



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND
www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: registry@ohchr.org

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Excellency,

I would like to inform you that in the course of its 98th Session, the Committee on the Elimination of Racial Discrimination considered information received under its early warning and urgent action procedures that relates to the desecration and destruction of sacred sites of indigenous peoples in Chile.

The information received indicates that the sacred site of Chinay located in the National Park Villarrica has been desecrated in December 2018, including the destruction of the sacred statute, the *rewe*, both a symbol and a sacred location. With regard to this case, the Committee notes that affected indigenous communities have made a public statement on 29 December 2018 and lodged a protection appeal to the Appeal Court of Temuco (IX Region) in February 2019. The Committee also notes that similar acts of desecration and destruction of indigenous sacred sites have been reported to occur in the State party since 2017.

Accordingly, the Committee is concerned about, if the allegations above-mentioned are corroborated, the lack of protection of indigenous peoples' sacred sites. The situation would amount to the failure of ensuring that indigenous communities can exercise their rights to practise and revitalize their cultural traditions and customs as well as a breach of the State party duty to recognize and protect the rights of indigenous peoples to own, develop, control and use their communal lands, territories and resources.

With regard to the information received, the Committee would like to recall the State party of the Committee's General Recommendations No. 23 on the rights of indigenous peoples (1997) and No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system. The Committee would like also to recall its recommendations made in paragraphs 11 and 13 of its concluding observations of September 2013, on equality before the courts and access to justice and ancestral lands respectively (CERD/C/CHL/CO/19-21).

His Excellency Mr. Juan Eduardo Eguiguren
Permanent Representative of Chile
to the United Nations Office
Geneva
Email: misginchile@minrel.gob.cl



Accordingly, the Committee would like to inform the State party that the above-mentioned information will be discussed in the context of the review of the twenty-second and twenty-third periodic reports of the State party.

Allow me, Excellency, to reiterate the wish of the Committee to continue to engage in a constructive dialogue with the Government of Chile, with a view to ensuring the effective implementation of the Convention.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Nouredine Amir".

Nouredine Amir
Chair

Committee on the Elimination of Racial Discrimination