



Human Rights Council
Working Group on the Universal Periodic Review
Thirty-fourth session
4–5 November 2019

Summary of Stakeholders' submissions on San Marino*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of San Marino stakeholders' submissions¹ to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations² and cooperation with international human rights mechanisms and bodies³

2. OSCE/ODIHR noted that San Marino was a party to major international and regional instruments related to the holding of democratic elections. It stressed that the Constitution affirmed that all signed international agreements on the protection of human rights prevailed over national legislation.⁴

3. CGNK recommended the ratification of the Convention on Enforced Disappearances and the Statelessness conventions.⁵

4. CHR of CoE urged the authorities to ratify the revised European Social Charter and the Istanbul Convention on preventing and combating violence against women and domestic violence.⁶

5. CGNK recommended the ratification of the Kampala amendment of the Rome Statute on the Crime of Aggression and the Second Protocol to the Hague Convention of 1954 for the Protection of Cultural Property in the Event of Armed Conflict of 26 March 1999.⁷

6. CHR of CoE encouraged San Marino to ratify the ILO Convention No. 189 on Domestic Workers.⁸

* The present document was not edited before being sent to United Nations translation services.



7. CGNK noted with regret that San Marino did not have a permanent diplomatic mission in Geneva⁹ It encouraged San Marino to enhance its presence in Geneva.¹⁰

8. ICAN noted with appreciation that San Marino ratified the UN Treaty on the Prohibition of Nuclear Weapons in 2018.¹¹

B. National human rights framework¹²

9. CHR of CoE observed that San Marino did not have an ombudsperson institution or other national human rights structure established in accordance with the Paris Principles.¹³ It encouraged the Sammarinese authorities to set up a human rights body in compliance with the Paris Principles which could, given San Marino's circumstances, also act as an equality and anti-discrimination body.¹⁴

10. ECRI recommended San Marino to amend Criminal Law to include colour and language among the prohibited grounds for discrimination. It should also prohibit violence or incitement to commit such acts and consider them as aggravating circumstances in sentencing for criminal offences. It also recommended San Marino to enact a comprehensive civil and administrative legislation prohibiting racial discrimination in all areas of life and set up by law an independent specialised body to combat racism and racial discrimination at national level.¹⁵

11. While acknowledging the goodwill and efforts, despite extremely limited means, of the Commission for Equal Opportunities, CHR of CoE considered that this body was far from satisfying the essential requirements of independence (both de jure and de facto) and effectiveness for the good operation of an equality body.¹⁶

12. CHR of CoE recommended the introduction of a legal framework ensuring the legal recognition of a person's gender in a swift, transparent and accessible way based on self-determination. He also recommended the introduction of legal protection for same-sex couples, in the form of a civil union or registered partnership, and in the meantime, the extension of the current protection enjoyed by couples cohabiting *more uxorio* (as husband and wife) to same-sex couples, including for stay permits.¹⁷

13. GRETA urged the San Marino authorities to adopt a policy document (in the form of an action plan or strategy) in the area of trafficking in human beings (THB) or to incorporate action to combat THB in an already existing policy document plan. This should cover action to raise awareness of THB and to provide training to relevant professionals.¹⁸

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination¹⁹

14. ECRI recommended that the systems for monitoring manifestations of racism be improved, and that relevant information disaggregated according to categories such as ethnic or national origin, religion, nationality and language be collected and that data concerning manifestations of racism and racial discrimination be generated.²⁰

15. ECRI recommended San Marino to do more to raise awareness among the population, and particularly potential victims of hate speech, of the criminal law provisions relating to racism and racial discrimination, as well as of the remedies provided for by law.²¹

16. ACFCPM recommended San Marino to pursue an open and comprehensive approach towards the integration of society by strengthening legislative, administrative and other measures aimed at the promotion of tolerance and inter-cultural respect among the majority of the population and increase awareness-raising activities to avert potential racial discrimination and intolerance.²²

17. ECRI recommended that the authorities pursue their efforts to guarantee, as soon as possible, equality of treatment in medical assistance between San Marinense and resident foreigners or those with stay permits.²³

18. CHR of CoE observed that while discrimination, hate speech and hate crimes on the basis of sexual orientation had thus become criminal offences, no similar provision existed for gender identity or sex characteristics. The Commissioner also observed that there was no constitutional or other provision expressly providing for equality before the law irrespective of sexual orientation, gender identity or sex characteristics, nor specific civil or administrative law provisions explicitly prohibiting discrimination on these grounds in the field of employment, access to goods or services, or any other area.²⁴

19. CHR of CoE encouraged San Marino to promote the public's awareness of diversity and respect for all persons' sexual orientation and gender identity, notably through human rights education and awareness-raising campaigns, including in schools.²⁵

20. CPT recommended San Marino to assess the capacity to express valid consent of all residents nursing homes; that cases of persons who are not in a position to express valid consent be communicated to the guardianship judge for the implementation of a measure of investment; ensure that any placement in a nursing home without consent is reviewed, at regular intervals, by an appropriate authority.²⁶

2. Civil and political rights

Right to life, liberty and security of person

21. CGNK recommended the Government of San Marino to provide support to the statistical office of San Marino to improve the knowledge of the conditions under which the right to life prospers.²⁷

22. CGNK observed that San Marino was one of the 26 countries in the world that had achieved total disarmament. Except for the "Guardia di Rocca", an honorary guard performing ceremonial duties and if need be helping the police, San Marino has neither armed forces, nor any heavy weaponry and thus has reached a state of non-militarisation.²⁸

23. CGNK recommended the adoption of a violence prevention plans as advocated for by the World Health Organisation.²⁹

24. CGNK recommended San Marino to train the police and all law enforcement forces in non-violent techniques to prevent and avoid or to strictly limit any use of force; set up a totally independent mechanism to control any use of force, including non-violent; and equip the police forces with non-lethal weapons.³⁰

Administration of justice, including impunity, and the rule of law³¹

25. CPT recommended San Marino to ensure that information on their rights is systematically given orally to all persons deprived of their liberty by the police, for any reason whatsoever or, from the very beginning of their de facto deprivation of liberty. An information notice on the rights should be provided to all such persons upon arrival at a law enforcement agencies and its content should be properly explained to them in order to ensure that they are able to understand their rights and exercise them effectively. This manual should be available in an appropriate range of languages. In addition, the persons concerned should be required to sign a declaration stating that they have been informed of their rights in a language they understand.³²

26. CPT recommended San Marino to ensure that records containing relevant information on the beginning and end of the deprivation of liberty and the implementation of fundamental guarantees are kept in each law enforcement establishment in such a way that they can be found retrospectively (in paper or electronic form). The information relating to the implementation of fundamental guarantees should understand when the person was informed of their rights and when he/she has had contacts or visits from relatives, a lawyer, a doctor or a representative of consular services.³³

27. CPT encouraged the authorities to take the measures to guarantee to a person deprived of his/her liberty the respect of the right to inform a close to or a third of his/her detention in all circumstances. It also expressed hope that the authorities will ensure full respect for the law any person deprived of his or her freedom of access to a doctor (including of his or her choice) from the very beginning of the deprivation of liberty.³⁴

28. CPT recommended San Marino to implement the long-planned work at the prison to enable the organization of a programme of motivating activities or find an alternative solution, for example by building a prison facility outside the historic city.³⁵

29. CPT recommended San Marino, concerning medicines and pharmacy management for prisoners: take measures to ensure that medical data is no longer accessible to non-medical staff; ensure that any newcomer to the prison is examined by a health professional in within 24 hours of admission; establish an intervention protocol for isolation and a register to record any isolation, its duration and the measures taken.³⁶

30. CGNK recommended San Marino to forward peaceful settlement of disputes within the country as it is internationally mandatory by upholding and making mediation procedures easily available to all individuals and social groups.³⁷

31. CGNK recommended San Marino if not yet so, to criminalize war and violence propaganda in the national legislation as prescribed by article 20 of the Covenant on Civil and Political Rights.³⁸

*Fundamental freedoms and the right to participate in public and political life*³⁹

32. OSCE/ODIHR observed that while defamation still remained a criminal offence, Sammarinese jurisprudence had established that the right to freely express political criticism should prevail over the right to protection of the honour of persons with public responsibilities, in line with the case law of the European Court of Human Rights.⁴⁰

33. CHR of CoE encouraged that the Sammarinese authorities to decriminalise defamation, which should be dealt with through strictly proportionate civil sanctions only, and review the punishment for disclosing pre-trial information.⁴¹

34. CHR of CoE acknowledged that the new law on publishing and the profession of media operators was adopted to address legitimate concerns relating to the regulation of the journalistic profession and journalistic ethics. However, the provisions contained in this law regarding the enforcement mechanism of a future code of ethics were of serious concern as they went beyond the framework of self-regulation and carried a risk of undue interference with media content. The Commissioner urged the authorities to replace this mechanism with one that is more respectful of the freedom of the media and the principle of self-regulation.⁴²

35. CHR of CoE noted that these considerations prompted the adoption by San Marino of a Law on publishing and the profession of media operators in December 2014. This law defines the rights and obligations of journalists and establishes a statutory order of journalists (Consulta per l'Informazione) with which every journalist (including radio/TV journalists, web journalists, and photojournalists) must register. On-line publications such as blogs or social media posts by individuals, associations or political parties are not considered as web journalism. The Commissioner noted that the law also contained provisions protecting journalists, such as those enshrining their right to protect the secrecy of their sources or to act in the name of public interest.⁴³

36. CHR of CoE observed that another feature of the law was the establishment of an Authority (Autorità Garante per l'Informazione) with five members appointed by the Parliament. The Commissioner highlighted that the interests of media owners and journalists did not necessarily coincide or may at times be even in conflict. As a result, the Commissioner was concerned that the viewpoint of journalists will not necessarily be represented within the Authority.⁴⁴

37. CHR of CoE observed that the authorities could have envisaged far less intrusive measures by encouraging and supporting journalists to develop a genuine self-regulation mechanism. This could have included, for example, entrusting the tasks of both developing

and enforcing a journalistic code of ethics to a representative body of journalists such as the Consulta.⁴⁵

38. CoE welcomed efforts made by San Marino to set clear duties and responsibilities for journalists and media operators, in particular as concerns the protection of minors and disadvantaged groups and the protection of privacy and fundamental rights. However, the draft code did not allay the concerns the Commissioner had expressed in his last report on San Marino. In particular, the body which was entrusted with the enforcement of the code of conduct, and which ultimately retained the power to interpret and apply the said code in individual cases, was an externally appointed body in which journalists were not necessarily represented. The risk of undue interference and the potential chilling effect that this system might entail was of serious concern. Therefore, the Commissioner reiterated his recommendation to replace this mechanism with a system which is more respectful of freedom of the media and the principle of self-regulation.⁴⁶

39. OSCE recommended San Marino to deploy an Election Expert Team (EET) for the 20 November early parliamentary elections, to focus its efforts on the effectiveness of the campaign finance regulation and overall independence and effectiveness of media oversight. Given the number of concurrent election-related activities that took place across the OSCE region in the autumn of 2016, and non-available resources, the EET to the 2016 early parliamentary elections in San Marino was not deployed.⁴⁷

40. OSCE/ODIHR expressed confidence in the professionalism and impartiality of the election administration and no concerns were raised regarding the technical preparations and conduct of elections.⁴⁸

41. OSCE/ODIHR NAM interlocutors expressed dissatisfaction with the lowering of the number of preferential votes, noting that this could decrease the chances for women to be elected, as well as negatively impacting the representativeness of some MPs due to the potentially low number of preferential votes needed to be elected.⁴⁹

42. OSCE/ODIHR expressed concerns about possible vote-buying, especially in respect of incentives offered to out-of-country voters and a lack of campaign finance transparency and the absence of adequate oversight mechanisms.⁵⁰

Prohibition of all forms of slavery

43. GRETA observed that no victims of trafficking in human beings (THB) have ever been identified in San Marino. GRETA has not received any reports concerning possible cases of human trafficking in San Marino, even though some sectors of the economy (agriculture, hotels, restaurants) may represent risks of exploitation. Further, as already noted in GRETA's first report, domestic workers and private carers for the elderly and disabled persons (the so-called "badanti"), living in the households where they work, could potentially be exposed to risks of THB.⁵¹

44. GRETA considered that the San Marino authorities should criminalise the use of services, with the knowledge that the persons providing them are victims of THB, for all types of exploitation.⁵²

45. GRETA urged the San Marino authorities to adopt such legislative or other measures as may be necessary to identify victims of THB, and in particular to: provide indicators for the identification of victims of THB for different forms of exploitation to all professionals who may come into contact with possible victims of trafficking, to enable the proactive detection of signs of trafficking; develop a multi-disciplinary framework for the identification and referral to assistance of victims of trafficking, involving law enforcement agencies, labour inspections, health-care staff, social workers and child protection authorities; and increase efforts to proactively identify victims of THB for the purpose of labour exploitation, paying particular attention to at-risk sectors, by effectively involving labour inspectors and trade unions.⁵³

46. GRETA considered that the San Marino authorities should ensure effective access to compensation for victims of THB, including by: enabling victims of THB to exercise their right to compensation by building the capacity of legal practitioners to support victims to claim compensation and including compensation in existing training programmes for law

enforcement officials and the judiciary; and ensuring that victims of trafficking are entitled to have access to the victims' assistance fund and making full use of it to provide State compensation to any identified victims of THB.⁵⁴

47. GRETA noted that the San Marino authorities should ensure that the return of victims of trafficking is conducted with due regard for their rights, safety and dignity, including the right to non-refoulement. It also considered that the authorities should establish voluntary return procedures which would protect victims of THB from re-victimisation and re-trafficking and, in the case of children, fully respect the principle of the best interests of the child, including pre-removal risk assessment. Full consideration should be given to the UNHCR's guidelines on the application of the Refugees Convention to trafficked people.⁵⁵

48. GRETA invited the San Marino authorities to keep under review the effectiveness of the legislation establishing criminal liability of legal persons for the offence of THB.⁵⁶

49. GRETA considered that the San Marino authorities should take measures to ensure compliance with the principle of non-punishment of victims of THB for their involvement in unlawful activities, including administrative offences, to the extent that they were compelled to do so, as contained in Article 26 of the Council of Europe Convention on Action against Trafficking in Human Beings. Such measures should include the adoption of a specific legal provision and/or the development of guidance for police officers, prosecutors and judges on the scope of the non-punishment provision.⁵⁷

50. GRETA urged the San Marino authorities to introduce awareness raising on THB for different forms of exploitation, both for the general public and in a targeted manner for groups at risk. The awareness raising should be accompanied by research and the impact of the measures should be assessed.⁵⁸

51. GRETA considered that the San Marino authorities should enhance their efforts to encourage the involvement of civil society actors and the private sector in activities aiming at achieving the purposes of the Council of Europe Convention on Action against Trafficking in Human Beings, including prevention, awareness-raising, training of relevant professionals, identification and assistance of victims of THB.⁵⁹

52. GRETA encouraged the San Marino authorities to sign and ratify the Council of Europe Convention against Trafficking in Human Organs as this would contribute to the prevention of trafficking for the purpose of organ removal.⁶⁰

53. GRETA considered that the San Marino authorities should continue developing international co-operation for the purpose of training relevant professionals, raising awareness of THB, improving the identification of victims and providing them with necessary accommodation and assistance.⁶¹

3. Economic, social and cultural rights

Right to work and to just and favourable conditions of work⁶²

54. GRETA considered that the San Marino authorities should increase their efforts to conduct and support research on THB-related issues as an evidence base for future policy measures. Areas where research could be conducted include THB the purpose of labour exploitation in different sectors of economy (domestic work, agriculture, construction, hospitality) and trafficking in children for different forms of exploitation.⁶³

55. GRETA considered that the San Marino authorities should take further measures to prevent trafficking for the purpose of labour exploitation, including by: raising awareness amongst migrant workers and the general public of THB for the purpose of labour exploitation; strengthening the mandate of labour inspectors with a view to preventing THB for the purposes of labour exploitation in different sectors of the economy and in private households; training labour inspectors, law enforcement officers, prosecutors and judges on combating THB for the purpose of labour exploitation, identifying victims of trafficking for labour exploitation and the rights of victims.⁶⁴

Right to health

56. CPT recommended that San Marino, concerning psychiatric hospitalisation, immediately create a unit composed of a few beds/rooms that can be used for to receive, under appropriate conditions, patients in a state of acute crisis, and in particular patients undergoing involuntary treatment.⁶⁵

57. CPT recommended San Marino to take the necessary measures to ensure that patients placed in health treatment have the effective right to be heard in person by the guardianship judge, preferably on hospital premises, during the placement procedure ; take the necessary measures to ensure that the guarantees referred to in paragraph 50 are applied in case of mechanical restraint.⁶⁶

58. CHR of CoE encouraged the authorities to review the very strict criminal law provisions concerning abortion in the light of the approach of the Parliamentary Assembly of the Council of Europe and relevant international human rights bodies.⁶⁷

59. CGNK observed that abortion was strictly limited in San Marino. While abortion is not forbidden if the life of the mother is in danger, legal abortion has a strong preventive effect. It stressed the need for an improvement of adoption practices to allow for the survival of the foetus.⁶⁸ It recommended the Authorities of San Marino to open their policies on abortion, at least for cases of duress.⁶⁹

60. CGNK noted that child under 5 mortality is magnificently low (2.2 /1'000, world 39.1 / 1'000), well below SDG 3.2 (10 / 1'000), however, figure for maternal mortality is missing.⁷⁰

*Right to education*⁷¹

61. CGNK recommended to guarantee education for peace and non-violence at all levels of the school system, as promoted by SDG 4.7 and to educate to human rights as advocated by numerous UN resolutions and action plans. It also recommended to report about the implementation of these activities in its next SDG voluntary report and UPR reports.⁷²

4. Rights of specific persons or groups*Women*⁷³

62. CHR of CoE observed that San Marino signed the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) in April 2014, but had not ratified it yet.⁷⁴

63. CHR of CoE particularly welcomed the adoption in 2008 of a Law for combatting violence against women and gender-based violence. In addition to thoroughly modifying criminal law provisions (for example by establishing injury, rape or murder committed by a partner or a member of the household as aggravating circumstances and by defining trafficking-related offences, as well as persecutory acts such as stalking or mobbing), the law also introduced several protective measures for the victims.⁷⁵

64. CHR of CoE observed that private carers (*badanti*) for older persons or persons with disabilities might be in a particularly vulnerable situation. Private carers are mostly women from third countries, who live in the households where they work and who were found to be potentially vulnerable to trafficking and exploitation by the Council of Europe Group of Experts on Action against Trafficking in Human Beings (GRETA). A particular issue concerned the fact that their stay permits are valid for a maximum period of 11 consecutive months per year. The obligation to leave San Marino after the expiry of the 11-month stay permit, even if the person could come back one month later, is seen as putting these women at a disadvantageous and precarious situation.⁷⁶

65. However, CHR of CoE The Commissioner was pleased to note that the authorities acknowledged the need to address some of these issues and that they were examining, for instance, means of facilitating co-operation between services responsible for private carers and services used by the latter, and measures to make it easier for the *badanti* to turn to trade unions, courts and the Equal Opportunities Commission for protection.⁷⁷

66. CHR of CoE noted that San Marino abolished only relatively recently some dated legal provisions, such as those in the citizenship legislation, removed in 2004, preventing Sammarinese women from transmitting citizenship to their children at birth. Important progress has nevertheless been made in recent decades, including regarding women's participation in the labour market. As of 2015, women made up around 45% of the workforce, most being employed in the public sector. However, according to official employment statistics, the unemployment rate for women was 11.56% as of May 2015, significantly higher compared to the rate for men (6.43%).⁷⁸

67. OSCE/ODIHR observed that while women were well represented in the election administration, they were underrepresented in elected office. The impact of the gender quota on candidate lists can be limited due to the system of preferential voting.⁷⁹

68. CHR of CoE observed that the representation of women in politics remains very weak, despite some legislative measures to bolster it.⁸⁰

69. CHR of CoE noted with appreciation that San Marino should take resolute measures to combat gender stereotypes, starting from the earliest levels of education, and to guarantee a much better participation of women in political life, taking account of the relevant Council of Europe standards.⁸¹

*Children*⁸²

70. GRETA considered that the San Marino authorities should take additional measures to prevent trafficking in children, in particular by: closely following developments on the labour market, tourism and hospitality industries, as well as migration trends, to detect children in vulnerable situations, in particular any children at risk of sexual exploitation or child labour; strengthening the role and capacity of the child protection systems to prevent trafficking in children and alerting other relevant stakeholders to possible cases of trafficking; and promoting online safety of children and alerting relevant actors of risks of trafficking in children committed through the misuse of the Internet.⁸³

71. GRETA urged the San Marino authorities to develop procedures for the identification and referral to assistance of child victims of trafficking, including by: setting up a child identification mechanism based on inter-agency co-operation which takes into account the special circumstances and needs of child victims, involves child specialists and ensures that the best interests of the child are the primary consideration; ensuring that relevant actors (police, service providers, NGOs, child protection authorities, social workers) are adequately trained and provided with guidance to enable them to proactively identify child victims of THB.⁸⁴

*Persons with disabilities*⁸⁵

72. CHR of CoE urged thorough review of the Sammarinese legal capacity legislation in the light of the Convention on the Rights of Persons with Disabilities. The aim of this review should be to abolish full incapacitation and plenary guardianship, including the attendant restriction of political rights, without delay and to gradually phase out any substitute decision-making and replace it with supported decision-making alternatives based on consent.⁸⁶

73. CHR of CoE recommended further measures against disability discrimination in the labour market.⁸⁷

*Migrants, refugees, asylum seekers*⁸⁸

74. ACFCPM encouraged the authorities to enhance an open and comprehensive approach towards the inclusion of migrants and integration of society and to strengthen awareness-building measures on tolerance and discrimination amongst the majority population to avert potential racial discrimination and intolerance.⁸⁹

75. CPT urged San Marino to no longer use prison as a humanitarian accommodation facility in the future, and ensure that migrants have easy access to a procedure that guarantees a high level of individual assessment of the risk of ill-treatment in the event of the person's expulsion concerned to the country of origin or to a third country.⁹⁰

76. ECRI observed with appreciation the review, in 2015, of the legislation on the length of stay and of work permits for non-nationals had reduced job insecurity for foreign workers and, in particular, for private carers.⁹¹

77. CHR of CoE encouraged the Sammarinese authorities to pay special attention to women of foreign nationality in San Marino, and in particular to private carers and domestic workers. He welcomed the extension of the 11-month period of stay to 12 months, but considers that this measure should also be supported with better attention, including through labour inspections, to the working conditions of these women. The Commissioner was of the view that San Marino should ensure an orientation system, supported by integration measures, laying more emphasis on informing private carers of their human rights, including social rights, and the ways in which they can request support from the authorities, legal professionals and trade unions if faced with the risk of exploitation.⁹²

78. ECRI welcomed the fact that access to naturalisation was now governed by ordinary legislation and no longer by extraordinary legislation.⁹³

79. ECRI recommended that the participation of foreign residents in the political life of San Marino be promoted by granting them voting and eligibility rights in local elections. It also recommended to review the provisions governing the acquisition of San Marinese nationality through naturalisation in order to introduce more flexibility regarding dual nationality.⁹⁴

80. LC urged San Marino in line with Article 5 of the Convention to effectively screen all persons who, by their professions, have regular contact with children affected by the refugee crisis for convictions of acts of sexual exploitation or sexual abuse of children in line with their internal law.⁹⁵

81. LC urged San Marino, since examining the family situation is important where there are suspicions of child sexual exploitation or abuse, to take the necessary measures to avoid risks that the child may be abused or exploited in case of family reunification.⁹⁶

82. LC urged San Marino that have not yet done so to take the necessary legislative or other measures to ensure that child victims of sexual exploitation and sexual abuse affected by the refugee crisis may benefit from therapeutic assistance, notably emergency psychological care.⁹⁷

83. LC urged San Marino to encourage the co-ordination and collaboration of the different actors who intervene for and with children affected by the refugee crisis to ensure that appropriate support may be provided immediately after the disclosure of sexual exploitation and sexual abuse.⁹⁸

84. LC urged San Marino to make use, within the context of the refugee crisis, of the specific co-operation tools already available in the framework of Europol/Interpol which are specifically aimed at identifying victims of sexual exploitation and sexual abuse.⁹⁹

Notes

¹ The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

CGNK

Center For Global Non Killing, Genève (Suisse);

ICAN

The International Campaign to Abolish Nuclear Weapons.

Regional intergovernmental organization(s):

CoE

The Council of Europe, Strasbourg (France).

Attachments:

CHR of the CoE Report by Nils MUIŽNIEKS Commissioner for human rights of the CoE;

Letter to the Minister for Labour of San Marino;

European Commission against racism and Intolerance, report on San Marino;

ACFCPM Advisory committee on the framework convention for the Protection of minorities;
 CM of CoE Resolution of the Committee of Ministers;
 GRETA Report concerning the implementation of the Council of Europe Convention Against Trafficking in Human Being by San Marino, 2019;
 LC Lanzarote Committee, Council of Europe Convention on Protection of Children against Sexual Exploitation and Sexual Abuse, also known as “the Lanzarote Convention;
 CPT Comité pour la Prévention de la Torture et des peines ou traitements inhumains (rapport 2013);
 OSCE Organization for Security and Co-operation in Europe, Vienna (Austria).

² The following abbreviations are used in UPR documents:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination.
ICESCR	International Covenant on Economic, Social and Cultural Rights;
OP-ICESCR	Optional Protocol to ICESCR;
ICCPR	International Covenant on Civil and Political Rights;
ICCPR-OP 1	Optional Protocol to ICCPR;
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty;
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women;
OP-CEDAW	Optional Protocol to CEDAW;
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
OP-CAT	Optional Protocol to CAT;
CRC	Convention on the Rights of the Child;
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict;
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography;
OP-CRC-IC	Optional Protocol to CRC on a communications procedure;
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families;
CRPD	Convention on the Rights of Persons with Disabilities;
OP-CRPD	Optional Protocol to CRPD;
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance.

³ For relevant recommendations see A/HRC/28/9, paras. 78.1-78.16, 78.21-78.24, 79.1-79.6, 80.1-80.8.

⁴ OSCE/ODIHR page 3.

⁵ CGNK, page 5.

⁶ CHR of CoE, page 1.

⁷ CGNK, page 7.

⁸ CHR of CoE, page 11

⁹ CGNK, page 5.

¹⁰ CGNK, page 5.

¹¹ ICAN, page 1.

¹² For relevant recommendations see A/HRC/28/9, paras. 78.17, 78.19, 80.9-80.10.

¹³ CHR of CoE, page 8.

¹⁴ CHR of CoE, page 8.

¹⁵ ECRI, page 9.

¹⁶ CHR of CoE, page 8.

¹⁷ CHR of CoE, page 1 et 2.

¹⁸ GRETA, page 8.

¹⁹ For relevant recommendations see A/HRC/28/9, paras. 78.18, 78.20, 78.25-78.30, 78.38, 79.7-79.11, 80.11.

²⁰ ECRI, page 15.

²¹ ECRI, page 9 et 10.

²² ACFCPM, page 2.

- 23 ECRI, Page 28
- 24 CHR of CoE, page 14-15.
- 25 CHR of CoE, page 16.
- 26 CPT, page 31.
- 27 CGNK, page 6.
- 28 CGNK, page 6.
- 29 CGNK, page 7.
- 30 CGNK, page 7.
- 31 For relevant recommendations see A/HRC/28/9, paras. 78.36.
- 32 CPT, page 27.
- 33 CPT, page 27.
- 34 CPT, page 28.
- 35 CPT, page 28.
- 36 CPT, page 29.
- 37 CGNK, page 7.
- 38 CGNK, page 7.
- 39 For relevant recommendations see A/HRC/28/9, paras. 79.12–79.13, 79.15.
- 40 OSCE/ODIHR, page 9.
- 41 CHR of CoE, page 1.
- 42 CHR of CoE, page 1.
- 43 CHR of CoE, page 5.
- 44 CHR of CoE, page 5.
- 45 CHR of CoE, page 6.
- 46 CoE, page 3.
- 47 OSCE, page 1.
- 48 OSCE/ODIHR, page 1.
- 49 OSCE/ODIHR, page 4.
- 50 OSCE/ODIHR, page 2.
- 51 GRETA, page 7.
- 52 GRETA, page 20.
- 53 GRETA, page 15.
- 54 GRETA, page 18.
- 55 GRETA, page 19.
- 56 GRETA, page 20.
- 57 GRETA, page 21.
- 58 GRETA, page 10.
- 59 GRETA, page 23.
- 60 GRETA, page 26.
- 61 GRETA, page 23.
- 62 For relevant recommendations see A/HRC/28/9, paras. 79.17.
- 63 GRETA, page 9.
- 64 GRETA, page 11.
- 65 CPT, page 30.
- 66 CPT, page 30.
- 67 CHR of CoE, page 1.
- 68 CGNK, page 5.
- 69 CGNK, page 5.
- 70 CGNK, page 5.
- 71 For relevant recommendations see A/HRC/28/9, paras. 78.43.
- 72 CGNK, page 7.
- 73 For relevant recommendations see A/HRC/28/9, paras. 78.31-78.33, 79.13–79.14, 79.16.
- 74 CHR of CoE, page 8.
- 75 CHR of CoE, page 8 et 9.
- 76 Ibid, page 9
- 77 HR of CoE, page 9.
- 78 CHR of CoE, page 10.
- 79 OSCE/ODIHR, page 2
- 80 CHR of CoE, page 10.
- 81 CHR of CoE, page 11.
- 82 For relevant recommendations see A/HRC/28/9, paras. 78.34, 78.35, 78.37.
- 83 GRETA, page 12.
- 84 GRETA, page 16.

- ⁸⁵ For relevant recommendations see A/HRC/28/9, paras. 78.39-78.42, 78.44–78.45.
⁸⁶ CHR of CoE, page 1.
⁸⁷ CHR of CoE, page 1.
⁸⁸ For relevant recommendations see A/HRC/28/9, paras. 78.46.
⁸⁹ ACFCPPM, page 7.
⁹⁰ CPT, page 29.
⁹¹ ECRI, page 10.
⁹² CHR of CoE, page 11.
⁹³ ECRI, page 10.
⁹⁴ ECRI, page 10.
⁹⁵ LC, CoE p. 7.
⁹⁶ Ibid.
⁹⁷ Ibid.
⁹⁸ Ibid.
⁹⁹ Ibid.
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