CHILE / ENGLISH EDITION

Temuco Court Grants Amparo in Favor of Mapuche Children Affected by Violent PDI Raid

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The Temuco Court upheld an amparo action from the INDH against the PDI for a violent raid in Ercilla (Araucanía) that violated the rights of Mapuche children, establishing that the operation was disproportionate and ordering the police to ensure heightened precautions involving minors and to adopt human rights protocols.

Original article: Corte acogió amparo a favor de niños mapuche que fueron vulnerados en violento allanamiento de la PDI en Ercilla

Temuco Court Grants Amparo and Orders PDI to Enhance Caution in Operations Involving Mapuche Children

On October 22, 2025, the Judicial Power highlighted a ruling by the Court of Appeals of Temuco that upheld an amparo action against the Police Investigations (PDI).

See publication:

The conflict arose during a raid conducted on August 13 in the Mapuche community of Chequenco, Ercilla, where, despite having judicial authorization, the operation was executed violently in the presence of children, severely violating their rights.

The National Institute of Human Rights (INDH) in La Araucanía filed the legal action on behalf of a 9-year-old boy and a 3-year-old girl, whose homes were subjected to disproportionate intrusion.

Court's Rationale and a Key Order

The Temuco Court, in its Rol N°356-2025 ruling, acknowledged that while the operation had judicial approval from the Collipulli Court of Letters and Guarantees, its execution was excessive.

See Temuco Court ruling Rol N°356-2025.

The court was firm in stating that the police action «was carried out disproportionately and violated the rights of young children, noting that the fact these minors lived in the premises could only have been known by the police agents.» It added that the operation, conducted around 4:00 AM and involving the use of force, «could only cause psychological distress and disruption to the mentioned children, given their young age and physical stature.»

The ruling stressed the «unconditional duty of state agents to respect, guarantee, and promote children's rights, as they belong to a group requiring special protection, particularly because they come from an indigenous community.» Consequently, the Court upheld the amparo and ordered the PDI to «take utmost precautions in future operations, especially in contexts where children, adolescents, and individuals from indigenous communities are present, adopting operational protocols that comply with national and international human rights standards.»

Context and INDH Reaction

The INDH announced the resolution at the end of September, noting that this is the third amparo action filed by its La Araucanía office against PDI operations that has been accepted by the courts: «This year, the La Araucanía office of the INDH has filed three amparo actions due to PDI operations. All of the INDH's actions have been accepted by the courts, highlighting the urgent need to equip this police institution with protocols for the use of force,» they concluded.

The human rights organization added: «Unlike Carabineros and Gendarmería, the PDI lacks this crucial tool, which certainly would contribute to better execution of the constitutional mandate to uphold the rights effectively.»

⚖️Judicial Power highlights the ruling of the Court of Appeals of Temuco that accepted the amparo action from the #INDHLaAraucanía 📍 in favor of children whose rights were violated during a PDI raid.https://t.co/uz5hbYrqRW

— INDH Chile (@inddhh) October 21, 2025

Fuente: El Ciudadano