



MISIÓN PERMANENTE DE EL SALVADOR  
ANTE LA ORGANIZACIÓN DE LAS NACIONES UNIDAS

**New York, March 31st, 2020**

Excellency,

On instructions from my Government, I have the honour to write to you as a follow-up to my letter dated 26<sup>th</sup> March 2020, in which, based on the obligation established in article 4, paragraph 3 of the International Covenant on Civil and Political Rights, the Republic of El Salvador informed that, since March 14<sup>th</sup> of this current year, the Legislative Assembly has declared a *national state of emergency, public calamity and disaster* for a period of 30 days due to the imminent risk of the evolving COVID-19 pandemic.

In this opportunity, and considering our compromise to update any other subsequent provisions related to this matter, I would like to bring to your attention the following:

- On 29<sup>th</sup> March 2020, the Legislative Assembly voted on a new *Law on the Temporary Restriction of Specific Constitutional Rights due to the imminent risk of the COVID-19 pandemic*. This norm states *inter alia* that the temporary restriction will remain in force for 15 days, meaning its application will be lifted on 13<sup>th</sup> April 2020. The first similar decree was issued on 14 March as it was referenced in my previous letter.
- According to these new provisions, the temporary restriction applies on the following fundamental rights: 1) freedom of transit, 2) the right to assemble peacefully without arms for lawful ends, and 3) the right of not being forced to change domicile or residence.

HIS EXCELLENCY  
**ANTÓNIO GUTERRES**  
SECRETARY-GENERAL OF THE  
UNITED NATIONS

- The respect of International Law on Human Rights, in particular, the International Covenant on Civil and Political Rights and the American Convention on Human Rights is essential to fully accomplish these provisions; therefore, such temporary restriction can only be executed within the context of the emergency declared due to the evolving COVID-19 pandemic situation and on the instruction of several principles, specifically, the *principle of notification* which compels the Government to notify immediately the Secretary-General of the United Nations and Secretary-General of the Organization of American States (OAS) about the circumstances relating to the restriction of rights protected under international human rights law.
- According to the aforesaid principle, the Government should also inform about the reasons that motivated such state of emergency and its consequent restrictions; the provisions from which it has derogated the protection on fundamental rights; the institutional framework to be created; further measures that will be adopted, as well as the duration on its expected completion; and any other important aspects related to the temporary restriction of fundamental rights.
- In compliance with these obligations, El Salvador has already informed about the foregoing matters in my previous letter, as so it continues to do so in the aspects related hereto.
- Furthermore, the new provisions outline other important principles, such as: non-discrimination, proportionality, temporality, exceptional threat, necessity, legality, good faith, accountability of State officials, and legal reservation.
- Finally, as for the institutional framework, the aforementioned Law commends the Government to elaborate a protocol of integral application that guarantees the accomplishment of all provisions enclosed in such norm. In this regard, institutions such as the National Civil Police, Office of the Procurator for the Protection of Human Rights; Armed Forces and the General Inspectorate of Public Security will undertake functions in order to provide order and safety to all inhabitants and supervise the respect of human rights.

More detailed information is available in the Legislative Decree that is attached herewith.

Excellency,

Rest assure that the Government of the Republic of El Salvador is highly committed to the protection of human dignity, even in the amid of these extraordinary circumstances; hence, my country

wishes to reaffirm its willingness to maintain the respect of these principles as well as those that are carried out by international law on human rights standards.

Please accept, Excellency, the assurance of my highest consideration.



A handwritten signature in black ink, appearing to read "Egriselda López".

**EGRISELDA LÓPEZ**  
Ambassador  
Permanent Representative of El Salvador to the United Nations

