

Reference: C.N.49.2023.TREATIES-IV.4 (Depositary Notification)

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

TÜRKIYE: 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 10 February 2023.

(Original: English)

“2023/14136816/35635702

10 February 2023

Excellency,

The Government of the Republic of Türkiye would like to give the following notice to the Secretariat of the United Nations under Article 4 of the International Covenant on Civil and Political Rights (‘the Covenant’).

On 6 February 2023 two earthquakes struck Türkiye: firstly, a 7.7 magnitude tremor at 4.17 a.m. with its epicentre in Pazarcık district of Kahramanmaraş province, and secondly, a 7.6 magnitude tremor at 1.24 p.m. with its epicentre in Elbistan district of Kahramanmaraş province. These natural disasters affected an area of approximately 110,000 square kilometres and caused destruction in ten provinces of Türkiye and directly affected around 13.5 million people.

The Republic of Türkiye is taking the required measures as prescribed by law, in line with the national legislation and its international obligations. In this context, on 8 February 2023 a State of Emergency was declared for a duration of three months in Adana, Adıyaman, Diyarbakır, Gaziantep, Hatay, Kahramanmaraş, Kilis, Malatya, Osmaniye and Şanlıurfa provinces in accordance with Article 119 of the Constitution and Article 3 § 1 (a) of Law on State of Emergency (Law No. 2935). The Presidential Decision no. 6785 on the state of emergency was published on the Official Gazette on 8 February 2023. This decision was approved by the Grand National Assembly of Türkiye on 9 February 2023 and was published on the Official Gazette on 10 February 2023.

In view of the disaster threatening the life of the nation, it may be necessary for the Government to take measures for the purposes of rescuing those struck by the disaster, repairing the resulting damage and loss, ensuring more effective delivery of public services, and protecting

¹ The English translation of the relevant provisions of the Constitution and Law on State of Emergency (Law No. 2935), Presidential Decision no. 6785, and Decision of Approval of the Grand National Assembly of Türkiye no. 1354, attached to the notification, is on file with the Secretary-General and available for consultation.

public order, safety and health, among others. The obligations that may be imposed and the measures that may be taken in an emergency situation caused by a natural disaster are prescribed in detail by Articles 5 to 9, 25 (a) and 32 of Law on State of Emergency (Law no. 2935). The measures to be taken in this context may involve derogation from the obligations under Articles 8 § 3, 12, 17, 19 and 21 of the Covenant, to the extent required by the exigencies of the situation.

It is also possible, by virtue of Article 119 of the Constitution, to take additional measures via a Presidential Decree on issues required by the state of emergency. In the event that additional measures are taken in this context, further information will be provided.

The Government will inform you, per Article 4 of the Covenant, when such measures have ceased to operate.

English translations of the relevant provisions of the Constitution and Law on State of Emergency (Law no. 2935), Presidential Decision no. 6785, and Decision of Approval of the Grand National Assembly of Türkiye no. 1354 are enclosed with this letter.

Please accept Excellency, the assurances of my highest consideration.

(Signed)
Feridun H. Sinirlioğlu
Permanent Representative”

17 February 2023

