

Reference: C.N.114.2025.TREATIES-IV.4 (Depositary Notification)

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

CHILE: NOTIFICATION UNDER ARTICLE 4 (3)

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

The above action was effected on 28 February 2025.

(Translation) (Original: Spanish)

Note 12/2025

The Permanent Mission of Chile to the United Nations presents its compliments to the Secretary-General and, in accordance with article 4 of the International Covenant on Civil and Political Rights, has the honour to inform him of the following:

As previously reported by means of note No. 79/23/C, the President of the Republic, Mr. Gabriel Boric Font, in accordance with article 42 of the Political Constitution of the Republic, declared a constitutional state of emergency in the Araucanía Region and in the Arauco and Biobío Provinces of the Biobío Region, by Supreme Decree No. 189 of 2022, issued by the Ministry of the Interior and Public Security. That state of emergency has been in force since 17 May 2022 and was initially extended for consecutive periods of 15 days, as previously reported in the aforementioned note No. 79/23/C, in addition to notes Nos. 108/23 and 125/23. Subsequently, the state of emergency was extended for consecutive periods of 30 days, as reported in notes Nos. 041/2024, 59/2024, 83/2024, 130/2024 and 160/24.

In that regard, as reported in Note No. 160/24, the aforementioned state of emergency was extended again with the approval of the National Congress, through Supreme Decrees Nos. 419 and 484 of 2024, and Supreme Decree No. 189 of 2025, all issued by the Ministry of the Interior and Public Security. In those Decrees, the duration of the state of emergency was extended for consecutive periods of 30 days from the expiration of the period provided for in the previous extensions, that is, until 2 March 2025.

In accordance with the existing constitutional rules, the rights safeguarded in the Political Constitution of the Republic and in the international treaties ratified by Chile, including the International Covenant on Civil and Political Rights, may be restricted or suspended when constitutional states of emergency are established. Consequently, while the aforementioned state of emergency is in force, the right to liberty of movement and the right of assembly, as provided for in articles 12 and 21 of the International Covenant on Civil and Political Rights, may be suspended.

In that regard, during the period reported, the right to liberty of movement, as provided for in article 12 of the International Covenant on Civil and Political Rights, was temporarily suspended owing to the establishment of curfews (i) from 8 p.m. on Sunday, 9 February to 6 a.m. on Monday, 10

February 2025, in the communes of Los Sauces, Traiguén, Purén, Angol, Ercilla, Collipulli, Lumaco, Victoria, Galvarino, Perquenco and Lautaro, in the Araucanía Region; (ii) from 10 p.m. on Monday, 10 February to 6 a.m. on Tuesday, 11 February 2025, in the communes of Los Sauces, Traiguén, Purén, Angol, Ercilla, Collipulli, Lumaco, Victoria, Galvarino, Perquenco and Lautaro, in the Araucanía Region; and (iii) from 10 p.m. on Tuesday, 11 February to 6 a.m. on Wednesday, 12 February 2025, in the communes of Los Sauces, Traiguén, Purén, Angol, Ercilla, Collipulli, Lumaco, Victoria, Renaico, Galvarino, Perquenco and Lautaro, in the Araucanía Region. Those measures were adopted because of the emergency and red alert affecting the region as a result of the fight against forest fires, in particular those in the commune of Ercilla (the San José Chocombe fire, 2,138 hectares), Lautaro (the Malpichahue fire, 1,854 hectares), Purén (the Huitranlebu 9 fire, 1,138 hectares) and Galvarino (the Quichaltué fire, 2,042 hectares).

In accordance with the Political Constitution of the Republic of Chile (articles 1, 5, 6, 7, 19 (26), 20, 21 and 45 thereof), rights that are not expressly suspended or restricted continue to be safeguarded. Respect for and the promotion of those rights remains a duty of State bodies, and the actions of the executive branch remain subject to the checks and balances of the other State branches, whose functioning is in no way altered by those measures.

The Constitutional Organic Act (Act No. 18.415) concerning states of emergency allows the President of the Republic to delegate his or her powers – in full or in part – to the commanders-in-chief of the various units of the Armed Forces. For that reason, the decree on the constitutional state of emergency and the renewals thereof also includes the appointment of the respective defence chiefs, since it is they who are authorized to establish the restrictions permitted in the Constitution and the Act.

Lastly, Chile is unreservedly committed to democracy, the rule of law and the defence of human rights, as key pillars of social coexistence. The restrictions on liberty of movement and the right of assembly that may be established under the aforementioned constitutional state of emergency are fully in line with the international obligations of Chile, given that they are limited to what is strictly necessary to protect the life and physical integrity of persons affected by disturbances to public order. Consequently, those restrictions will be lifted as soon as this situation is resolved, which will be duly communicated.

Given the above, and in accordance with article 4 of the International Covenant on Civil and Political Rights, the Permanent Mission of Chile to the United Nations hereby informs the Secretary-General of the extension of the constitutional state of emergency in the areas indicated, and the temporary suspension of the right to liberty of movement, as provided for in article 12 of the International Covenant on Civil and Political Rights, in order for him to inform the other States Parties thereof.

The Permanent Mission of Chile takes this opportunity to convey to the Secretary-General of the United Nations the assurances of its highest consideration.

New York, 13 February 2025

10 March 2025

