

## CHILE

### CCPR

#### **DECLARATION RE: ARTICLE 41**

7 September 1990

As from the date of this instrument, the Government of Chile recognizes the competence of the Human Rights Committee established under the International Covenant on Civil and Political Rights, in accordance with article 41 thereof, with regard to all actions which may have been initiated since 11 March 1990.

#### **DEROGATIONS: NOTIFICATIONS UNDER ARTICLE 4 (3) OF THE COVENANT**

7 September 1976

[Chile] has been under a state of siege for reasons of internal defence since 11 March 1976; the state of siege was legally proclaimed by Legislative Decree No. 1.369.

The proclamation was made in accordance with the constitutional provisions concerning state of siege, which have been in force since 1925, in view of the inescapable duty of the government authorities to preserve public order and the fact that there continue to exist in Chile extremist seditious groups whose aim is to overthrow the established Government.

As a consequence of the proclamation of the state of siege, the rights referred to in articles 9, 12, 13, 19 and 25 (b) of the Covenant on Civil and Political Rights have been restricted in Chile.

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23 September 1986

(Dated 16 September 1986)

By Decree No. 1.037, the Government of Chile declared a state of siege throughout the national territory from 8 September to 6 December 1986, for as long as circumstances warrant. The notification specifies that Chile has been subjected to a wave of terrorist aggression of alarming proportions, that an alarming number of attacks have taken the lives of a significant number of citizens and armed forces personnel, massive stockpiles of weapons were discovered in terrorists hands, and that for the first time in the history of the Republic, a terrorist attack was launched on H.E. the President of the Republic.

The notification specifies that the rights set forth in articles 9, 12, 13 and 19 of the Covenant would be derogated from.

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29 October 1986  
(Dated 28 October 1986)

Termination of State of siege by Decree No. 1074 of 26 September 1986 in the Eleventh Region and by Decree No. 1155 of 16 October 1986 in the 12th Region (with the exception of the Commune of Punta Arenas), in the Province of Chiloé in the Tenth Region, and in the Province of Parinacota in the First Region.

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20 November 1986  
(Dated 20 November 1986)

Termination of the state of siege in the Provinces of Cardenal Caro in the 6th Region, Arauco in the 8th Region and Palena in the 10th Region.

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29 January 1987  
(Dated 20 January 1987)

Termination of the state of siege throughout Chile as at 6 January 1987.

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31 August 1988

Termination of the state of emergency and of the state of danger of disturbance of the domestic peace in Chile as from 27 August 1988, [...] thereby bringing to an end all states of exception in the country, which is now in a situation of full legal normality.

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23 March 2010

Owing to the earthquake that took place in Chile on 27 February 2010, the Government of Chile decreed a 30-day constitutional state of disaster emergency in the regions of Maule and Bío Bío, by Supreme Decrees Nos. 152 and 153 of 28 February 2010, respectively. In addition, by Supreme Decree No. 173, a constitutional state of disaster emergency was declared by the Government of Chile in the Libertador Bernardo O'Higgins region. Under these measures, the President of the Republic may restrict fundamental freedoms. The freedoms that may be

restricted are freedom and movement and of assembly. Goods may be requisitioned and property rights limited in accordance with article 43 of the Constitution.