

## 2RP: Responses to Recommendations & Voluntary Pledges

# SAN MARINO

## Second Review Session 20

Review in the Working Group: 29 October 2014  
Adoption in the Plenary: 18 March 2015

### San Marino's responses to recommendations (as of 19.06.2015):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
46 recs accepted, 11 noted and 17 left pending	Out of the 17 recs pending, 9 were accepted and 8 "not accepted" (-> noted)	No additional information provided	Accepted: 55 Noted: 19 Total: 74

*Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.*

### List of recommendations contained in Section II of the Report of the Working Group A/HRC/28/9:

**78. The recommendations formulated during the interactive dialogue and listed below have been examined by San Marino and enjoy the support of San Marino:**

A- 78.1 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (ICESCR) (Montenegro, Spain);

A - 78.2 Accede to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Uruguay);

A - 78.3 Ratify the Optional Protocol to ICESCR (Portugal);

A - 78.4 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and opt into the inquiry and inter-State mechanisms (Germany);



A - 78.5 Accede to the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Monaco);

A - 78.6 Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Montenegro);

A - 78.7 Ratify the third Optional Protocol to the Convention on the Rights of the Child , which establishes a complaints mechanism (Portugal);

A - 78.8 Sign and ratify the third Optional Protocol to the Convention on the Rights of the Child on a communications procedure, without reservations (Ireland);

A - 78.9 Consider becoming a party to other related human rights instruments, such as the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Thailand);

A - 78.10 Ratify, without making any reservation, the Agreement on the Privileges and Immunities of the International Criminal Court (Germany);

A - 78.11 Fully align its national legislation with the Rome Statute of the International Criminal Court, including by incorporating provisions to cooperate promptly and fully with the International Criminal Court and investigate and prosecute genocide, crimes against humanity and war crimes effectively before its national courts, and accede to the Agreement on the Privileges and Immunities of the International Criminal Court (Netherlands);

A - 78.12 Fully align its national legislation with the Rome Statute of the International Criminal Court, to ratify the Kampala amendments to the Rome Statute on the crime of aggression and to accede to the Agreement on the Privileges and Immunities of the International Criminal Court (Estonia);

A - 78.13 Incorporate into the national legislation measures to implement the Rome Statute of the International Criminal Court, including measures to cooperate with the Court (Costa Rica);

A - 78.14 Ratify the UNESCO Convention against Discrimination in Education (1960) (Slovenia);

A - 78.15 Consider ratifying the UNESCO Convention against Discrimination in Education (Ghana);

A - 78.16 Intensify ongoing efforts to adjust domestic legislation to international standards (Sierra Leone);

A - 78.17 Pass the new criminal procedure code, which is being studied by the technical working group (Spain);

A - 78.18 Strengthen cooperation with civil society on promoting non-discrimination and tolerance in society, and consider instituting regular consultations with civil society organizations on improving the human rights protection system (Serbia);

A - 78.19 Engage with civil society in the follow-up to the present review (United Kingdom of Great Britain and Northern Ireland);

A - 78.20 Submit, as soon as possible, country reports to the Committee on the Elimination of Racial Discrimination, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Discrimination Against Women, the Committee against Torture and the Committee on the Rights of the Child (Netherlands);



- A - 78.21 Submit its 10 overdue reports to the United Nations treaty bodies (Portugal);
- A - 78.22 Endeavour to submit its overdue reports, some of which have been overdue since 2003, to the treaty bodies on the application of the conventions it has ratified (Ghana);
- A - 78.23 Submit its outstanding reports to the treaty bodies as soon as possible (Ireland);
- A - 78.24 Submit its national reports to the relevant United Nations treaty bodies (Sierra Leone);
- A - 78.25 Accelerate efforts to devise and implement anti-discrimination public awareness programmes, including in the health services sector, and intensify campaigns to encourage tolerance and interreligious and intercultural dialogue (Philippines);
- A - 78.26 Eliminate the legal concept of “children born outside wedlock”, as well as combat against all forms of discrimination, both legally and in practice (Portugal);
- A - 78.27 Continue to ensure that women are given equitable access to the labour market and that measures introduced to address the problem of unemployment would not result in curtailment of the rights of migrant workers in San Marino (Philippines);
- A - 78.28 Strengthen efforts to increase public awareness of the importance of tolerance and intercultural dialogue, and pursue measures to promote and facilitate the integration of migrants (Brazil);
- A - 78.29 Protect the rights of all individuals, regardless of sexual orientation, on an equal basis (Canada);
- A - 78.30 Ensure respect for minorities, especially sexual minorities (France);
- A - 78.31 Further strengthen existing mechanisms aimed at safeguarding the rights of women, especially with regard to protection against violence (Sierra Leone);
- A - 78.32 Continue its measures in the prevention and repression of violence against women through effective implementation of the existing domestic legislation and awareness-raising campaigns and programmes (Malaysia);
- A - 78.33 Continue its effort to combat domestic violence and promote gender equality (Singapore);
- A - 78.34 Promulgate laws which expressly prohibit all forms of corporal punishment of minors at home as well as in kindergartens, schools and other institutions caring for children (Mexico);
- A - 78.35 Assign the necessary resources to complete the implementation of the Law on the Prevention of ill-treatment in the heart of the family and of the child, particularly in the field of the sensitizing and educating people on countering violence against children (Spain);
- A - 78.36 Continue the work already under way aimed at improving the judicial system, including the efforts to establish a new Code of Criminal Procedure (Holy See);
- A - 78.37 Continue to defend the institution of the family, based on the union of a man and a woman, and to keep providing assistance to those most vulnerable to human rights violations, particularly women, children and the elderly (Holy See);

A - 78.38 Continue strengthening the social programmes and plans which drive the fight against social exclusion and inequality, with emphasis on the areas of employment, food and health and paying special attention to the most vulnerable sectors (Venezuela (Bolivarian Republic of));

A - 78.39 Adopt appropriate legislation to guarantee the rights of disabled persons and provide them with the best care without discrimination (Kuwait);

A - 78.40 Adopt the Framework Law on disability which will incorporate the Convention on the Rights of Persons with Disabilities (Costa Rica);

A - 78.41 Continue efforts in providing necessary care for persons with disabilities in line with its obligations under CRPD (Malaysia);

A - 78.42 Continue to enhance its domestic policies and laws to further develop an inclusive living environment for persons with disabilities (Singapore);

A - 78.43 Continue to ensure inclusive education for children and persons with disabilities, as education would allow them to fully participate in society and open the opportunity of employment (Thailand);

A - 78.44 Bring all public buildings up to code so that they are accessible by persons with disabilities, in line with its international obligations and commitments (United States of America);

A - 78.45 Take steps to improve access to buildings for people with a disability (Australia);

A - 78.46 Consider social policies that facilitate the integration of migrants and asylum seekers (Holy See).

**79. The following recommendations will be examined by San Marino, which will respond in due course, but no later than the twenty-eighth session of the Human Rights Council in March 2015. The responses will be included in the outcome report adopted by Council at its twenty-eighth session:**

N - 79.1 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Spain, Uruguay, Argentina, France);

N - 79.2 Consider ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Ghana);

N - 79.3 Ratify, without making any reservation, the International Convention for the Protection of All Persons from Enforced Disappearance, implement it into national law and recognize the competence of the Committee on Enforced Disappearances to receive and consider from or on behalf of victims or other States parties (Germany);

N - 79.4 Consider ratifying the ICPPED (Sierra Leone);

N - 79.5 Adhere to the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes against Humanity, without making any reservation and implement the treaty into national law (Germany);

A - 79.6 Consider developing human rights indicators according to the OHCHR framework, as an instrument that would allow for a more precise and coherent evaluation of its national human rights policies (Portugal);

A - 79.7 Strengthen measures to combat all forms of discrimination, focusing on sensitization and monitoring (Côte d'Ivoire);

A - 79.8 Formulate civil and administrative laws which complement the provisions of the criminal law and are directed towards combating discrimination on the basis of ethnicity, nationality or language, in the fields of employment and the public services in particular (Mexico);

A - 79.9 Strengthen the institutional and legal framework to counter all forms of discrimination based on considerations of race, ethnic origin, religion or colour (Algeria);

A - 79.10 Elaborate and adopt a plan which promotes a greater and wider understanding of discrimination and intolerance and its various manifestations and also adopt administrative measures which allow the combating of discrimination on the basis of ethnicity, nationality or language (Argentina);

N - 79.11 Introduce appropriate administrative or legislative reforms to ensure equal protections for same-sex couples, including on matters of residency and inheritance (Australia);

N - 79.12 Decriminalize defamation and place it under the Civil Code (Estonia);

A - 79.13 Adopt measures enabling more women's political representation (Algeria);

A - 79.14 Ensure domestic institutions protect, promote and monitor the rights of women and girls and strengthen equality between men and women by ensuring the full participation of women in policy and decision-making processes (Canada);

N - 79.15 Adopt measures to decriminalize defamation (Ghana);

A - 79.16 Adopt measures to ensure a fair representation of women in ministerial positions of the country (Ghana);

A - 79.17 Actively monitor compliance and enforce employment safety regulations, especially in the construction and mechanical industries (United States of America).

**80. The recommendations listed below have been noted by San Marino:**

N - 80.1 Proceed with the ratification of relevant international instruments not yet ratified and monitor implementation of instruments already ratified (Côte d'Ivoire);

N - 80.2 Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Uruguay, France, Portugal);

N - 80.3 Adhere to the principles of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and positively consider ratifying it (Mexico);

N - 80.4 Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Uruguay);

N - 80.5 Consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Ghana, Indonesia, Sierra Leone);



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N - 80.6 Continue to evaluate the possibility of future accession to other international human rights conventions that it is not yet party to, such as the ICRMW and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Philippines);

N - 80.7 Take all necessary steps to ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol (Brazil);

N - 80.8 Ratify the 1951 Convention relating to the Status of Refugees and its 1967 Protocol (Italy);

N - 80.9 Establish a national human rights institution in accordance with the Paris Principles (Spain);

N - 80.10 Consider the establishment of a national human rights institution in accordance with the Paris Principles (Indonesia);

N - 80.11 Ensure equal rights of lesbian, gay, bisexual and transgender people by legally recognizing same-sex marriage and civil partnerships (United Kingdom of Great Britain and Northern Ireland).

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