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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 3 March 2025.

(Translation) (Original: Spanish)

Note 21/2025

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:

In accordance with article 41 of the Political Constitution of the Republic, H.E. the President of the Republic, Gabriel Boric Font, has declared a constitutional state of emergency in the Regions of Arica y Parinacota, Tarapacá, Antofagasta, Atacama, Coquimbo, Valparaíso, Metropolitana de Santiago, Libertador General Bernardo O'Higgins, Maule, Ñuble, Biobío, La Araucanía, Los Ríos and Los Lagos, by Supreme Decree No. 66 of the Ministry of the Interior and Public Security, published on 25 February 2025.

That measure was adopted in response to the failure of the national electrical system, which resulted in the interruption of the electricity supply from the Arica y Parinacota Region to the Los Lagos Region, and caused traffic restrictions, the disruption and suspension of other basic services, connectivity problems on the roads, and other situations, thereby affecting people and their property. Different regions of the country were affected in various ways, including power cuts at fire department control centres, the use of backup systems in the operations of emergency services, the suspension of the subway service and the evacuation of the subway lines, the suspension of the operations of the State railway company, and the failure of generators in national health services. The Office of the Superintendent of Electricity and Fuels has stated that, in total, more than eight million people are estimated to be affected.

The state of emergency was established for a three-day period that will end on 28 February 2025.

In accordance with the constitutional regulations in force, 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

constitutional 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 a curfew from 25 February 2025 at 10 p.m. until 26 February 2025 at 6 a.m. in the Regions of Arica y Parinacota, Tarapacá, Antofagasta, Atacama, Coquimbo, Valparaíso, Metropolitana de Santiago, Libertador General Bernardo O'Higgins, Maule, Ñuble, Biobío, La Araucanía, Los Ríos and Los Lagos.

By express provision of the Political Constitution of the Republic (articles 1, 5, 6, 7, 19 (26), 20, 21 and 45 thereof), rights that are not expressly suspended or restricted by the aforementioned state of emergency continue to be safeguarded. Respect for and the promotion of those rights remains the duty of State bodies, and the actions of the executive branch remain subject to the checks and balances of the other branches of government, 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 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 aforementioned constitutional state of emergency also provides for the designation of the respective defence chief, since it is he who is authorized to establish the restrictions permitted by the Constitution and the law.

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 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 the emergency. Consequently, those restrictions will be lifted as soon as the situation is resolved.

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, 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, 26 February 2025

17 March 2025

