered religious groups.

The 1999 law on religion grants other religious groups the same right that the Catholic Church possesses to have chaplains in public hospitals, prisons, and military units. Hospital regulations continue specifically to permit Catholic chaplains in hospitals and, if requested by a patient, to provide access to chaplains and lay practitioners of other religions. In the prison system, there were 35 Catholic chapels, 40 paid Catholic chaplains, 25 volunteer Catholic chaplains, and 1,200 religious or lay volunteers authorized to conduct Catholic religious activities; there were nine paid evangelical chaplains, 90 volunteer evangelical chaplains, and more than 2,000 evangelical volunteers representing 200 evangelical groups.

In 2008 the government approved regulations for the armed forces and law enforcement agencies that had been pending since the passage of the 1999 law. These regulations allow officially registered religious groups to appoint a chaplain to serve in each branch of the armed forces, in the national uniformed police, and in the national investigative police. As a result each branch has an evangelical chaplain in addition to a Catholic chaplain.

A 2002 law on freedom of expression and information and the press prohibits the use of any means of social communication to publish or transmit information designed to promote hatred of or hostility towards persons or groups based on their race, gender, religion, or national identity and establishes fines for infractions.

Publicly subsidized schools are required to offer religious education two teaching hours per week through high school; participation is optional (with parental waiver). Religious instruction in public schools is almost exclusively Catholic, although the Ministry of Education approved curricula for 14 other religious groups. Teaching the creed requested by

parents is mandatory; however, enforcement is sometimes lax, and non-Catholic religious education is often provided privately through Sunday schools and other venues. Local school administrators decide how funds are spent on religious instruction. The National Office of Religious Affairs provided assistance to municipal Offices of Religious Affairs to develop community-supported curricula in public schools and provide non-Catholic religious education where appropriate. The lack of non-Catholic religion teachers and funding constraints hindered implementation in all municipalities. Parents may home school their children or enroll them in private schools for religious reasons.

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Restrictions on Religious Freedom

The government generally respected religious freedom in practice. There was no change in the status of respect for religious freedom by the government during the reporting period.

The celebration of Catholic Mass frequently marks official and public events. If the event is of a military nature, all members of participating units may be obliged to attend.

There were no reports of religious prisoners or detainees in the country.

Forced Religious Conversion

There were no reports of forced religious conversion.

Improvements and Positive Developments in Respect for Religious Freedom

On January 13, 2010, President Bachelet inaugurated the recently restored "Dissidents' Patio" located alongside the Santiago General Cemetery, in remembrance of the historical discrimination of non-Catholics during the era when the patio was opened in 1854. The patio, separated from the General Cemetery by a three-meter wide wall, contains the graves of Protestant, Jewish, Muslim, and other citizens who were not allowed to be buried at the Catholic-run main cemetery at the time. The National Office for Religious Affairs spearheaded the restoration project for the country's 2010 bicentennial celebration.

Section III. Status of Societal Respect for Religious Freedom

There were a few reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

The Jewish community reported an increase in anti-Semitic incidents during the reporting period, especially in the cities of Santiago, Concepción, and Temuco. These included vandalism and graffiti directed at schools and synagogues, desecration of cemeteries, and personal threats against community leaders.

On June 17, 2010, the Viña del Mar Criminal Court convicted Elliot Quijada, a neo-Nazi militant, of illegal arms possession as well as of hate crimes for his September 29, 2009, harassment of Lily Perez, who is Jewish, during her campaign for senator. Quijada distributed anti-Semitic flyers with Perez's photograph in various campaign locations. Quijada received a sentence of 600 days of prison for illegal arms possession as well as a fine of approximately \$3,500 (1,854,150 pesos) for hate speech. This was the first conviction under the 2002 law on freedom of expression that prohibited hate speech.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. Embassy representatives were in contact with religious leaders from many groups.

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