

Reference: C.N.151.2022.TREATIES-IV.4 (Depositary Notification)

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

EL SALVADOR: NOTIFICATION UNDER ARTICLE 4 (3)<sup>1</sup>

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

The above action was effected on 13 June 2022.

(Translation) (Original: Spanish)

DNU-072-2022

The Permanent Mission of the Republic of El Salvador to the United Nations presents its compliments to the Office of Legal Affairs of the United Nations Secretariat and wishes to follow up on its note verbale No. DNU-044-2022 dated 29 April 2022, which contains a 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.

In this regard, the Permanent Mission of the Republic of El Salvador to the United Nations wishes to hereby inform the Office of Legal Affairs of the United Nations Secretariat that on 25 May 2022, the Legislative Assembly of the Republic of El Salvador adopted Decree No. 396, which was published in Official Gazette volume 435, No. 98 of the same date. Pursuant to article 1 of that decree, the effects of Legislative Decree No. 333, which was adopted on 27 March 2022 and published in Official Gazette volume 434, No. 62 of the same date, shall be extended throughout the national territory for 30 days starting from 26 May 2022, under the same conditions, thereby suspending the constitutional guarantees contained in article 7, paragraph 1; article 12, paragraph 2; article 13, paragraph 2, and article 24 of the Constitution of the Republic of El Salvador. The guarantees contained therein pertain, respectively, to the freedom of association, the right of defence, the period of administrative detention, the inviolability of correspondence and the interception of telecommunications.

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.

---

<sup>1</sup> The text of Decree No. 396 of 25 May 2022, attached to the notification, is on file with the Secretary-General and available for consultation.

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, especially the violations committed by terrorist groups in the national territory, 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 continue to be affected by the presence and criminal acts of gangs. Under the constitutional jurisprudence of El Salvador, these criminal groups are considered terrorist groups, in view of their various structures, their forms of participation and the varying degrees to which they seek to arrogate to themselves the sovereign powers of the State. By doing so, they seriously endanger or systematically and indiscriminately affect the fundamental rights of the people of El Salvador, which is the main reason why the State has decided to extend its emergency regime.

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, 12 June 2022

\*\*\*

17 June 2022

A handwritten signature in black ink, consisting of stylized letters that appear to be 'DN' with a horizontal line underneath.