

Reference: C.N.92.2026.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 18 February 2026.

(Translation) (Original: Spanish)

No. 21/26

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 reported to you in Note No. 16/2026 and in accordance with the provisions of article 41 of the Political Constitution of the Republic, the President of the Republic, Gabriel Boric Font, declared a constitutional state of emergency in the Regions of Ñuble and Biobío by Supreme Decrees No. 2 and 3 of the Ministry of the Interior, published on 18 January 2026, due to the active forest fires in the area.

In this regard, I would like to inform you that, following the issuance of Note No. 16/2026, the constitutional state of emergency has been extended only for the municipalities of Concepción, Penco and Tomé, in the Biobío Region, through Supreme Decree No. 24/26 of the Ministry of the Interior, which extended the aforementioned period of the state of emergency for a period of 30 days, starting from the expiration of the period provided for in the previous extensions, namely, until 19 March 2026. As previously noted, and in accordance with current constitutional regulations, the President of the Republic only requires the approval of the National Congress 180 days after the declaration, in the event that the reasons for it have ceased to exist completely. However, the President must report the measures taken under the state of emergency.

The renewal of the state of emergency is due to the continuing forest fires in the area that have affected nature reserves, infrastructure and residential areas, with serious consequences for the lives and integrity of the persons affected.

As previously reported, and 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 American Convention on Human Rights, may be restricted or suspended when constitutional states of emergency are established. In this case, following the issuance of Note No. 16/2026, suspensions of the right to freedom of movement, provided for in article 22 of the American Convention on Human Rights, were imposed through the establishment of the following curfews: (i) On

20 January, from 8 p.m. until 6 a.m. the following day in the municipalities of Mulchén, Nacimiento, Laja and Penco, as well as the Punta de Parra sector of the municipality of Tomé, with the ongoing curfew remaining in effect in the municipality of Lirquén; (ii) on 21 January, from 8 p.m. on Wednesday until 6 a.m. the following day in the municipalities of Penco and Lirquén, and in the Punta de Parra sector of the municipality of Tomé and in the Las Pataguas sector of the municipality of Concepción. Since then, there have been no new curfews, and the ongoing curfew in Lirquén has been lifted. However, the need to enact further suspensions in the future cannot be ruled out.

However, 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 under 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 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 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 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 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 the 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, by means of the present notification, hereby informs the Secretary-General 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, 18 February 2026

24 February 2026

