

# Chile's Julia Chuñil case: violent arrest of Mapuche leader's adult children fuels trial by media

**Mauricio Saavedra**  
23 January 2026

Chile's corporate media reached a new low this past week saturating the airwaves with sensationalist and lurid headlines following the detention of the three adult children of Julia Chuñil, the 72-year-old Mapuche Indigenous leader who went missing on November 8, 2024, more than 13 months ago.

Beginning with the violent arrest of Pablo San Martin Chuñil, Jeannette Troncoso Chuñil, Bermar Bastías Bastidas and Javier Troncoso Chuñil the entire media has devoted more than a week to pouring through the lives of the family to blacken their name, reporting as fact every accusation and allegation leveled against them by public prosecutors. Not only the right-aligned television and press, but also the so-called liberal media got into the act after for months burying the family's accusations and evidence incriminating a businessman in agroforestry with longstanding political and economic ties to the region.

At 5:00 am last Wednesday hundreds of police descended on the Chuñil family home in Máfil, in the southern region of Los Ríos, smashing through doors and brutally detaining Javier, Jeannette and Bermar and their 11- and 4- year-old children. Pablo was arrested at his home in Temuco, in La Araucanía region. The massive contingent, including Carabineros Special Forces (GOPE) and other specialized units, was sent by the regional prosecutor of Los Ríos, Tatiana Esquivel, who Chuñil family lawyers accuse of sustaining a prejudicial attitude against the family from the beginning of the investigation.

In July 2025, the Inter-American Commission on Human Rights (IACHR) intervened in the case issuing a precautionary measure against the Chilean state, calling on it to increase its efforts to search for Chuñil and to keep her family informed at all stages of the investigation, measures which were in the main ignored.

At a press conference on the day of the arrests last Wednesday, one of the family's lawyers, Karina Riquelme, denounced the complicity of the media in the state set-up. "This media coverage of the case, this incrimination of the family, is very serious, and that is why we organized a hearing for tomorrow with the United Nations committee, under the Escazú Protocol, because of the persecution that the family is experiencing. And it turns out that the day before, the family is arrested." She added that the charges lacked "serious evidence to incriminate."

## Media ratchets up prosecutor's hypothesis despite lack of evidence

Los Ríos Prosecutor Tatiana Esquivel charged Pablo, Jeannette and Javier with aggravated murder and parricide, while Bermar, Julia Chuñil's ex-son-in-law, was charged with aggravated murder. Esquivel also

charged the four with robbery with violence and intimidation of a 90-year-old man. She also ordered excavations around the family home after georadar and other search methods found traces of human blood.

According to the Public Prosecutors Office (PPO) Julia Chuñil was strangled by Javier in the presence of Jeannette, Bermar and Pablo. Supposedly, on November 8, 2024 at 11:00pm, Javier arrived "drunk and angry" at the property he shared with his mother, Julia, as well as Jeannette, Bermar and Pablo, and a 90-year-old man who lives in a shack apart from them but is cared for by the family.

At some point, according to the allegation, Javier lunged at the 90-year-old, punched him in the face and placed a knife to his throat, demanding that he hand over his pension money, some 212,000 pesos (US\$230). The PPO alleges that at that moment the 72-year-old Julia Chuñil intervened to defend the 90-year-old and was killed by strangulation in the ensuing struggle with Javier.

The media, with its well-heeled talking heads and opinion makers, went into overdrive. "Prosecutor's Office confirms Julia Chuñil was murdered: Three sons and her former son-in-law arrested for parricide," reported *El Mercurio*.

*The Clinic* bore the title "The night Julia Chuñil was killed: the robbery of an elderly person, the struggle in the family home in the presence of children, and the suffocation against a wall" while *El País* headlined "The clues behind Julia Chuñil's murder: 'Her son Javier took her by his own hands until she died of suffocation.'"

*La Tercera* reported in salacious detail the purported course of events: "... Javier then lunged at his mother to beat her, 'taking advantage of the situation in which Julia found herself defenseless due to her age and physical condition, as she suffered from hip osteoarthritis, obesity, and diabetes, and because he thought she would not attack him in the presence of her other children who were also there.' ... According to the prosecution, the others 'agreed not to intervene.'"

Esquivel's account alleged that Javier and Pablo moved their mother's body and buried it in an unknown location and burned her clothes. In the weeks following "Julia's children began to behave like heirs: they appropriated her estate, sold her property, including her livestock and ox cart, and divided the money among themselves. On December 8, 2024, Javier even quoted a price for a family grave in Los Laureles Park in Valdivia."

In one article the regional new site *Biobio* focused on the prosecutor's attempt to disprove that Chuñil was part of the Mapuche struggle to reclaim ancestral territory, a fact recorded as far back as 2015 when she acquired her piece of land from CONADI for the Putreguel community.

According to Esquivel "There is no evidence to suggest that she was involved in politics or organized activism. Rather, she was a woman dedicated to her family and her agricultural activities, with a life typical of

the rural environment.” Consequently, to hide their crime, Pablo manufactured a “conspiracy” that Julia was an “activist” to receive the support from environmentalist and other groups.

The Los Lagos Court of Guarantee ruled last Friday that the version of events presented by the prosecutor did not prove the involvement of Jeannette and Pablo requiring them to be placed in preventive detention. The Court of Guarantee in Chilean law functions as a safeguard of constitutional rights during the investigation and pre-trial phases of criminal proceedings. The court reasoned they weren’t a danger to the investigation or a flight risk and placed them under house arrest pending the 120-day investigation now opened.

Esquivel appealed the decision, and on Monday January 19 the Valdivia Court of Appeals upheld the Guarantee Court ruling.

Lawyer Karina Riquelme, who is representing all three siblings, explained the significance of the appeals court ruling. “The PPO’s claims have not been proven. The court says that there was no evidence” incriminating Jeannette and Pablo. “The judge said that they did not commit this crime, nor did they commit the alleged robbery with intimidation... that allegedly took place on the same day that Julia was murdered.” She added she would next appeal the ruling of preventive detention against Javier.

The lawyer also shed devastating light on how the prosecutor relied upon questionable evidence and compromised and invalid witnesses, including Bermar, Julia Chuñil’s ex-son-in-law who allegedly has some cognitive impairment and who gave a statement to the police without his defense attorney present.

In the case of Bermar, Riquelme raised the obvious point that “a statement without a defense attorney is not valid.” More significantly she intimated in a January 16 press conference that Bermar gave his testimony after the first court hearing: “A person who was in court in front of everyone and said absolutely nothing, but just when neither the judge nor his defense attorney is present, he makes a statement. Don’t you find that striking?”

What Riquelme would only intimate, the *World Socialist Web Site* can say outright; Carabineros of Chile have acquired a worldwide reputation for their murderous and lawless methods. Interrogations, especially involving marginalized and vulnerable witnesses, can easily slip into torture to extract false testimony or confessions.

Just last week, in a case involving a Carabineros Special Forces operative who was acquitted after incontrovertible evidence demonstrated that he had blinded Gustavo Gatica, a student involved in the 2019 demonstrations, Amnesty International Chile director Rodrigo Bustos noted that only 1.9 percent of the more than 11,500 complaints of human rights violations filed with the Public Prosecutor’s Office between October 2019 and March 2020 resulted in convictions. With such levels of impunity, the repressive state apparatus has carte blanche.

Another key witness was the 90-year-old allegedly assaulted by Javier on November 8. At no point, in the last 13 months, the defense lawyer stressed, had he “reported any of the alleged abuse that they say took place. This is a person who was in the care of this family, with senile dementia, who is visited by the CESFAM (public primary healthcare) and there is no objective evidence to suggest that he had been abused or that anything had been stolen from him...” The only evidence of the elderly man being roughly manhandled was by the police, during the Wednesday 14 dawn raid at the family home.

Riquelme said that the identity of a third key witness “is being kept confidential. But certainly, those of us who are familiar with the investigation file know that (the person) has given more than three, four, or five different statements.”

Another piece of evidence ruled out by the court was that Julia Chuñil suffered from habitual domestic violence and abuse, a vicious allegation that was splashed across the entire corporate media to blacken the family

name. So much for the witnesses and evidence.

In a public statement the Chuñil family accused the PPO and Esquivel of “clear bias towards the family,” while ignoring other lines of investigation in a case that has jeopardized the presumption of innocence which “must prevail with absolute force, especially in a case so marked by media leaks, stigmatization, and possible procedural irregularities.” The statement goes on to demand:

- Absolute transparency: full access by the defense to all the evidence that led to these arrests.
- Unrestricted respect for due process and the presumption of innocence of the accused.
- An impartial investigation, without preconceived biases, with equal rigor in all possible lines of inquiry and without privileging any hypothesis.
- The cessation of media and institutional narratives that prejudge guilt without a final sentence.
- Clear explanations regarding (the Wednesday 14 January) disproportionate police action: why so much force to arrest and so little to search for and protect?
- We will not be silenced. We will continue to demand truth and real justice for Julia, without allowing her memory to be instrumentalized to justify arbitrary actions or to cover up systemic failures.

The family’s lawyers have documented an extraordinary list of irregularities by the Chilean police and PPO from the moment they began the investigation. The family’s version of events has all but been discounted by the state as very early on they became the main suspects.

Family defense attorney, Mariela Santana, from the Corporation for the Promotion and Defense of the Rights of the People (CODEPU) requested nearly 50 investigative procedures, which were either ignored or poorly investigated.

Santana presented evidence that on the day of his mother’s disappearance, Javier Troncoso “was undergoing medical tests in Puerto Montt as part of a job application. The clinic confirmed this. However, this information has not been made public in any media outlet, nor has it been duly considered by the PPO.”

The lawyers also filed a complaint for unlawful coercion and a writ of habeas corpus on behalf of Jeanette Troncoso who, during a violent raid the family suffered on January 30 2025, was detained, held captive inside a police vehicle, and pressured by a police officer and in the presence of prosecutor Esquivel to incriminate herself.

The Chuñil siblings have maintained all along that on Friday 8 November, they were at home and that their mother, along with her friend Ana Cato, went to another farm, known as La Fritz, to check on her animals. The two elderly women remained there Friday, Saturday, and Sunday.

Javier took a taxi to La Fritz farm that Sunday because Julia had not returned home. When he arrived at the farm, Ana Cato, who was there, said Julia had not returned for two nights. Traces of Julia Chuñil’s blood were found at the farm but the PPO at the time of the incident did not take DNA or soil samples, they did not georeference the site, nor did they interrogate the witnesses at the location.

Julia Chuñil was at a property that she had seized as part of a historical struggle by the Mapuche people to reclaim ancestral lands. The Chuñil’s alleged that the agroforestry businessman Juan Carlos Morstadt Anwandter had threatened Chuñil in an attempt to drive her off the property that the National Corporation for Indigenous Development (CONADI)—a state body created in 1993 to assist in the restitution of indigenous lands—handed to Morstadt without a cent being exchanged.

But the PPO has, according to the family, not investigated the role of CONADI. Morstadt was brought in for questioning in early January 2025 and has since been treated by the PPO as a witness to the case.

“We understand that there have been no searches of (Morstadt’s)

property, and the cars we requested to be examined have not been fully examined. One of the vehicles belonging to this man's father was examined, and it was found that all the records on the car's computer had been deleted, which made it particularly important to examine the other vehicles, a procedure that was not carried out," Santana raised.

Last September 30 the Chuñils' lawyers leaked an intercepted phone conversation in which agroforestry businessman Morstadt is heard saying that Julia Chuñil "had been burned." They presented this extraordinary piece of evidence before Amnesty International and other human rights groups. The lawyers leaked the call under conditions where the defense lawyers couldn't access the PPO case file, despite the IACHR warnings against the Chilean state last July. Nothing came of this evidence as it was quickly discounted as irrelevant.

The actions of the Chilean state stink of a cover-up and a frame-up. Incompetence, indifference, racist bias all come into play. It would be wrong, however, to leave it at that. Far more is at work.

In an earlier article, the *World Socialist Web Site* accused pseudo-leftist President Gabriel Boric and his accomplices in the Broad Front, the Communist Party, the Socialist Party and Party for Democracy that constitute his government, of being politically responsible for the disappearance of Julia Chuñil and the treatment meted out against her family.

This accusation stands. The case bears all the hallmarks of a set-up whose aim is to prejudice and criminalize the Mapuche family before public opinion amid conditions where the Chilean state—acting on behalf of lucrative mining, forestry, landed and real estate interests—continues to use all the instruments of national security and "internal enemy" doctrines against the historically dispossessed, persecuted and impoverished indigenous population struggling to reclaim ancestral lands in the southern regions of Chile.

In fact Boric, while posturing as a "progressive" and "radical," has gone further than any previous government since the restoration of civilian rule 35 years ago, declaring a permanent state of emergency in Mapuche territory, using the authoritarian State Security Law against dozens of Mapuche leaders, invoking laws to restrict land claims and revamping Gen. Augusto Pinochet's Anti-Terrorist Law. Such measures against a marginalized layer are always a dress rehearsal for imposing police state rule against the whole working class.



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