

Reference: C.N.126.2022.TREATIES-IV.4 (Depositary Notification)

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS
NEW YORK, 16 DECEMBER 1966

EL SALVADOR: NOTIFICATION UNDER ARTICLE 4 (3)¹

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

The above action was effected on 29 April 2022.

(Translation) (Original: Spanish)

DNU-044-2022

The Permanent Mission of the Republic of El Salvador to the United Nations presents its compliments to the Office of Legal Affairs in reference to the mandate provided in article 4, paragraph [3], of the International Covenant on Civil and Political Rights, according to which any State Party availing itself of the right of derogation shall immediately inform the other States Parties to the Covenant, through the intermediary of the Secretary-General of the United Nations, of the provisions from which it has derogated and of the reasons by which it was actuated, and shall give notice of any circumstances that led to the termination of such suspension or any general comment on its application.

The Permanent Mission of the Republic of El Salvador to the United Nations, subsequent to its note verbale DNU-029–2022 of 27 March 2022, wishes to hereby inform the Office of Legal Affairs of the United Nations that on 24 April 2022, the Legislative Assembly of the Republic of El Salvador adopted Decree No. 358, which was published in Official Gazette volume 435, No. 77, dated 25 April 2022, extending Legislative Decree No. 333, which was adopted on 27 March 2022 and published in Official Gazette volume 434, No. 62 of the same date, by which it declared a state of emergency to continue to restore public order and security and control over the territory.

Pursuant to article 2 of the recently adopted decree, the state of emergency and its effects shall be extended for 30 days starting from the termination of the older decree. The suspension of the following fundamental rights recognized in the Constitution of El Salvador shall continue for the strictly provisional term indicated above:

- Article 7 (Right to freedom of association and peaceful assembly)
- Article 12, second paragraph (Right to a hearing and right of defence)
- Article 13, second paragraph (Period of administrative detention)
- Article 24 (inviolability of correspondence).

¹ The text of Legislative Decree No. 358 of El Salvador attached to the notification is on file with the Secretary-General and is available for consultation.

These constitutional guarantees have been suspended in accordance with the same powers that the Constitution of the Republic grants to the Legislative Assembly of El Salvador, pursuant to article 131, paragraph 27; and article 29.

By virtue of the foregoing, and taking into account compliance with article 4, paragraph 3, of the International Covenant on Civil and Political Rights, El Salvador would like to reiterate that, owing to the exceptional circumstances that are endangering human life, it has decided to make use of its right of derogation with respect to the guarantees included in articles 14, 17 and 22 of the Covenant, for a period of 30 days; and, in this regard, it will greatly appreciate it if the Office of Legal Affairs could take note of the present notification and process what is required under the Covenant.

The Permanent Mission of El Salvador to the United Nations would like to reiterate the message that the Government of El Salvador has prioritized the protection of the right to life and personal integrity of the people of El Salvador, who have recently been affected by the criminal acts of gangs. These criminal groups are heavily armed and profit from the extortion of people in the most vulnerable sectors.

The Permanent Mission of El Salvador to the United Nations takes this opportunity to convey to the Office of Legal Affairs of the United Nations Secretariat the renewed assurances of its highest consideration.

New York, 29 April 2022

6 May 2022

A handwritten signature in black ink, consisting of stylized initials 'DN' with a horizontal line underneath.