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San Marino

* The present document is being issued without formal editing.



I. Introduction

1. The Republic of San Marino attaches great importance to the promotion and protection of human rights. In implementing its domestic policy, the Government of San Marino takes into account the rules of international law and the recommendations resulting from international and regional monitoring mechanisms.
2. San Marino attaches great importance to the Universal Periodic Review (UPR) mechanism and firmly believes in the constructive approach of the process as a key to improving the promotion and protection of human rights in our country and in all States of the world.
3. San Marino submitted its third report on human rights records at national level during the 34th session of the UPR Working Group on 6 November 2019. The Working Group adopted its report on San Marino on 8 November 2019 (A/HRC/WG.6/34/SMR/1). The Human Rights Council then adopted the Working Group Report at its 43rd session on 12 March 2020 (A/HRC/43/2). During this exercise, a total of 109 recommendations were submitted to San Marino, of which 72 were accepted and 1 was partially accepted, with explanations.

II. Methodology

4. This report focuses on the measures taken by the Government and the administration since November 2019 in the field of human rights to implement the recommendations accepted during the third review cycle and on the progress made in the protection of human rights in areas not affected by the recommendations.
5. This report has been prepared by the Department of Foreign Affairs with the involvement of and in consultation with the competent San Marino Ministries and State offices. The report will be presented by the Minister of Foreign Affairs at the next meeting of the Permanent Parliamentary Commission for Foreign Affairs, Emigration and Immigration, Security and Public Order, Information.
6. The civil society was informed about the fourth review cycle of San Marino and the possibility to send comments, suggestions and recommendations to the Government through the press, the website of the Ministry of Foreign Affairs and direct requests. Unfortunately, no contributions were sent directly to the Department of Foreign Affairs.
7. To facilitate wide dissemination of the national report, this will be published in Italian and English, after it has been sent to the UPR Secretariat, on the website of the Ministry of Foreign Affairs (www.esteri.sm).

III. Implementation of recommendations and developments

A. Protection and promotion of human rights at international level

1. International instruments

8. The Republic of San Marino is party to the main international and regional human rights instruments. When considering international conventions to be ratified, it is an established practice for ratification to take place once the practical measures and legislation necessary for the effective functioning and enforcement of the instrument have been established at national level.

Recommendations 119.10, 119.11, 119.16, 119.23, 119.24 concerning the ratification of international instruments

9. To implement the recommendations accepted in the third UPR cycle:

(a) On 30 August 2022, San Marino acceded to the Convention for the Safeguarding of the Intangible Cultural Heritage, done at Paris on 17 October 2003, and the

parliamentary process to ratify the Convention on the Protection and Promotion of the Diversity of Cultural Expressions, done at Paris on 20 October 2005 was initiated¹;

(b) On 2 March 2020, San Marino signed the Agreement on the Privileges and Immunities of the International Criminal Court, done at New York on 9 September 2002.

10. Accession to the Convention relating to the Status of Stateless Persons and to the Convention on the Reduction of Statelessness was assessed. Any accession to the two conventions would entail the full transposition of the rules laid down therein into San Marino legal system. For the time being, however, this accession has not been considered a priority, given that in its recent history San Marino has had only very few cases of stateless persons on its territory and at present there is no stateless person on its territory.

11. Worth mentioning is that San Marino acceded to the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence on 28 January 2016² and, by Law No 57 of 6 May 2016, it adopted a piece of legislation adapting the San Marino legal system to the provisions of the Convention.

12. In the reporting period, San Marino also ratified the following international and regional human rights instruments:

(a) On 2 March 2020, San Marino acceded to the UNESCO Convention against Discrimination in Education, done at Paris on 14 December 1960;

(b) On 3 August 2020, San Marino acceded to the third additional Protocol to the General Agreement on the Privileges and Immunities of the Council of Europe, done at Strasbourg on 6 March 1959;

(c) On 30 April 2021, San Marino approved and subsequently deposited the Declaration pursuant to Article 12 of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, done at New York on 19 December 2011;

(d) On 23 March 2022, San Marino acceded to the Convention No 190 of the International Labour Organisation - Violence and Harassment Convention, done at Geneva on 21 June 2019;

(e) On 27 September 2023, San Marino ratified the Protocol of Amendment to the Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data, done at Strasbourg on 10 October 2018;

(f) On 23 January 2024, San Marino ratified the Council of Europe Framework Convention on the Value of Cultural Heritage for Society, the so-called Faro Convention, done at Strasbourg on 13 October 2005.

2. Collaboration with monitoring bodies

Recommendations 119.26, 119.27 and 119.28 concerning the submission of outstanding reports to the United Nations treaty bodies

13. San Marino Government attaches great importance to the monitoring of the application of international standards, both for the verification modalities and for the inspiration it gives to the country, and considers each recommendation made as an encouragement to improve. In many cases, important legislative measures, aimed at improving existing protection and promotion standards or establishing new ones, have been taken following specific recommendations from regional and/or international monitoring bodies.

14. We are aware of the delays in the submission of national reports to the Treaty bodies and we are trying to catch up with the reports that have not yet been delivered. We have planned to submit at least one report per year for the next few years, partly thanks to the new simplified reporting guidelines (LOIPR) that the Treaty bodies provide to the States Parties.

15. During the reporting period, San Marino submitted its first national report to the Committee on the Elimination of Racial Discrimination (CERD) and discussed it before the Committee in April 2024. In June 2024, it also delivered the first national report to the

Committee on the Elimination of Discrimination against Women (CEDAW). The fourth national report to the Human Rights Committee (CCPR) is due by November 2024³.

16. Since the last submission of the Country Report, some bodies of the Council of Europe have visited San Marino on a regular basis: from 15 to 17 September 2020 the Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO); from 19 to 22 September 2022 the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT); from 13 to 15 June 2023 the European Commission against Racism and Intolerance (ECRI); from 18 to 20 December 2023 the Group of Experts on Action against Trafficking in Human Beings (GRETA) and from 24 to 27 June 2024 the Group of States against Corruption (GRECO). For each visit, maximum cooperation was provided and the Government answered and followed up on the questions and recommendations addressed to it.

17. Since April 2023, San Marino has also demonstrated its willingness to cooperate fully by extending a permanent invitation to visit San Marino to all thematic special procedures. To date, San Marino has not received any visits.

Recommendation 119.29 on the adoption of an open process for treaty body elections

18. Our country has never submitted candidates for UN Treaty bodies' elections, so the need to establish a specific procedure when selecting national candidates has never arisen. We assure that, if applications are submitted in the future, we will proceed in the most open, merit-based and transparent way, as we have already done for the selection of candidates in other international bodies.

B. Protection and promotion of human rights at national level

Recommendations 119.33, 119.34, 119.36, 119.37, 119.38, 119.39, 119.40, 119.41, 119.42, 119.43, 119.44, 119.45 and 119.46 concerning the establishment of a national human rights institution

19. San Marino has repeatedly expressed its intention to create a body dedicated to the protection and guarantee of human rights. This body will have to be integrated into our institutional system, taking into account the specificities of San Marino. Recently, on 18 March 2024, the Parliament approved a Popular Petition (Istanza d'Arengo) for the establishment of the National Human Rights Guarantor, committing the Government to take the necessary measures within the limits of its powers⁴. During the current legislature, the petition calling for the creation of such a body will have to be implemented.

20. However, the process for the establishment of the Ombudsman has not yet been launched; at present, functions comparable are assigned to the Heads of State who, on a weekly basis, receive people who wish to lodge complaints about violations of their rights by the public administration.

Recommendation 119.75 on tackling corruption

21. The commitment of Republic of San Marino to fight against corruption is constant and concrete. In June 2024, San Marino underwent the fourth evaluation round of GRECO, which focussed on the evaluation of parliamentarians, judges and prosecutors.

22. In recent years, a far-reaching reform of the judicial system has been carried out, which included the approval of Constitutional Law No 1 of 7 December 2021 "The judiciary. The judicial system and the judicial Council" and Qualified Law No 1 of 20 February 2020 "Composition of the judicial Council in plenary session".

23. With regard to the Parliament, the 'Code of Conduct for members of the Great and General Council' was adopted on 21 March 2022.

24. The GRECO Compliance Report acknowledged the scope of these changes and concluded by welcoming the almost total transposition (excluding, of course, the application aspects, for reasons of time) of the recommendations made.

Recommendations 119.65, 119.66 and 119.67 on human rights and climate change

25. By Decree no. 94 of 31 July 2018, San Marino confirmed its regulatory path to support the fight against climate change, by ratifying the Paris Agreement. In addition, the Republic has regulated the phasing down of substances such as hydrochlorofluorocarbons (HCFCs) and chlorofluorocarbons (CFCs). By means of Decree No 181 of 29 September 2020, San Marino accepted the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, and decided to gradually reduce the production and use of hydrofluorocarbons (HFCs) and add them to the list of controlled substances, to gradually reduce global production and consumption. Also in the context of the fight against climate change, San Marino Government has fine-tuned the relevant regulatory framework, in order to improve energy chain efficiency, develop and disseminate renewable energy sources (RES) and protect the environment.

26. The bodies set up by the government with proposal and decision-making functions for the implementation of climate action, disaster risk reduction, and the reduction of greenhouse gas emissions are composed of highly skilled representatives of public sector offices. However, it is not possible to determine the percentage composition of men and women in these bodies because the officials attending the meetings of the Working Group representing their offices vary according to the choices made by the management. For example, it should be noted that the majority of the officials who attended the last meeting of the Working Group were women.

27. As far as education is concerned, San Marino schools have already been working for several years in the field of environmental and sustainable development education. This is demonstrated by the fact that environmental knowledge is an integral part of curricula at all school levels. The themes proposed have as common elements the fact of experiencing the environment in order to appreciate it and of recognising how everyday behaviour affects the environment.

1. Equality and non-discrimination

Recommendations 119.53, 119.54, 119.55, 119.56, 119.60, 119.61, 119.63 and 119.105 on strengthening the institutional and legal framework to counter all forms of discrimination

28. As already mentioned in previous UPR reports, according to Article 4 of the Declaration of the Citizens' Rights and Fundamental Principles of San Marino Legal System, all are equal before the law, without any distinction based on sex, sexual orientation, personal, economic, social, political and religious status. Any discrimination based on gender identity, as well as on the grounds of colour, ethnic or national origin, is already implicitly included in the deliberately broad wording 'personal conditions' contained in the aforementioned article.

29. The principle of equality expressed in Art. 4 of the Declaration of the Citizens' Rights is translated into concrete reality in Law no. 66 of 28 April 2008 "Provisions on racial, ethnic, religious and sexual discrimination", which integrated the provisions of the Criminal Code. Indeed, a major innovation is the inclusion in the Criminal Code of Article 179bis, which punishes the dissemination of ideas based on superiority or racial, ethnic, national, religious hatred, or related to sexual orientation. It also introduces the possibility of criminally prosecuting such offences, the commission of which with discriminatory intent is considered an aggravating circumstance, without the need for a formal complaint. Subsequently, Law no. 57/2016 amended Article 179bis by including specifications regarding discrimination based on gender identity. Therefore, Constitutional Review Law no. 1 of 28 March 2019 was introduced with the aim to broaden the application of the principle of equality before the law, including distinctions that refer to sexual orientation. Worth mentioning is that there is settled case law concerning the wide application of said Article; therefore, all cases of discrimination including language, colour, ideology and gender identity are largely covered by Article 179bis.

30. Over the last 4 years, steps have been taken to improve coordination between the different bodies dealing with equal opportunities at national level.

31. The Congress of State, with Decision no. 5 of 25 April 2022, set up a working group with the mandate of drafting a document aimed at establishing a Special Commission to combat intolerance and racism, incitement to hatred and violence, with the tasks of monitoring, analysis, guidance and promoting initiatives. The final report of this working group proposed the establishment of a ‘Hub for equal opportunities’, as well as a comprehensive legislative intervention to make the Commission for equal opportunities more responsive to international recommendations and more effective by changing its composition, competences and functioning.

32. By Decision No 29 of 12 March 2024, a second working group was set up to carry out comparison, analysis and study activities aimed at defining regulatory measures for the establishment of a Hub for equal opportunities and for the prevention and combating of discrimination and intolerance, which should bring together the Commission for equal opportunities, the Authority for equal opportunities and other competent bodies. The group has not yet finished its work.

33. By Delegated Decree no. 143 of 29 September 2023, an office called “Technical and Administrative Secretariat for Equal Opportunities, Bioethics and Social Inclusion” was created. It has the mission to support commissions, authorities and committees dealing with equal opportunities, bioethics, social inclusion and the rights of persons with disabilities, and to perform administrative, accounting and secretariat functions, as well as technical and legal support tasks. The above office opened on 1 May 2024 and its headquarters meet all needs of the committees involved, such as accessible premises for persons with disabilities, rooms reserved for dealing with sensitive issues and meeting rooms.

Recommendation 119.50 on hate speech

34. San Marino authorities have taken measures to raise awareness and prevent hate speech, mainly through in-school initiatives. With regard to hate speech, the Commission for equal opportunities carried out a number of awareness-raising initiatives, including ‘the tree of kind words and against hate words’.

Recommendation 119.62 on the training of judges and lawyers against discrimination

35. The Judicial Council annually approves, on the proposal of the Head Magistrate, the training plan for magistrates, which mainly concerns attendance at conferences or highly specialized theoretical-practical courses, including courses organized by the Italian School for the Judiciary (SSM). Internal training activities may be carried out involving different authorities and the national Association of Lawyers and Notaries for shared training.

36. The training of judges in the field of discrimination and intolerance is ensured through participation in courses and seminars specifically dedicated or preparatory to such matter. The 2023 training plan included, among the main topics in civil matters, the rights of minorities and registered partnership; in criminal matters, in close connection with the issue of discrimination, gender-based violence and protection instruments for victims. The 2024 training plan provides for the specific training of judges in criminal matters on gender-based violence and the protection instruments for victims and crimes related to trafficking in human beings. For judges in civil matters, the training was again on the rights of minorities and registered partnerships.

37. The Association of Lawyers and Notaries also demonstrates a constant commitment to keeping abreast of issues related to discrimination through active and regular participation in thematic conferences and seminars.

2. Rights of specific persons and groups

(a) Women

Recommendations 119.48, 119.83, 119.84, 119.85, 119.86 and 119.87 on violence against women and gender-based violence

38. San Marino continues to make efforts to combat discrimination against women, gender-based and domestic violence, through numerous legislative, political, administrative

measures as well as awareness-raising campaigns, prevention and training projects at various levels.

39. With regard to the legal framework, Delegated Decree No 109 of 9 August 2024 amended Law No 97/2008 and the Criminal Code, introducing, in addition to a series of measures aimed at providing greater protection to women victims of violence, important legislative innovations for preventing and combating violence against women and gender-based violence. In accordance with GREVIO recommendations the definition of violence against women and gender-based violence has been rephrased. A number of changes have been made to the current prevention system and new instruments, measures and criminal offences have been introduced in line with the latest recommendations and guidelines of supranational bodies.

40. Among the main measures introduced by this provision is the mandatory competence of the Investigating Judge to receive reports of violence in case of offenses prosecutable *ex officio* or the formal filing of a complaint by the victim for offenses punishable at the initiative of a party⁵. With the aim of ensuring greater security and assistance to victims of violence, the cooperation and synergy among the competent bodies was strengthened. Moreover, the placement of minors in a protected shelter has been regulated in the event of inability/impossibility (even temporary) to exercise parental authority.

41. With regard to the amendments to the Criminal Code, the offences of solicitation of children and sexual harassment have been introduced. The offence of persecutory acts has also been reformulated, resulting in a wider range of acts of violence that are punishable by criminal law by eliminating the requirement that the act should cause the victim serious moral suffering and damage to his or her dignity. In addition, the offence of sexual violence has been amended by broadening, again, the range of facts constituting the offence, introducing an aggravating circumstance applicable when the offence is committed to the detriment of a child and a mitigating circumstance for minor cases.

42. The Delegated Decree has also strengthened the system of special precautionary measures in criminal proceedings to protect victims of violence by introducing a provision stipulating that the prohibition to approach places habitually frequented by the victim may not be less than 500 meters as a rule.

43. New rules on police intervention for acts of violence have been introduced and the scope for action has been extended. Because of the reform, police forces will be able to enter, even forcibly, the home or other places where the perpetrator is located. The rules on police interventions have also been harmonized with regard to innovations in the reporting of acts of violence.

44. To ensure greater security and assistance for victims of violence, the cooperation and synergy among competent bodies was strengthened also by integrating the Technical Panel coordinating the anti-violence network with the University of San Marino and with the Fortress Guard, as well as by concluding appropriate protocols.

45. With regard to the rights granted to victims of violence, the possibility of free access to the case file at any stage and instance of the proceedings has been provided for, irrespective of whether or not the victim has joined the proceedings as a civil party in criminal proceedings for violence against women, children or gender-based violence.

46. The Delegated Decree also strengthened the assistance to victims provided by the social services by introducing a 24-hour assistance to victims of violence granted by social workers by means of on-call shifts. Procedures and protocols for effectively combating and preventing incidents of violence have also been strengthened, as well as additional measures to support victims of violence.

47. Furthermore, the Congress of State, with Decision no. 83 of 28 December 2023, adopted the Comprehensive National Plan of Action against Violence against Women (2024-2026), in order to increase the instruments to combat violence against women. This Plan aims at involving all institutions, the Government, associations and socio-economic partners in the prevention and management of violence. The Plan intends to implement the GREVIO Recommendations by putting them into practice not only through prevention, protection of victims and punishment of perpetrators of violence, but also by setting up training and

education programmes for operators and the general population, informing and raising awareness among the community, protecting victims of discrimination in general, and facilitating employment, economic and housing autonomy.

48. A further form of assistance to women victims of violence is the recent creation of an “Emergency Centre”. A social shelter makes it possible to give up the practice of “social hospitalisation” of women victims of violence and any dependent children in the State Hospital. The “Emergency Centre” is a protected and hospitable shelter where victims, possibly with minors, can be received for the time necessary to activate the socio-health and legal assistance procedure; this centre can also accommodate unaccompanied minors.

49. In 2020, a 24/7 telephone helpline was established, which can be called by victims of violence for information, assistance and counselling.

50. With regard to awareness raising, every year on 25 November, the International Day for the Elimination of Violence against Women, San Marino organises numerous meetings and initiatives to raise awareness of this issue. By way of example, the Authority for Equal Opportunities launched on 25 November 2022 a media awareness and information campaign on violence against women entitled “AGATHA” with the aim of raising public awareness using both online and offline tools. Further awareness-raising initiatives are carried out during the year also in schools.

51. With regard to training, the Department of Human Sciences (DSU) of the University of the Republic of San Marino organises, on an annual basis, compulsory professional training courses aimed at providing adequate tools for intervention in this field and at training specialised personnel addressed to magistrates, police forces, professional associations, socio-health services, school staff and family mediators.

52. On 22 May 2024, a consultancy agreement was signed between the Ministry of Health and Social Security and the University of San Marino regulating annual professional training courses and events against gender-based violence. This includes a high-level training course, organised by the Department of Human Sciences, in cooperation with the Authority for Equal Opportunities, aimed at health workers, police forces, school staff and other professionals involved in the reception and support of victims, as well as, with reference to some training modules, at all public employees.

53. Law no. 16 of 1 February 2021 “Amendments to the Criminal Code - Introduction of the offence of illicit dissemination of sexually explicit images or videos (revenge porn)” introduced in San Marino the crime of “revenge porn” into the Criminal Code. The new Law introduces in the Criminal Code an autonomous criminal offence to repress illegal disclosure of sexually explicit images or videos, also in compliance with the provisions of the Istanbul Convention.

Recommendations 119.88, 119.89, 119.90, 119.91, 119.92, 119.93, 119.94, 119.95 and 119.97 on discrimination against women and the participation of women in political life

54. In its electoral system, San Marino has two important provisions concerning the participation of women in general elections. The first provides that each electoral list shall not have more than two thirds of candidates of the same gender, rounded down if necessary. This means that at least one third of the candidates in the general election must be of a different gender. The second provision concerns candidates who have obtained the same number of votes: in this case, preference is given to the female candidates, even before the criterion of seniority in Parliament or age.

55. However, women’s presence in the Great and General Council is still unsatisfactory. As a result of the last general elections in June 2024, the percentage of women elected is 33% in the Great and General Council, while in the Congress of State only one in ten members is female, considering that the electoral body is made up of 30,688 people, of which 13,089 are male (42.65%) and 17,599 are female (57.35%).

56. Recently, the attention of institutions has focused on improving the living conditions of women, in a process to support their emancipation from family duties, particularly in the role of mother, to help them undertake social and political commitments with greater awareness and support. Of particular importance in this regard was the approval of Law no.

129 of 14 September 2022 “Family support measures”. This general Law contains provisions aimed at supporting parenthood and the family within society and the world of work. The main objective of the measures envisaged therein is to help protect female workers during pregnancy and maternity, facilitating the balancing of work and family life. Following the introduction of this Law, more specific interventions have been approved, such as Law no. 158 of 29 November 2022 “Forms of support for single pregnant women and single-parent families in vulnerable socio-economic situations” and Delegated Decree no. 29 of 20 February 2024 “Extraordinary bonus in favour of households for the purchase of products for early childhood and of products whose demand is inelastic”.

57. Political involvement of women, as well as their full participation in political life and processes, is closely monitored by the Commission for Equal Opportunities and the Authority for Equal Opportunities, which promote initiatives to raise awareness of the daily challenges faced by women. Civil society is focusing on this issue, on which a reflection is encouraged, since the number of women in political life is still lower than that of men.

58. Law no. 40 of 8 March 2023 “Information and Media Law” was recently approved. Article 56 thereof mentions, among the duties of the radio and television service provider, the commitment to overcome gender stereotypes, in order to promote equality and to respect the image and dignity of women according to the principle of non-discrimination. This measure aims not only to improve the representation of women in the media, but also to raise awareness of the importance of gender equality and the fight against discrimination.

(b) *Children*

Recommendations 119.98 and 119.99 on the minimum age for military service

59. Regarding the recommendations on raising the minimum age for military recruitment to 18 years, which San Marino accepted in the framework of the last UPR, unfortunately it has not yet been possible to make the necessary legislative change. The recruitment of personnel into the military corps has always been voluntary, starting from the age of 18, as provided for in the Special Regulations of each corps. Article 3 of the Law regulating Military Staff and Discipline, according to which “San Marino citizens shall be obliged to perform military service from the age of sixteen to the age of sixty”, must be read in conjunction with the provisions of the subsequent Article 4, which regulates the exceptional circumstance of general mobilisation. It should be noted that not even in the most critical moments of San Marino history was compulsory recruitment and the general mobilisation of all citizens resorted to. The setting of the age of 16 for recruitment in the case of general mobilisation is a legacy of previous legislation, whose amendment has long been planned. The delay in amending such provision is only because it is part of a more complex ongoing reform concerning the reorganisation of the military corps and their regulations.

Recommendation 119.100 on online safety of children

60. Delegated Decree no. 126 of 14 August 2024 “Provisions to prevent and combat cyberbullying” introduced new provisions to promote and protect the online safety of children. This Delegated Decree establishes the adoption of guidelines in schools that provide for the training of school teaching staff and an active role for students, through projects focusing on emotional communication education and knowledge of issues related to the use of new information technologies. This Delegated Decree also set up a Working Group for the Prevention and Combating of Cyberbullying (TPCC) in charge of drawing up an integrated action plan and of coordinating with the Police Forces, in order to monitor the development of these phenomena on the territory. In addition, a free and continuous helpline has been established for victims of bullying and cyberbullying.

Recommendation 119.101, partially supported, on establishing a counselling centre for separated parents with children

61. Law no. 129/2022 established a specific service dedicated to supporting parenthood. The purpose of this service is to offer support to families with separated parents in need of assistance, with the aim of enhancing parenting skills as their children grow up, while guaranteeing immediate access to useful information on services and resources available in

San Marino. This initiative promotes the well-being of families through a promotional and proactive approach. The Minors' Protection Operational Unit manages these activities.

(c) *Persons with disabilities*

Recommendations 119.31, 119.49, 119.48 and 119.104 on the protection and promotion of the rights of persons with disabilities

62. With reference to the measures to ensure the protection and social inclusion of all persons with disabilities, San Marino approved Law no. 136 of 19 July 2021 "Protection of people with sensory disabilities and interventions to remove barriers to communication", by which it promotes the universal accessibility of environments, processes, goods, products and services, so that they are comprehensible, usable and practicable by all persons in conditions of safety and in the most autonomous and natural way possible. Particular attention is paid to school and work inclusion of all persons with disabilities, promoting equal opportunities and accessibility to work environments and stations, including access to training and refresher courses.

63. With regard to labour inclusion, a legislative amendment is planned for the current legislature to supersede Law no. 71 of 29 May 1991, which currently regulates this matter. In addition, in order to guarantee full participation also in the political life of the country, regulations, information campaigns and election programmes are also to be accessible in Italian sign language (LIS) and other media supporting communication.

64. Law no. 81 of 5 June 2015 "Law on Support Administrators" addressed the issue of autonomous decision-making, restoring dignity to people with intellectual disabilities and taking a first step towards independent living.

65. With reference to Recommendation 119.104 on the submission of San Marino's initial report under the United Nations Convention on the Rights of Persons with Disabilities, the drafting of such report has been scheduled for the first half of 2025.

Recommendations 119.102 and 119.103 on accessibility and mobility of persons with disabilities

66. The Plan for the removal of architectural barriers in public buildings, approved in 2019, provides for the mapping of all public buildings, the assessment of the degree of accessibility for people with disabilities, and the identification of design solutions useful for the removal of architectural barriers through the adaptability index, a summary estimate of the costs to be incurred, and the definition of a multi-year programme of intervention. A number of public buildings have already been analysed as part of the Plan and a working group made up of directors and officials from the offices of the Department of Territory and Environment and the Public Works Autonomous State Corporation (AASLP) was also set up to develop the project, which is still in progress.

67. Considering the ongoing commitment to promote inclusive tourism in the Republic of San Marino, Congress of State Decision no. 38 of 10 October 2023 established a Working Group for Accessible Tourism, aimed at performing coordination activities and at creating a constructive dialogue among the various organisations and stakeholders, both institutions and associations. On 16 and 17 November 2023, the second UN International Conference on Accessible Tourism was held in San Marino; on this occasion, the contents of the San Marino Declaration on Accessible Tourism signed during the first edition of the event on 19 November 2014 were updated.

68. The aims indicated in this document include the achievement of the 2030 Agenda SDGs, i.e. to promote and develop tourism with a view to contributing to economic development, international knowledge, peace, prosperity and universal respect, as well as respect for human rights and fundamental freedoms of all, regardless of race, gender, language or religion. This Conference ended with the signing of the "San Marino Action Agenda on Accessible Tourism 2030", which aims at initiating change towards disability inclusion and accessible tourism for all.

(d) Sexual orientation and gender identity

Recommendation 119.59 on promoting awareness of diversity and respect for sexual orientation

69. Targeted courses on respect for diversity and mutual understanding are conducted in San Marino schools of all levels. As part of the new curricula on citizenship competences, educational activities aimed at raising students' awareness of gender identity issues are carried out in the first two years of upper secondary school.

70. The University of San Marino (UNIRSM) considers inclusion, gender equality and attention to the well-being of the entire academic community as one of the fundamental principles characterising the University's Quality Policies. UNIRSM's actions are based on the fight against all forms of discrimination based on gender identity, ethnicity, political and religious beliefs, diversity of abilities, age, sexual orientation and socio-economic status.

71. In 2022, the Parliament approved a Popular Petition asking the State to join the International Day against Homophobia, Biphobia and Transphobia, and in 2022 San Marino was able to boast a significant record, namely the election of the first Head of State in the world to be openly homosexual and an activist for the rights of the LGBTI community.

Recommendation 119.57 on legal protection for same-sex couples

72. Law no. 147 of 20 November 2018 introduced registered partnership into San Marino legal system; this Law was then updated by Law no. 115 of 24 June 2021, which provides, *inter alia*, that wherever the term "spouse", "spouses", or equivalent terms occur, they shall also be applied in matters pertaining to registered partnership. Registered partnership is also put on an equal footing with marriage in matters pertaining to statutory inheritance and intestate succession, and Article 149 of the Criminal Code was amended to put registered partnership on an equal footing with marriage in criminal matters. Since the entry into force of Law no. 147/2018, 108 different-sex partnerships and 22 same-sex partnerships have been registered (data updated to July 2024).

73. With reference to policies in favour of information and assistance, including medical assistance, dedicated to LGBTI persons, Law no. 127/2022 includes some significant provisions in this regard. By way of example, it establishes that, through the Counselling Centre, the Social Security Institute shall provide psychological, gynaecological and andrological advice and assistance for women and men, including minors, at all stages of their lives and according to their sexual orientation, ensuring the utmost confidentiality and resorting to specifically trained SSI personnel. Access to the Counselling Centre shall be free, optional, free of charge and confidential. The Counselling Centre also provides psychological assistance to those in need of psychological counselling related to gender orientation.

(e) Migrants

Recommendations 119.68, 119.69, 119.70 and 119.71 on victims of human trafficking

74. San Marino is a State party to the United Nations Convention against Transnational Organised Crime and the Palermo Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. San Marino is also a State Party to the Council of Europe Convention on Action against Trafficking in Human Beings and, pursuant to Article 36 thereof, is regularly subject to monitoring by GRETA. In December 2023, a GRETA delegation visited San Marino in the framework of the third round of monitoring focusing on access to justice and effective remedies for victims of trafficking.

75. Over the last years, San Marino has made considerable progress to develop and strengthen its instruments to prevent and prosecute trafficking in human beings and to protect potential victims. With regard to the legislative measures adopted, San Marino Criminal Code provides for the offences of reducing or holding in slavery or servitude, trafficking in human beings and incitement to prostitution. These are all serious criminal offences that can be prosecuted *ex officio* and for which the perpetrator can be ordered to pay damages in both criminal and civil proceedings.

76. San Marino authorities are currently preparing a "National Strategy against Trafficking in Human Beings" involving all competent Offices and Services. This document includes awareness-raising and training activities, as well as a compilation and codification of all the measures currently in place to prevent trafficking. The Strategy will be accompanied by an operational Protocol setting out the procedures to be followed to take care of victims of trafficking.

77. In the recent document prepared by GRETA entitled "Practical impact of GRETA's monitoring work in improving the implementation of the Convention on Action against Trafficking in Human Beings", San Marino is listed among the States that have made important changes at national level over the years. Indeed, worth praising is the provision of the Law on entry and stay of foreigners, which introduces the possibility for victims of trafficking to obtain a stay permit for humanitarian reasons. The document also recognises the importance of setting up a help desk for family and elderly carers, in order to provide them with a point of reference to inform them of their rights as workers.

78. An information brochure is currently being prepared to be delivered to foreign citizens who contact the authorities and offices in charge of carrying out immigration procedures in San Marino; this brochure will contain all references and contact details useful to know and recognise human trafficking and the information necessary to report it to the contacts listed therein. This brochure will be translated into the main languages of the countries that are statistically more prone to submit a request. Moreover, work is underway on the creation of a web portal accessible from PCs and smart phones containing all the information to protect victims of violence and human trafficking, also translated into the main languages as mentioned above.

Recommendation 119.106 on the reception of migrants, especially vulnerable groups

79. In the field of reception of unaccompanied minors, an important step forward was made in San Marino through the approval of Law no. 79 of 30 April 2021. It not only regulates the legal status of minors but also ensures that they can be placed in a family environment suitable for their growth. This Law lays down the requirements, methods and procedures for obtaining foster care and provides that the child and the foster parent are guaranteed assistance and support throughout the entire procedure by the Minors' Service - Minors' Protection Operational Unit in collaboration with the Office for Inter-country Adoption and Foster Care. This Law also provides for the establishment of a Fund for the financial support of foster families.

C. Civil and political rights

1. Right to life, liberty and security of person

Recommendations 119.79, 119.80 and 119.81 on the right to abortion

80. Law no. 127 of 7 September 2022 regulating voluntary termination of pregnancy was approved following a referendum promoted by the Union of San Marino Women, held on 26 September 2021. With a majority of 77.3%, 41% of San Marino citizens voted in favour of decriminalisation of abortion, thus committing the Parliament to amend the Criminal Code and to regulate this issue by means of a new law. The Law includes the necessary amendments to the Criminal Code, both for the decriminalisation of the act and for the protection of the procedure.

81. The Executive Committee of the Social Security Institute has set up and authorised operational procedures for the supervision and implementation of all steps necessary for voluntary termination of pregnancy, from the first contact with the person concerned to the post-termination phase.

82. Pursuant to Article 3 of Law no. 127/2022, and in accordance with the directives within the framework of the "Health Education" project, since 2023 information meetings have been held in schools of all levels on emotional and sexuality education, changes in the

mind and body during puberty and adolescence, contraception and sexually transmitted infections, prevention of risk behaviour, and fertility preservation.

2. Administration of justice and right to a fair trial

Recommendation 119.30 on the Code of Criminal Procedure

83. San Marino criminal proceedings have long required courageous legislative intervention capable of both ensuring the functioning and effectiveness of the mechanisms already in place and introducing new ones. San Marino recognised the urgency of a swift and timely regulatory intervention, and therefore introduced Law no. 24 of 2 March 2022 “Provisions to implement the guarantees and the efficiency of criminal proceedings”. This Law focuses on the areas most exposed to the risk of invalidation, where the lack of guarantees and of the concrete application of constitutional principles in the field of criminal proceedings was felt, in particular with regard to the right of defence, efficiency, rapidity, publicity and independence of judgements.

84. This Law also strengthens the mechanisms introduced by Law no. 93 of 19 June 2008 “Rules on criminal procedure and on confidentiality of investigations in criminal proceedings” and subsequent amendments, limiting the duration of precautionary measures and introducing new instruments to favour rapidity of proceedings.

85. Similarly, the rules on appeal have been supplemented, thus overcoming certain critical issues of the so-called appeal investigations. Finally, the third criminal instance was introduced as a means of appeal on grounds of illegitimacy, which is also applicable against the appeal judgement, thus offering greater protection to the parties involved.

86. By Constitutional Law No. 2 of 3 December 2020 “Amendment to Constitutional Law no. 144 of 30 October 2003 and subsequent amendments – Judicial bodies. Establishment, definition and responsibilities”, drawn up pending the comprehensive reform of the judicial system, the powers of judges for civil liability proceedings have been extended. They will be called upon to judge civil, criminal or administrative proceedings from which ordinary judges have validly abstained or concerning which they have been validly objected to or in any case cannot judge because they have already ruled thereon.

Reform of the prison system

87. Law no. 78 of 4 May 2023 introduced the reform of the Prison System, taking due account of the observations and recommendations made by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) of the Council of Europe on the occasion of its visit to San Marino and of the European Prison Rules (Recommendation R 2006).

88. On 31 March 2022, the Ministers of Justice of the Republic of San Marino and of the Italian Republic signed, in San Marino, an Agreement on the recognition and enforcement of judicial decisions on alternative measures to detention, alternative sanctions to imprisonments, conditional release and suspended sentence. The aim is, on the one hand, to increase the possibilities of social reintegration of sentenced persons, *inter alia* by enabling them to maintain or recover their emotional, family, work and cultural ties, and, on the other hand, to improve the monitoring of the corresponding obligations/provisions in order to reduce the risk of recidivism, thereby protecting the victims of crimes and, more generally, the community.

89. The extraordinary maintenance work at the San Marino prison (called Carcere dei Cappuccini), which will be completed this year, is necessary to bring the facility up to international standards, in line with the recommendations made by CPT. The aim is to improve the conditions under which detainees stay in the prison and, at the same time, the working and safety conditions of the staff responsible for custody.

3. Freedom of movement, of residence and the right to seek asylum

Recommendation 119.107 on the rights of migrants, especially female domestic workers and caretakers

90. The reference law on the entry and stay of foreigners in the Republic of San Marino is Law no 118 of 28 June 2010, which has undergone numerous amendments and updates over the years, because of a series of reflections and suggestions from different sectors.

91. The authorities, with the support of the population, have offered an exceptional reception to Ukrainian citizens following the conflict between Ukraine and the Russian Federation, and adopted several extraordinary measures, including Decree-Law no. 27 of 4 March 2022, which stipulates that, on an extraordinary and temporary basis, foreign Ukrainian citizens who are in situations of instability and danger are entitled to obtain a provisional stay permit, lasting three months, which is renewable for a further three months and is tax-free. Healthcare, socio-health assistance, the right to education and other welfare services deemed necessary for the entire period of their stay were guaranteed to them free of charge.

92. In addition to this Decree-Law, Regulation no. 4 of 23 March 2022 establishes the priority issuance of a stay permit to Ukrainian citizens who are in a situation of family reunification with Ukrainian citizens or former Ukrainian citizens already present on the territory of the Republic. Moreover, Decree-Law no. 64 of 13 April 2022 “Additional provisions concerning the provisional stay permit for the Ukrainian emergency and access to work” provided, for Ukrainian citizens only, the possibility of applying for a work permit or its renewal to work as a caretaker from the age of majority until the age of 68.

4. Right to citizenship

Recommendation 119.109 on the duration of residence required to request citizenship

93. Law no. 121 of 2 August 2019 reduced the duration of residence required in the territory to obtain naturalisation from 25 to 20 years and from 15 to 10 years for the spouses of San Marino citizens, for registered partners of San Marino citizens and for persons adopted by San Marino citizens through *adoptio semiplena*. The same Law also contains an important regularisation provision, aimed at reinstating in San Marino citizenship registers: those who had been cancelled for not having made, within the statutory deadline, the declaration to maintain citizenship; those who had not applied for the verification of their descendants within the time-limit established, or whose application had not been accepted due to the expiry of the time-limit; the children of San Marino mothers and non-San Marino fathers who, upon entry into force of Law no. 114/2000, had already become of age more than twelve months before and were therefore unable to benefit from the possibility of opting for their mother's citizenship.

94. Law no. 131 of 15 July 2021 on the acquisition of citizenship introduced the possibility of acquiring San Marino citizenship also for the children of a San Marino female citizen by origin who had become a foreign citizen following marriage and who did not re-acquired San Marino citizenship. It is also possible to acquire San Marino citizenship for a child whose parent has died and has not applied for the acquisition of citizenship as the child of a San Marino female citizen, even though he/she was entitled thereto. The latter case guarantees the transmission of citizenship through the mother even if the descendant has died.

5. Right to participate in the political and cultural life of the country

Recommendation 119.76 on out-of-country voters

95. The first paragraph of the Government Programme for the XXXI legislature, approved on 9 July 2024, envisages an institutional reform, among other things, to “review some aspects of the electoral system”. For this purpose, a special Parliamentary Commission for Institutional Reforms will be set up to analyse problems and propose appropriate solutions.

96. Particular attention must be paid to out-of-country voters, as this category represents almost 40% of the entire San Marino electoral body. In this regard, San Marino is very

attentive to the study of the most modern and efficient international models in this field, with particular reference to the possibility of introducing remote voting.

97. Furthermore, worth informing is that, with Law no. 158 of 24 September 2020, San Marino authorities have extended the right to vote in local elections (Township Councils) to foreign citizens who have resided in San Marino for at least ten years.

Legislation on civil protection volunteering

98. San Marino has always recognised the social value and function of voluntary civil protection activities as an expression of participation, solidarity and pluralism. This principle is enshrined in Delegated Decree no. 192 of 29 October 2020 “Promotion and regulation of the Civil Protection Voluntary Service”, which sets out the functioning of the Civil Protection system, and has the task of promoting initiatives to increase community resilience and provide important information to citizens. This Delegated Decree identifies civil protection intervention scenarios and areas and clarifies which associations can be part of this type of volunteering and according to which criteria.

99. Again, with reference to the provisions on volunteering, Ordinary Law no. 194/2021 established the Civil Peace Corps (CCP) in the Republic of San Marino as a “privileged operational instrument to collaborate in building and maintaining peace, particularly in those territories where there are conflicts, including armed conflicts or situations of violence”. The CCP is a civil, non-violent, voluntary corps, organised by the State in cooperation with national or foreign bodies or associations. The CPP's main tasks include planned non-violent action and activities of training, prevention and transformation of conflicts, monitoring and humanitarian assistance.

D. Economic, social and cultural rights

1. Right to work and to fair and favourable working conditions

100. The Government is working on strengthening services and active labour policies aimed in particular at the most vulnerable people by upgrading monitoring tools, procedures and management of interventions.

101. Among the most important legislation introduced in the field of labour in the last period is undoubtedly Law no. 164 of 9 December 2022 “Reform of labour legislation”, which focused on reorganisation and simplification, thereby establishing regulatory provisions such as Article 12, which provides for “Special provisions for the recruitment of personnel not registered and that cannot be registered in the employment lists”; indeed, with a view to streamlining the procedures, the Legislator had already decided, by means of Delegated Decree no. 130 of 15 July 2021, to liberalise the hiring of workers, with a view to granting the possibility to all San Marino Economic Operators to hire workers with more flexibility compared to the previous procedure, which provided for a “preliminary” assessment of the domestic unemployed people registered in the employment lists.

102. In order to further strengthen the activities carried out by the Labour and Active Policies Office (ULPA), responsible for ensuring the enforcement of labour legislation and monitoring the functioning of the labour market, as well as to further enhance “active policies” services for young people and women, and in general for those who have lost their job and are struggling to find a new one, Delegated Decree no. 105/2022 revised the entire matter of employment incentives. It envisaged general measures for employment, re-employment, retraining and turnover, as well as special measures for women's employment and work-life balance. Moreover, a relevant study on the unemployed population aimed at defining the targeted interventions to be implemented was provided for by law.

103. Some measures were introduced to support women and the over-50s who have the hardest time finding a new job, while also trying to favour corporate welfare. These interventions are aimed at helping both parents balance work and family life, in order to meet the needs of both Economic Operators and female and male workers. Moreover, the implementation of such measures is useful to support families and boost the birth rate, thus counteracting the progressive ageing of the population.

104. Following the ratification by Parliamentary Decree no. 42 of 23 March 2022 of the International Labour Organisation's Convention no. 190 on the Elimination of Violence and Harassment in the World of Work, a Multi-Year National Plan on the Elimination of Violence and Harassment in the Workplace was signed in a tripartite manner by the Government and Social Partners, with the aim of promoting the implementation of the Convention by involving all public and private parties, including civil society. The Plan includes a commitment by all signatories to promote training activities for employers and employees to combat and prevent harassment in the workplace, envisaging support measures for victims and identifying work sectors most at risk of gender-based violence.

2. Right to health and social security

Recommendation 119.78 on the right to social security

105. It is confirmed that all San Marino residents benefit from free and universal healthcare. Patients requiring treatment not provided by San Marino health structures are referred to foreign centres free of charge. The entire population has access to trained personnel for the treatment of common diseases and injuries, with free supply of essential drugs.

106. The COVID-19 health emergency was tackled thanks to a strong synergy between the institutions and bodies in charge of managing the emergency. In managing the emergency, San Marino administration never even considered diversifying in any way the treatment of citizens, residents or people staying in the Republic, all of whom were considered and treated equally and were guaranteed the necessary care. Treatment was provided without distinction of status and vaccines were administered giving priority to the weak and elderly, and then gradually to all segments of the population, following the order of telephone bookings.

3. Right to an adequate standard of living

Recommendation 119.77 on the promotion of sustainable economic and social development

107. Worth mentioning are the regulatory interventions in support of economic and social development carried out during the reporting period to ensure support for San Marino citizens and residents most in need, families and vulnerable groups.

108. Delegated Decree no. 56/2024 introduced an extraordinary bonus in favour of households for the purchase of products for early childhood and of products whose demand is inelastic. Considering the persistent inflation, this Delegated Decree has introduced an extraordinary support measure for 2024, intended for households that apply for it and that meet the relevant access requirements.

109. Decree-Law no. 63 of 21 April 2020, ratified by Decree-Law no. 91 of 26 April 2020, introduced urgent measures related to the COVID-19 epidemiological emergency in order to support households and workers experiencing difficulties. Among the measures adopted to support households, Article 1 introduced a minimum income of €580 per month, increased by 50% of the monthly rent of the residential building unit, from 1 March 2020 until the end of the health emergency. In order to support the liquidity of households, the State of San Marino also provided for the possibility of issuing guarantees on loans granted by financial institutions and other entities authorised to exercise credit activities, for those who did not hold liquid assets exceeding €10,000.00.

110. Among the measures to support businesses, self-employed and professionals, some extraordinary measures were adopted to shift the deadline for the payment of the general income tax to 31 August 2020. In addition, the deferral was envisaged for the payment of registered debts, during the period from 1 March to 31 December 2020, for a minimum duration of 36 months and a maximum duration of 120 months, depending on whether it was secured by any collateral. Lastly, tax credits concerning the payment of rent for real estate used for economic activity and derogations related to the payment deadlines for social security contributions for self-employed people and employees, tax deductions for increasing share capital, and the offsetting of receivables and payables vis-à-vis the State were introduced.

111. Another significant intervention was the establishment of an Extraordinary Fund to support the relaunch of the economy of the Republic of San Marino, fed by allocations from the State budget, entities or institutions, including foreign ones, and donations from San Marino or foreign natural and legal persons.

112. In addition some important temporary measures, provided for in Article 20, were adopted to support the liquidity of economic operators, with the issuance of a guarantee by the State of San Marino with regard to loans granted by 31 December 2020 by financial institutions and other entities authorised to exercise credit activities, for those meeting specific requirements, up to a maximum payable amount of €500,000.00, established as 50% of the cost incurred for personnel in the 2019 financial year increased by the average of the general income tax paid on the operating profit in the last three years. The measures provided for in Articles 19 and 20 of Decree-Law no. 63/2020 were enforced through the Implementing Regulation no. 3 issued by the Congress of State on 11 May 2020.

113. Article 35 of Law no. 132 of 15 September 2023 increased the percentages of the State contribution to the loans granted by credit institutions and financial companies for the purchase, construction of new houses, as well as the extension and renovation, restoration and conservation of buildings to be used as the first dwelling of the applicant and his/her family unit.

114. The Ministry with responsibility for Cooperation is committed to protecting the right to housing for San Marino population and, together with the Commission for Social Housing and the Technical Working Group for Health and Cooperation, examines approximately 60 applications per year from people and families who cannot afford to buy or rent a home, assessing the possibility of assisting them by entrusting them with publicly-owned housing at rents compatible with their income.

4. Right to education and culture

Recommendation 119.82 on the extension of compulsory education to at least one year of pre-primary education

115. The extension of compulsory education also to the last year of kindergarten, although not yet included as a legislative measure, has *de facto* been implemented in San Marino. The data for the last three years on the enrolment of children in kindergarten confirm that they are well over 95% of resident children. In the remaining cases, Kindergarten Management verifies with the families the reason for not enrolling children in the last year of kindergarten; the verifications carried out in recent years have shown that in all cases the reason is linked to the choice to enrol children, for family reasons, in Italian kindergartens located in the areas adjacent to San Marino.

116. Among the other initiatives carried out by San Marino in the field of education, the second phase of the “Curricula for San Marino Schools” testing was launched by means of Delegated Decree no. 169/2021. These curricula should be introduced gradually and are supported by training courses for teaching staff. The testing lasts for three years and is accompanied by a system for monitoring experiences.

117. As part of inclusive education, the subject “Ethics, Culture and Society” has been introduced for students who decide not to opt for the teaching of Catholic religion.

5. Right to information

Recommendations 119.72 and 119.74 on freedom of opinion and expression and right to information

118. With Law no. 40 of 8 March 2023 “Information and Media Law”, San Marino has set itself the objective of giving concrete application to the principles enshrined in the ECHR and in Article 6 of the Declaration of the Citizens’ Rights of San Marino, ensuring that everyone could enjoy freedom of thought and expression through any means or technology, as an inviolable prerogative of human dignity and a fundamental democratic guarantee. Law no. 40/2023 also recognises that freedom of expression includes the right to report news, to express opinions and criticism, and to satire. As a demonstration of plurality, worth

mentioning is that, even in a small territory such as the Republic of San Marino, there are three different daily newspapers, a weekly financial magazine, a State radio and television broadcasting company and some web portals.

119. Law no. 40/2023 deals, in its first part, with constitutional laws, by regulating rights such as freedom of thought and expression, freedom of science and art, and freedom of teaching. In addition, the recent Law defines the functions and activities of the Council for Information, which regulates journalistic activity, and of the Supervisory Authority for Information, an independent body that protects and promotes information activity by supervising the activity of operators in this sector. The second part of the Law contains articles on the right of minors and on public press releases: the latter provides for the immediate transmission by the media services of institutional press releases in cases of serious and exceptional public needs.

IV. Conclusions

120. Over the years, the previous UPR evaluation round, as well as the visits of regional expert committees and the discussion of reports to be submitted to the Treaty Bodies, have provided the Republic of San Marino with the opportunity to take important steps forward in the field of human rights protection and promotion. They allowed us to understand our deficiencies and find the correct and most effective ways to make progress in the field of human rights, updating San Marino legislation and complying with international standards.

121. At the same time, we are confident that this evaluation round will enable us to identify new issues and face new challenges in order to make progress in the process we have undertaken to continuously improve the protection and promotion of human rights and to design our action in the years to come.

Notes

¹ See Recommendation 119.10.

² See Recommendations 119.23 and 119.24.

³ See Recommendations 119.26, 119.27 and 119.28.

⁴ Popular Petitions in San Marino are an instrument of direct democracy that allows citizens to submit requests of public interest to Their Excellencies the Captains Regent (Heads of State). The latter, after declaring the admissibility based on the fulfilment of the requirements established by Law no. 72 of 24 May 1995 and subsequent amendments, have the duty to transmit such requests to the Great and General Council for possible approval. These requirements include the following: San Marino citizens shall submit petitions; they shall relate to issues of public interest; the Great and General Council shall not have rejected petitions with similar content in the previous three semesters. If a Popular Petition is approved, the Congress of State will have six months to implement its provisions.

⁵ In the absence of such requirements, the body responsible for receiving reports is the Mental Health Unit or, in the case of minors, the Minors' Protection Unit. Investigations must be carried out as soon as possible and the Investigating Judge must obtain information from the victim or from those who filed a report within 48 hours at the latest.
