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Chile: Upcoming trial of Mapuche leader Alberto Curamil

The first hearing against the Mapuche leader, Lonko Alberto Curamil, is due to take place on 21 October 2019 in the city of Temuco, Araucanía. The human rights defender has been wrongly accused of engaging in a number of criminal activities for which the Attorney General's Office is asking for a sentence of over 50 years in prison. The hearing has been postponed four times by the General Prosecutor in 2019 due to unnecessary delays in submitting the case to court. As a result, Lonko Alberto Curamil has been kept in pretrial detention for 14 months.

Alberto Curamil is an indigenous Mapuche *lonko* (traditional leader) and member of *Alianza Territorial Mapuche* (Mapuche Territorial Alliance) or ATM, an organization that works for the right to water and food, land and environmental rights in southern Chile. Lonko Alberto Curamil has worked tirelessly to defend and protect the environment in Curacautin, in the Mapuche region of Araucanía, particularly from destructive logging activities. Alberto's leadership has led to the cancellation in 2016 of two hydroelectric projects that would have negatively impacted the sacred Cautín River. He is the winner of the Goldman Environmental Prize for South and Central America 2019.

In 2013, Lonko Alberto Curamil publicly denounced the construction of two mega hydroelectric projects and rallied communities against it. The construction was proposed without the consultation of the Mapuche people and would have severely affected their sacred river. These projects, known respectively as Alto Cautín and Doña Alicia, would have diverted over 500 million gallons of water per day from the Cautín River for power generation, damaging ecosystems and aggravating the existing droughts in the region. As a reprisal, in 2014, police arrested Curamil and two other Mapuche leaders, accusing them of disorderly conduct and causing public unrest. Curamil was beaten while in custody, and his wife, then pregnant, was also physically harmed by the police. In 2016, Alto Cautín hydro project was canceled by Chilean environmental authorities due to public opposition from the communities. Having failed to address the environmental impacts of the project or consult the Mapuche people, Doña Alicia was also later canceled.

On 15 August 2018, Alberto Curamil was detained with other member of ATM, Alvaro Millalén. Alberto Curamil is being accused of illegally raiding a compensation fund (an entity administering social security benefits) in April 2018, as well as for gun theft and the illegal possession of weapons. The incidents are alleged to have taken place in the town of Galvarino, a great distance from the city where Alberto Curamil was at the time. The complaint made to the police was anonymous, as were the witnesses to the alleged crime. It is believed that Alberto Curamil's detention may be used as a tool to pave the way for new hydroelectric projects in the region without the need to inform or consult local communities. Family members, colleagues and allies have launched an [international solidarity campaign](#) asking for his release.

Since Alberto's detention, members of his family, including two minors, have also been targeted with [attacks and intimidation](#), including harassment, search and destruction of their dwelling, drones spotted flying overhead, monitoring by unidentified individuals, anonymous calls to their neighbours containing insults and slander, among other intimidating acts. Any appeals filed before Chilean justice authorities have not been accepted or yielded any result.

Front Line Defenders is deeply concerned at the misuse of criminal law against human rights defenders in Chile. It sees this as a retaliation for their work protecting indigenous and environmental rights and believes it to be particularly worrying given the history in Chile of fabricating charges and applying terrorism law against Mapuche leaders and their supporters.

Front Line Defenders expresses concern over the ongoing criminalisation of Mapuche leaders and the effect that the imprisonment of Alberto Curamil may cause in the fight for environmental and Mapuche rights in the Araucania region. In addition, Front Line Defenders reiterates its call to the Chilean authorities to sign, ratify and implement the Escazú Agreement, in order to provide an enabling environment for the defence of environmental rights in the country.

Front Line Defenders urges the authorities of Chile to:

1. Immediately drop all charges against Alberto Curamil and other members of ATM, and ensure their immediate release, as it is believed that these charges are solely motivated by their legitimate and peaceful work in defence of human rights and the environment;
2. Take all necessary measures, in consultation with the human rights defenders, to guarantee their physical and psychological integrity and security, as well as of their families and legal representatives;
3. Ensure transparency, equality before the law, and due process in the legal procedures faced by Alberto Curamil and other members of ATM;
4. Refrain from misusing the justice system to intimidate, persecute, harass and discredit human rights defenders;
5. Guarantee in all circumstances that all human rights defenders in Chile are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions, including judicial harassment