

United Nations Human Rights Council 14th session  
UPR San Marino  
ILGA-Europe and COC Netherlands

Thursday June 10<sup>th</sup> 2010

Mr. President,

We note that San Marino is not able to accept recommendations 20 and 21 made by the working group, which called San Marino to ensure that people belonging to sexual minority groups have access to equal rights and are afforded the same level of protection. As reflected in the recommendation, this equality can be reached through the establishment of adequate legislation and awareness-raising activities, education and training programmes that promote the integration of sexual minorities.

In its response, the delegation stated that the law prohibits any discrimination and guarantees equality but that the category 'sexual minorities' is not provided for by legislation. However, the delegation stated that discrimination on the basis of sexual orientation is provided for in the legal system. We ask the delegation to clarify whether, and if so how, discrimination against LGBT people is explicitly reflected in existing awareness-raising activities, education and training programs.

Mr. President, only with the explicit prohibition of discrimination against people on the basis of sexual orientation and gender identity, will the law sufficiently protect people against discrimination on an equal level with other grounds of discrimination.

We welcome San Marino's support for the historic joint statement on sexual orientation, gender identity and human rights, as it was delivered in December 2008 at the General Assembly, and recommend that the *Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity* be applied as a guide to assist in policy-making.

Thank you Mr. President.