

Reference: C.N.414.2022.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 23 November 2022.

(Translation) (Original: Spanish)

DNU-149-2022

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 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 to the Covenant availing itself of the right of derogation shall immediately inform the other States Parties, 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 derogation or make a general comment on its application.

The Permanent Mission of the Republic of El Salvador to the United Nations, in follow up to its note verbale DNU-108-2022 of 21 July 2022, wishes to inform the Office of Legal Affairs of the United Nations that the Legislative Assembly of the Republic of El Salvador has adopted Legislative Decrees Nos. 454, of 19 July 2022; 476, of 16 August 2022; 503, of 14 September 2022; and 530, of 14 October 2022, by which it has extended the state of emergency, each time for 30 days, on a monthly basis, throughout the national territory, in view of the need to maintain the necessary exceptional measures to safeguard the life, security and personal integrity of the population.

Article 1 of the above-mentioned Decrees provides for the temporary suspension, for the aforementioned period, of the following fundamental rights, which are recognized in the Constitution of El Salvador:

- Article 12, paragraph 2 (Right to a hearing and right of defence)
- Article 13, paragraph 2 (Period of administrative detention)
- Article 24 (Inviolability of correspondence)

¹ The texts of Decrees No. 454 of 19 July 2022, No. 476 of 16 August 2022, No. 503 of 14 September 2022 and No. 530 of 14 October 2022, attached to the notification, are on file with the Secretary-General and are 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 the lives of the population – namely, the actions of terrorist groups – 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 temporary period of 30 days, which will end on 17 November 2022, in accordance with the most recent Decree, No. 530. The valuable support of the Office of Legal Affairs of the United Nations Secretariat in taking note of and registering the present notification will be greatly appreciated.

The Permanent Mission of El Salvador to the United Nations would like to reiterate the message of the Government of El Salvador that the protection of the right to life and personal integrity of the people of El Salvador will always be the priority and that, in that regard, El Salvador is implementing the measures necessary to safeguard the life and integrity of its people, who have been systematically affected by violence and criminal acts committed by gangs and organized crime groups that 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, 23 November 2022

30 November 2022

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