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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

### **San Marino**

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## **I. Introduction**

1. The promotion and protection of human rights is a national priority for the Republic of San Marino. 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 second report on the human rights situation at national level during the twentieth session of the UPR Working Group (A/HRC/WG.6/20/SMR/1) on 29 October 2014. The Working Group adopted its report on San Marino on 31 October 2014. The Human Rights Council then adopted the Working Group Report at its 28th session on 18 March 2015 (A/HRC/28/9). During this exercise, a total of 74 recommendations were submitted to San Marino, of which 55 were accepted and 19 were rejected with explanations.
4. This report focuses on the measures taken by the Government and the administration since October 2014 in the field of human rights to implement the recommendations accepted during the second round of monitoring and on the progress made in the protection of human rights in areas not affected by the recommendations.

## **II. Methodology**

5. This report has been prepared by the Department of Foreign Affairs with the involvement of and in consultation with all the other San Marino Ministries and various 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 Third Evaluation Round of San Marino and the possibility to send comments, suggestions and recommendations to the Government through the press and direct requests. The suggestions and recommendations received are contained in Title V of this report.
7. In order to facilitate full sharing of the national report, the latter 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](http://www.esteri.sm)).

## **III. Regulatory and institutional framework**

8. In addition to the human rights protection bodies already mentioned in the previous reports, Law no. 28 of 10 March 2015 established San Marino Commission for the implementation of the UN Convention on the Rights of Persons with Disabilities (CSD ONU), with the task of: promoting, protecting and monitoring the implementation of said Convention at the national level; proposing a three-year action plan for the promotion of the rights of persons with disabilities; identifying and proposing internal coordination mechanisms within the Government to facilitate related actions in different sectors and at different levels; systematically collecting data and promoting the implementation of studies and research activities. This Commission is made up of seven members: three identified from among the presidents of San Marino associations of persons with disabilities, one representing the trade unions, two chosen by the majority political parties and one by the minority ones from among people with skills related to disability issues.

9. Moreover, on 9 October 2017, an inter-sectoral working group was established to achieve the objectives of the UN 2030 Agenda, with the aim of analysing the SDGs and developing inter-sectoral strategies and common policies to achieve them.

**Recommendations 78.11 to 78.13 concerning the alignment of national legislation with the Rome Statute of the International Criminal Court**

10. According to Article 1 of the Declaration on the Citizens' Rights of the Republic of San Marino, generally recognised rules of international law are an integral part of San Marino legal system. Regularly signed and implemented international agreements on the protection of human rights and freedoms prevail over domestic legislation in case of conflict. Therefore, they are not only recognised as criteria for the interpretation of domestic legislation, that is to say criteria for the adoption of legislative measures, but they are also and above all directly applicable, even in the absence of a specific domestic implementing law, and they also prevail in case of conflict. The Rome Statute of the International Criminal Court is therefore fully applicable at national level.

11. San Marino was the first European State to ratify the Rome Statute on 26 April 1999 and great attention has always been paid by our State to the work of the Court. San Marino pays great attention to the Court's requests for cooperation, by transmitting them to the competent bodies of the Court for their assessment and by promptly fulfilling the requests.

12. Furthermore, on 23 October 2013, San Marino acceded to the Convention on the Prevention and Punishment of the Crime of Genocide and, following this accession, Law no. 138 of 5 September 2014 "Provisions for the Prevention and Punishment of the Crime of Genocide" was approved. This Law is aimed at preventing and combating the crime of genocide by equating the offences provided for by San Marino law with those generally recognised by international law.

**A. International human rights instruments**

13. The Republic of San Marino is part of the main international and regional human rights instruments. In considering the international conventions to be ratified, it is established practice that ratification should 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 78.1 to 78.16 concerning the ratification of international instruments and the adjustment of domestic legislation to international standards**

14. In the last five years, the Republic of San Marino signed and/or ratified a large number of international and regional human rights instruments.

15. In accordance with the recommendations accepted in the second UPR round:

(a) on 4 November 2014, San Marino accepted the Amendments on the crime of aggression to the Rome Statute of the International Criminal Court, made in Kampala on 11 June 2010;

(b) on 20 July 2015, San Marino acceded to the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, done at New York on 10 December 2008, also accepting the competence of the Committee on Economic, Social and Cultural Rights under Articles 10 and 11 of the Covenant;

(c) on 27 September 2018, San Marino acceded to 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) Accession to the Agreement on the Privileges and Immunities of the International Criminal Court, done at New York on 10 September 2002, is being approved by the Parliament;

(e) Accession to the UNESCO Convention against Discrimination in Education, done at Paris on 14 December 1960, is being approved by the Parliament.

16. The following important international human rights instruments were ratified within the framework of the Council of Europe in the last five years: Protocol 16 to the Convention for the Protection of Human Rights and Fundamental Freedoms of the Council of Europe (ratified in 2015), European Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data (ratified in 2015), European Agreement concerning persons participating in procedures before the European Court of Human Rights (ratified in 2015), Revised European Convention for the Protection of the Archaeological Heritage (ratified in 2015), Council of Europe Convention on preventing and combating violence against women and domestic violence (ratified in 2016), Council of Europe Convention on Cybercrime and its Additional Protocol on the incrimination of acts of a racist and xenophobic nature committed through information systems (ratified in 2019).

17. San Marino also ratified other important international instruments in the field of human rights, such as the Arms Trade Treaty (ratified in 2015), the Paris Agreement (ratified in 2018), the Treaty on the Prohibition of Nuclear Weapons (ratified in 2018) and the International Labour Organization's Convention no. 183 – Maternity Protection Convention (ratified in 2019).

18. Recognising the importance of providing San Marino citizens and foreigners living in San Marino territory with the possibility to use international mechanisms to report and complain when they consider that their fundamental rights have been violated, San Marino also deposited, on 4 August 2015, the declarations under Article 41 of the International Covenant on Civil and Political Rights (ICCPR) and under Articles 21 and 22, paragraph 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

19. In addition, in 2017 and 2019 important measures were taken to bring national legislation into line with international conventions and standards on the prevention and combating of money laundering and terrorist financing. In 2017 the National Security Strategy to combat terrorism was adopted. This Strategy encompasses the various San Marino stakeholders in the field of terrorism and is complemented by a plan of action to be applied in the event of a potential or actual threat of a terrorist attack. To support the implementation of the Strategy, in January 2019 San Marino Parliament approved the establishment of some bodies (Permanent Counter-Terrorism Commission, Counter-Terrorism Squad, Counter-Terrorism Crisis Unit) specifically responsible for coordinating San Marino's activities to prevent and combat international terrorism.

## **B. Collaboration with monitoring bodies**

### **Recommendations 78.20-78.24 and 79.6 concerning the submission of outstanding reports to the United Nations treaty bodies**

20. The problem of delays in the submission of periodic reports by San Marino to the monitoring bodies of the United Nations is now well known and numerous recommendations were made to San Marino for the submission of outstanding national reports.

21. In the period under consideration, San Marino unfortunately managed to present only one national report, i.e. the report under the ICCPR, whose discussion before the Human Rights Committee was held on 19 and 20 October 2015.

22. San Marino Government attaches great importance to the functions of monitoring the application of international standards, both in terms of verification and of stimulus and encouragement to improve. In numerous 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.

23. San Marino has also demonstrated its willingness to cooperate fully by extending, from April 2003, a permanent invitation to visit San Marino to all thematic special procedures. To date, San Marino has not received any visits.

24. In addition, over the last 4 years, some bodies of the Council of Europe have visited San Marino on a regular basis: from 9 to 10 June 2015 the Commissioner for Human Rights, from 7 to 9 March 2017 the European Commission against Racism and Intolerance (ECRI) and from 20 to 22 February 2018 the Group of Experts on Action against Trafficking in Human Beings (GRETA). All of them were provided maximum cooperation and the Government responded and followed up on the questions and recommendations addressed to it.

**Recommendation 79.6 on the development of human rights indicators according to the OHCHR framework**

25. The IT, Technology, Data and Statistics Office is responsible for the collection, processing and publication of official statistical data of the Republic of San Marino. The statistical data are published on the Office's website [www.statistica.sm](http://www.statistica.sm). The Office is studying the guidelines contained in the publication of the Office of the High Commissioner for Human Rights entitled "Human Rights Indicators: A Guide to Measurement and Implementation".

26. The Office is engaged in collecting data on the basis of the indicators of the SDGs of the UN 2030 Agenda and, to this end, provides support to the Departments composing the 2030 Agenda Working Group.

## **IV. Protection and promotion of human rights**

### **A. Equality, non-discrimination and specific rights holders**

**Recommendations 79.8-79.10 on strengthening the institutional and legal framework to counter all forms of discrimination**

27. San Marino has a comprehensive legislation and active policy to promote the equality of all persons before the law and equal treatment in all areas.

28. The recent constitutional amendment of Article 4 of Law no. 59/1974 and subsequent amendments extended the application of the principle of equality before the law, which already excluded distinctions based on sex, personal, economic, social, political and religious conditions, now explicitly excluding distinctions referring to sexual orientation. The proposed constitutional amendment was approved in a confirmatory referendum held on 2 June 2019: the population of San Marino voted in favour of the proposed amendment with a percentage of 71.46%.

29. The fundamental principle of equality expressed in Art. 4 of the Declaration on the Citizens' Rights is further applied in concrete terms in Law no. 66 of 28 April 2008 "Provisions on racial, ethnic, religious and sexual discrimination", which supplemented the provisions of the current Criminal Code. A new offence was introduced with Article 179 bis, which punishes anyone disseminating by any means ideas based on racial or ethnic superiority or hatred, or inciting someone to commit, or committing discriminatory acts on the grounds of race, ethnicity, nationality, religion or sexual orientation. This offence can be prosecuted ex officio. Article 179 bis was then amended with Law no. 57 of 6 May 2016 "Rules adjusting San Marino legal system to the provisions of the Council of Europe Convention on preventing and combating violence against women and domestic violence" by introducing the prohibition of discrimination based on gender identity. The Law also establishes as an aggravating circumstance the commission of an offence for discriminatory purposes.

30. On a practical and substantial level, the Authority for Equal Opportunities, established by Law no. 97 of 20 June 2008, is competent to receive any report of abuse or illegal acts related to discrimination and is attributed a wide range of powers, to intervene

effectively on services, institutions or bodies that may be involved. The Commission for Equal Opportunities, established by Law no. 26 of 25 February 2004, has the main task of fully implementing the provisions on equality and non-discrimination contained in the Declaration on the Citizens' Rights.

31. San Marino has long developed a comprehensive system of social protection for all, regardless of their ethnic, national or linguistic origin, particularly focused on the labour sector. A consolidated and widespread trade union system provides appreciable and efficient protection to meet any needs or in case of any complaint. With particular reference to the work sector of care for the elderly, which primarily involves workers having a foreign nationality, language and origin, important steps have been taken for the integration and facilitation of the authorisation procedures. A helpdesk was set up at the Social Security Institute (ISS) for the recruitment of caregivers to the elderly in Italian, English and Ukrainian, which helps families and caregivers to obtain the authorisations necessary to enter into a proper and controlled employment contract. To promote the linguistic integration of this and other categories of workers, the Ministry of Education organises regular evening Italian language courses for foreigners.

### **Recommendations 78.25 and 79.7 on strengthening anti-discrimination measures and public awareness programmes**

32. The above-mentioned bodies - Authority and Commission for Equal Opportunities - by virtue of the functions assigned to them at the time of their establishment, are engaged in the territory in the drafting of periodic strategies. These strategies are useful to plan awareness, study, dissemination and training actions in the areas falling within their competence, therefore including discrimination based on ethnic origin, nationality or language.

33. There are several initiatives aimed at raising public awareness against discrimination, which are conducted in all areas, from schools of all levels, to adults' awareness and the labour world. Awareness plans are primarily aimed at vulnerable groups.

34. San Marino invests a lot of human and economic resources in building an educational and training system strongly characterised by integration, inclusion, solidarity and interculture. These themes have always been addressed in San Marino schools and constitute the first bulwark in the prevention of potential hate speech. San Marino joined the Council of Europe's "No Hate Speech" Campaign, following a direct call from Their Excellencies the Captains Regent (Heads of State) against incitement to hatred and racism, involving schools at all levels in the development of projects for this campaign. The awareness campaign "No Hate Speech - San Marino" culminated in the first march against hatred and intolerance of 13 May 2018.

35. In the health sector, "mixed-use car parks" have been created: an identification mark is issued for parking in parking areas to people with motor disabilities, pregnant women and parents with children up to one year of age, without indicating the vulnerable category on the mark. This initiative aims to avoid discrimination and stigmatisation of fragile groups.

36. As evidence of the attention paid by San Marino to this topic, from 31 March to 2 April 2019, the Sixth High-Level Meeting of Small Countries of the World Health Organization was held in San Marino on the theme of equity and sustainable development.

## **1. Women**

### *Violence against women*

### **Recommendations 78.31, 78.32, 78.33 on strengthening of measures in the prevention and repression of violence against women and gender violence**

37. The already mentioned Law no. 57/2016 has introduced, in compliance with the provisions set out in the Council of Europe's Istanbul Convention, new crimes relating to violence against women, gender and domestic violence. In particular, the offences of forced marriage, female genital mutilation and forced sterilisation have been introduced. Moreover, Article 235 of the Criminal Code has been amended in relation to family

maltreatment, also introducing the offence of domestic violence, and Article 179 bis of the Criminal Code has been supplemented with the prohibition to discriminate based on gender identity.

38. Delegated Decree no. 56 of 17 May 2018 has introduced a series of provisions to provide the Authority for Equal Opportunities with operational tools aimed at coordinating all stakeholders involved in the prevention and protection of victims of violence. In recent years, the Authority has been providing information on and raising awareness of the provisions of the Law and has signed, in collaboration with the Social Security Institute, important agreements with reception facilities outside the territory to ensure effective support for victims of violence.

39. Numerous initiatives aimed at preventing and combating violence against women and gender violence have been organised in collaboration with the Authority and the Department of Human Sciences of the University of San Marino, and in synergy with public and private bodies. Among these, worth mentioning are the following:

(a) training courses for police forces, educators and health and social personnel on the correct application of the legislation on violence against women and gender violence;

(b) Education to Affectivity Project, developed by the Observatory on Young People ("Osservatorio Giovani"), according to the guidelines of the Council of Europe's Pestalozzi Project;

(c) training theatre workshops linked to the wider project "Theatre and Citizenship", which were developed with a view to prevention, with the aim of hindering the emergence of problematic situations and promoting forms of self-protection of the younger generations by increasing their personal and social resources;

(d) multidisciplinary activities for young people developed in collaboration with the Cultural Institutes, which aim to investigate diversity, starting from gender differences, to reflect on the possibility of recognising and enhancing them, to prevent discrimination and violent behaviour;

(e) seminars to "recall" the new legislation on the fight against gender violence destined to schools but accessible to all operators involved in the network of services, in collaboration with the San Marino Association of Lawyers and Notaries.

#### *Discrimination against women*

#### **Recommendation 79.13, 79.14 and 79.16 on measures to ensure greater participation of women in political life and greater political representation of women, including in ministerial positions**

40. San Marino has a very advanced legislation and provides for guarantees regarding the participation of women in politics and elected offices. Under Article 15 of Law no. 6/1996 and subsequent amendments, the electoral lists for the election of the Great and General Council (Parliament) shall not include more than two thirds of candidates of the same gender (the so-called "gender quotas"). In addition, the same electoral legislation provides that in the event of a tie between two candidates, the first criterion on which to make the choice is gender, and in case of a different gender, the woman is the winner. In this process of emancipation, worth noting is that, to date, 25% of the Parliament's members are women.

41. In the six-month mandate from 1 April to 1 October 2017, for the first time two women were elected Captains Regent (Heads of State).

42. Currently, the Government has only one female member out of seven ministers, but recently (2008-2012 legislature) two key ministries (Foreign Affairs and Internal Affairs) were run by two women for the entire legislature.

43. The full participation of women in policy and decision-making processes is monitored by the aforementioned Commission and Authority for Equal Opportunities.



44. The Commission and the Authority often promote initiatives to raise public awareness of the difficulties encountered by women in their daily lives: to mention just one of these initiatives, on 8 March 2019, on the occasion of Women's Day, the initiative "In our shoes" was organised, with a particular focus on national activities and legislation to combat discrimination against women in both the labour and the political world.

45. In 2017, San Marino joined the Group of Friends for Gender Equality, with the aim of promoting women's leadership as a prerequisite for promoting international peace and development.

## 2. Sexual orientation

### **Recommendations 78.29, 78.30, 79.11 and 80.11 (the last two not accepted) concerning the protection of the rights of all individuals, regardless of sexual orientation**

46. As already mentioned, Law no. 57/2016 introduced the prohibition of discrimination based on gender identity.

47. With Law no. 147 of 20 November 2018, San Marino has introduced a completely new and modern institution, mainly for the protection of same-sex couples, i.e. the "Law regulating civil registered partnerships", under which the legal system recognises equal dignity, rights and safeguards to civilly registered partners, both homosexual and heterosexual couples, compared to married ones. Citizens who decide to register their partnership civilly, in accordance with the aforementioned Law and its Regulation, acquire the same status as married couples in terms of residence and succession, cohabitation, mutual assistance, inheritance rights and other matters, whether the couple is of the same sex or of a different sex.

48. Sexual education programmes are carried out in schools at all levels where education is compulsory, accompanied by emotional education programmes: these two aspects are never separated from each other in view of an integrated and complex education. Moreover, in this regard, programmes are implemented concerning education on respect for others, non-violence, as well as inclusion and solidarity amongst peers. The "Curriculum of education to citizenship" has been introduced as part of the ongoing reform of San Marino school curricula. This curriculum expressly provides for knowledge of LGBT rights.

## 3. Children

### *Filiation*

#### **Recommendation 78.26 on the elimination of the legal concept of "children born outside wedlock"**

49. Natural children (born outside wedlock) enjoy the status of legitimate children for all legal and practical purposes (Art. 48 of Law no. 49 of 26 April 1986 "Reform of family law"). Also the very recent law on civil registered partnerships confirms that recognition of natural children, in case of civil registered partnerships, is subject to Law no. 49/1986.

50. Another epoch-making step in the recognition of equal gender rights was introduced by Law no. 173 of 26 November 2015 "Equal transmission of the surname". Under the new Law, parents can choose together the surname to be given to the new-born: that of the father, of the mother or both in alphabetical order.

### *Corporal punishment*

#### **Recommendations 78.34 and 78.35 concerning the prohibition of corporal punishment**

51. Law no. 140 of 5 September 2014 was passed to supplement and introduce more strict penalties for the crime of corporal punishment, in particular against minors, by amending both the Criminal Code and Law no. 49/1986, which is supplemented with the prohibition of corporal punishment within the context of the right to education of the child.

52. Educators, social services, police forces and health professionals, both public and private, are required to report to the Law Commissioner acting as civil Guardianship Judge any act of violence against women, minors or gender violence of which they become aware. Teachers of schools of all levels are required to report promptly to the Minors' Service the facts of which they become aware.

53. Following the aforementioned ratification of the Istanbul Convention, the provisions of said Convention which were not yet provided for in the domestic legislation have been transposed into national law.

54. Extensive information is provided in the country to combat all forms of violence against children. In 2015, San Marino joined the day established by the Committee of Ministers of the Council of Europe against sexual abuse and exploitation of children, through intense awareness raising activities against sexual abuse aimed primarily at parents and educators. This also involved the civil society and State television, which broadcast the advertisement produced by the Council of Europe entitled "Kiko and the Hand", as part of the Council of Europe's Campaign called "One in five".

55. In 2016, the Department of Human Sciences of the University of San Marino, in collaboration with the Authority for Equal Opportunities, organised an in-depth seminar aimed at all San Marino teachers of all levels to provide them with adequate training in the prevention and suppression of violence against women and gender violence, as well as violence against children. The aim of the seminar was to provide teachers with up-to-date training in the light of San Marino laws and the Istanbul Convention, and to offer them useful tools for the prevention, identification and reporting of violence. With regard to the prevention and repression of violence against women and gender violence, in addition to school staff, the University of San Marino is called to train categories such as those related to law enforcement, the judiciary, professional associations and health and social services.

#### *Criminal liability of minors*

56. Law no. 140/2014 also increased from 12 to 14 years the age of criminal liability of minors envisaged in the Criminal Code and provided for the reduction of the punishment from one to two degrees for children over 14 but not over 18 years of age, and the possibility for the judge to apply the reduction of the punishment to those who, when the crime was committed, were not older than 21 years of age.

#### *Bullying and cyberbullying*

57. At its sitting of 15 March 2017, San Marino Parliament addressed the social phenomena of bullying, cyberbullying and all addictions associated with the web that threaten the social inclusion of young people, especially those of school age. The debate that opened in Parliament on this topic was useful to compare the various services involved, in order to adopt short, medium and long term interventions enhancing preventive actions and the role of adults.

58. The Ministries of Foreign Affairs, Health and Social Security and Education have therefore launched a shared project to promote targeted interventions and support services for minors with respect to all problems concerning new media.

59. San Marino joined the WePROTECT Global Alliance programme, a network of States, international organisations and non-governmental organisations dedicated to national and global action to stop online sexual exploitation of children.

60. Collaborations have been started with the socially oriented non-profit organisation (ONLUS) Telefono Azzurro Child and with the Italian Coordination of Services against Child Maltreatment and Abuse to promote training courses for health and socio-health personnel and teachers.

61. San Marino school has promoted several initiatives in recent years destined to teachers, children and families on the specific theme of bullying, cyberbullying and addictions associated with the web aimed at countering these problems, developing responsible attitudes towards others and promoting an educational culture against violence.

62. With regard to cyberbullying, a draft law on cybercrimes was submitted for the first reading. This draft law provides for the introduction of two new criminal offences, with the relevant punishments, of cyberbullying and cyberstalking, as well as the crime of abusive dissemination of personal images (revenge porn).

*Protection of minors in armed conflicts*

63. On 14 February 2019, the Republic of San Marino acceded to the Vancouver Principles on peacekeeping and prevention of the recruitment and use of child soldiers.

64. On 2 April 2019, San Marino also took part in the launch of the initiative "ACT to protect Children" for the promotion of greater awareness and action to improve the protection of children involved in armed conflicts.

#### 4. Persons with disabilities

##### **Recommendations 78.39–78.45 concerning the adoption of appropriate legislation to guarantee the rights of persons with disabilities and the implementation of the Convention on the Rights of Persons with Disabilities**

65. On 10 March 2015, San Marino Parliament approved Law no. 28 "Framework law for the assistance, social inclusion and rights of persons with disabilities", with the following aims: ensuring full respect for human dignity and the rights of freedom of persons with disabilities; promoting inclusion in schools, at work and in society, by removing the conditions of exclusion that prevent the full development of the person; pursuing the functional and social recovery of those affected by physical, mental, sensory and intellectual problems, either temporary or permanent, as well as their legal protection, by prohibiting any direct and indirect discrimination and recognising the family the right to receive assistance and protection in supporting family members with disabilities. The Law was fully implemented through a series of delegated decrees that have completed and supplemented its provisions.

66. Law no. 81 of 5 June 2015 established and regulated support administration that allows persons suffering from a physical and/or psychological impairment to be represented and assisted by a person appointed by the Judge for the performance of specific activities and acts that they are not able to carry out autonomously. The support administration is characterised by the proportionality and flexibility of the protective measures that can be adopted, which allow the judge to shape the content in consideration of the real needs of the beneficiary, by reducing the rights and powers to the minimum extent necessary to ensure adequate protection.

67. Delegated Decree no.14 of 1 February 2018 "Prevention of disability, health and rehabilitation of persons with disabilities, support to persons with disabilities and their families" has provided San Marino health system with the basis for a more structured and efficient organisation of prevention, early diagnosis, treatment and rehabilitation of persons with disabilities, as well as arrangements for more adequate and functional access to services. The above-mentioned Delegated Decree has created the Disability Area for the reform and reorganisation of all areas and services that today deal, in different ways, with disabilities, allowing for greater coordination of services.

68. This Delegated Decree has included in San Marino system parental leaves to help the families of disabled persons or persons with serious diseases. These parental leaves were then extended by Decree Law no. 47 of 21 March 2019 to introduce the maximum total duration of leaves of 2 years, even divided into months, for parents of children over the age of 14 affected by a very serious disability (included among serious acquired brain injuries and very serious muscle injuries). This Delegated Decree also regulates the possibility of "donating" holidays or days of paid leave to colleagues who have to assist persons with severe disabilities.

69. Among the measures recently implemented, worth mentioning is the creation, within the State Hospital, of "Soft Corners" for disabled children to make reception and waiting more quiet.

70. A new delegated decree on labour inclusion of persons with disabilities will soon be submitted. This delegated decree will also cover people with social disadvantage and/or disadvantaged persons. Its approval is expected by the end of the summer.

71. In addition, on 27 February 2019, a popular petition was approved to commit the Government to taking the necessary steps for the recognition of Italian sign language (LIS).

**Recommendation 78.43 on inclusive education for children and persons with disabilities**

72. The right to education of persons with disabilities is enshrined in Article 23, paragraph 2 of Framework Law no. 28/2015.

73. In order to ensure an inclusive education system at all levels and lifelong learning, Delegated Decree no. 105 of 1 July 2015 on the right to education, training and school inclusion of persons with disabilities was approved. This Delegated Decree includes comprehensive and effective provisions to ensure the full development of human potential, sense of dignity and self-esteem of persons with disabilities. This Delegated Decree introduces some fundamental new elements: a specialised teacher for educational support and inclusion and the concept of integrated life project, which is translated into the "Individualised Education Plan".

74. Furthermore, Law no. 142 of 9 September 2014 "Regulations on specific developmental disorders in school and training" formally recognised dyslexia, dysgraphia, dysorthography, dyscalculia, speech disorders, motor coordination and behavioural disorders as specific developmental disorders. These disorders occur in the presence of adequate cognitive capacity, in the absence of neurological disorders and sensory deficits, but may severely limit certain activities of daily life. The above Law has established the Technical Commission for School Inclusion as the body responsible for the implementation of school inclusion programmes, with the task of monitoring, testing and assessing interventions. The Technical Commission subsequently adopted specific guidelines for the right to study of students with specific developmental disorders.

**Recommendations 78.44 and 78.45 on bringing all public buildings up to code so that they are accessible by persons with disabilities**

75. The legislation on the accessibility of buildings by persons with disabilities has recently been amended by Law no. 140 of 14 December 2017 "Consolidated Text of Urban and Building Laws", which provides for the removal of architectural barriers. Article 153 of this Law commits the Ministry of Territory and Environment to preparing a census of the works, structures and buildings owned by the State, verifying in advance the de facto situation and subsequently planning the interventions to be made for an adequate accessibility of public buildings and places.

76. In recent years, the mapping and surveying of existing buildings has been completed and the necessary interventions to improve accessibility in various historical places within the Historic Centre have been reported to the competent offices. Therefore, also following the admission of a popular petition submitted by a group of citizens, a multi-year plan for the removal of architectural barriers in public buildings has been prepared.

77. In order to guarantee the right to travel of persons with disabilities, for some years San Marino has been carrying out the sustainable accessibility project entitled "San Marino for all", in order to guarantee accessibility by persons with disabilities also in the historic centre, which has not a fully accessible territorial conformation. The project has allowed the mapping of the routes to visit the areas of greatest tourist interest and the creation of a real tourist guide for persons with special needs. As proof of the validity and importance of the project, the World Tourism Organization chose San Marino as the venue for the first European conference on accessible tourism, which took place on 19 November 2014.

78. Since 2018, the Card called "PiùPerTe" (more for you) has guaranteed easy access to cultural and recreational places for persons with disabilities and facilitated conditions in many structures on the territory of San Marino for events, including sporting events, and

transport. This card is issued to persons with special needs, whether they are residents or temporarily staying in San Marino for tourism purposes.

79. In March 2019, in order to further improve the reception of tourists with special needs, the open-air Tactile Museum TACTILIA was inaugurated in the historic centre, to make the artistic and cultural heritage of the historic centre, included in the UNESCO World Heritage List, accessible by visitors with visual, hearing and motor disabilities.

80. With Law no. 88 of 30 May 2019, special incentives have recently been approved for holders of public taxi or car and driver hire licences, who intend to adapt their vehicles for the transport of persons with disabilities.

## **5. Elderly people**

81. Delegated Decree no. 21 of 24 February 2016 "Measures in favour of the elderly and dependent persons with disabilities who rely on continued assistance established the "assistance desk" at the Home Territorial Service. At this desk, the reception operator is available to provide information and support for the starting and completion of procedures related to continued assistance. The Home Care Territorial Service has the task of providing basic training and assessing the suitability of private carers for home care work. The main aim is to ensure that the services offered by the private market meet adequate quality standards, so that the elderly and disabled persons are assisted by appropriate home carers.

82. Following a Decision of January 2018 approved by Parliament, the Government was given a mandate to draw up an overall proposal for active policies aimed at the third and fourth age groups, i.e. welfare and economic needs, social inclusion, support for the family, by promoting a culture of solidarity - also thanks to the collaboration and active involvement of the local municipalities, voluntary associations and social partners present in our territory - as well as by fostering social and civic responsibility. This work is currently underway and the Ministry of Health has set up a forum with the parties concerned.

## **B. Civil and political rights**

### **1. Right to life, liberty and security of person**

83. San Marino continues to protect the right to life from conception to natural death: the Criminal Code punishes the crime of murder and injury, both intentional and negligent, infanticide, incitement or assisted suicide and procured abortion.

84. The decriminalisation of the termination of pregnancy and the protection of parenthood (and life) have long been debated during the parliamentary session of 7 June 2019; two bills of popular initiative were illustrated in the first reading: "Support to parenthood and unborn children" and "Rules on conscious and responsible procreation and voluntary termination of pregnancy". Discussion on the two bills is currently underway.

85. Death penalty was abolished in San Marino in 1830, temporarily reintroduced following riots, it was finally repealed in 1865. San Marino was the first country in Europe and the third in the world to abolish the death penalty; indeed, in international fora, San Marino pays great attention to initiatives aimed at the abolition of the death penalty in the world.

### **2. Administration of justice and right to a fair trial**

#### **Recommendations 78.17 and 78.36 concerning the passing of a new Code of Criminal Procedure**

86. By Qualified Law n. 1 of 26 February 2019, San Marino introduced regulatory measures to promote better operation of its judicial system.

87. The Association of Lawyers and Notaries of San Marino and the Court have recently met to start a collaboration project aimed at reforming various aspects relating to justice, including the updating of the current rules on criminal procedure.

88. On 26 April 2017, the Parliament approved the law reforming the prison system, in order to comply with the recommendations of the CPT. In particular, the Observation and Treatment Group was set up, with the task of proposing a tailored programme for each inmate, after obtaining judicial and prison, clinical, psychological and social data, and after conducting interviews with the inmate, also in order to stimulate critical review of the facts for which conviction intervened, the reasons and negative consequences of the crimes committed, as well as the remedial actions. In addition, work both inside and outside the prison was introduced, in order to allow a better rehabilitation after the detention and an easier reintegration into society.

89. After the signing of a memorandum of understanding between the Court, various Ministries, the Department of Institutional Affairs and Justice, the Legal Institute of the University of San Marino and the Association of Lawyers and Notaries on 5 June 2019, the judgements of San Marino case law, divided by subject and introduced by a summary highlighting the legal principles, will soon be published on-line and will be available on a dedicated website that will ensure rapid access by professionals and stakeholders.

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

90. The relevant legal instrument is Law n. 118 of 28 June 2010 on the entry and stay of foreigners in the Republic of San Marino. It has undergone numerous changes over the years, as a result of reflections and suggestions from different sectors, deriving both from the experience in applying the law and rules currently in force, and from the recommendations of international bodies (in particular ECRI and GRETA).

91. By Law no. 118/2015, the following amendments have been introduced:

(a) stay permits for family reunification and reunion have been extended to previously unregulated cases, in order to protect both family unity and parental relationships;

(b) the possibility of issuing a stay permit to a cohabiting partner with a continuous stability of at least 5 years has been recognised;

(c) a new permit for cohabitation has been introduced, i.e. a permit for cohabitation for solidarity purposes and mutual aid;

(d) the differences in treatment between San Marino citizens by origin on the one hand and citizens by naturalisation or marriage on the other, as regards the possibility of granting residence to legitimate children, both biological and adopted children, have been eliminated.

92. San Marino has not established any procedure for processing and adjudicating asylum applications. However, Law no. 118/2010 has introduced the "extraordinary stay permit for humanitarian reasons of social protection". This permit, issued by the Congress of State, may be granted in case of special humanitarian needs of social protection and, according to the legislative amendments of 2016, also to victims of trafficking and violence. The recent Law no. 78 of 17 May 2019 introduced the possibility for the competent Parliamentary Commission to transform the extraordinary permit for humanitarian reasons into an ordinary stay permit or into permanent residence, after a continuous stay in the Republic of at least 2 years. This possibility is intended to support the integration in the Republic of persons who have benefited from the extraordinary permit mentioned above.

93. Delegated Decree no. 122 of 24 September 2018 introduced into San Marino legal system the possibility for 20 cross-border workers per year, who have continuously worked for at least 15 years, to obtain ordinary residence in the Republic. If the quota is exceeded, a draw shall be made.

### **Recommendations 78.28 and 78.46 on measures to facilitate the integration of migrants and to promote tolerance and intercultural and religious dialogue**

94. For several years, San Marino has devoted great attention to intercultural and interreligious dialogue and has promoted a culture of peace and non-violence by organising

events on these issues. The Republic has been an active part in the organisation of high-level international meetings such as the “meetings on the religious dimension of intercultural dialogue” of the Council of Europe, and regularly hosts exhibitions, conferences and meetings to reflect on the theme of dialogue.

95. Since 2016, the "Dialogue Forum" has been held annually in San Marino. Its purpose is to promote dialogue among different religious, social and cultural realities, and involves both associations and the academic and religious world. The event is organised by various non-governmental organisations and benefits from the patronage of the State.

96. Exhibitions and cultural events on these themes are also organised on a regular basis. For example, in 2016 two exhibitions on religions and two on refugees were organised in San Marino: the itinerant exhibition "Le Lacrime di Dio, Ebrei Cristiani ed Islamici in dialogo" (the tears of God, a dialogue among Jews, Christians and Muslims), an intercultural and interreligious contemporary exhibition, which follows a previous event in the Republic entitled "I figli di Abramo" (Abraham's sons), dedicated to the sacred art of the three monotheistic religions; a photographic and infographic exhibition on refugees, entitled "Open Migration", displayed in the Government Building, besides various photographic exhibitions on the tragedy of migrants and today's conflicts. The exhibition by San Marino artists entitled "Il mare dentro: migranti di oggi e di ieri" (the sea inside: today's and yesterday's migrants) was held between the end of 2016 and the beginning of 2017.

97. In implementation of an Agreement signed with the Sant'Egidio Community in 2012, San Marino joined the Humanitarian Corridors Project and received, in 2016, a family from Syria.

#### **4. Right to citizenship**

98. The acquisition of San Marino citizenship by naturalisation is regulated by Law no. 38 of 22 March 2016 and its implementing Regulation. This Law has introduced an important element in this field, namely the possibility of obtaining citizenship by naturalisation automatically on reaching the necessary years of residence, thus overcoming the previous need to issue an extraordinary law. The effects of naturalisation automatically extend to the minor children of the naturalised parent who has applied for it, provided that they are resident on the date of application.

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

99. Since October 2014, elections have been held in the Republic of San Marino for the renewal of Parliament (2016), the renewal of Township Councils (2014) and two rounds of referendums (2016 and 2019).

100. Following the invitation to the OSCE and participating States to observe the pre-term parliamentary elections of 20 November 2016, the OSCE/ODIHR conducted a Needs Assessment Mission in San Marino from 10 to 12 October 2016 and decided not to send an observation mission.

101. Following the referendum round of 15 May 2016, San Marino Parliament approved Qualified Law no. 2/2016 on the elimination of the quorum requirement for the approval of a referendum question and Qualified Law no. 3/2016, which reduces from three to one the preferences that the voter can express in the general elections for the renewal of Parliament.

#### **6. Right to privacy and family life**

##### *Right to privacy*

102. Despite the negotiations of the Association Agreement with the European Union have not yet been completed, San Marino has decided to transpose into domestic legislation the contents of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the processing of personal data. The Regulation has been transposed into San Marino law by accepting all provisions contained therein. The administrative process

of full implementation of the relevant Law has been started, in particular by establishing a Data Protection Authority, which is already in place and fully operational.

### *Right to family life*

#### **Recommendation 78.37 concerning the defence of the institution of the family**

103. San Marino continues to defend the institution of the family. In recent years, as already extensively discussed above, numerous measures have been implemented to protect the weakest and most vulnerable groups. Some important interventions have been made to support persons with disabilities, with particular reference to measures supporting families taking care of them.

104. Decree Law no. 117 of 4 September 2018 "Measures to support parenting and family care" also extended parental leave in cases where, in the first 14 years of life, the child, although not disabled, develops a very serious disease, even temporary, such as to make the permanent assistance of a parent necessary.

105. Decree Law no. 47 of 21 March 2019 "Integration and extension of interventions in support of families" provides for special measures of solidarity with the family, such as the right to be absent from work, either alternately or jointly, some forms of flexible and accessible leave from work, and the possibility for colleagues of people who care for the disabled to donate their holidays.

106. Many financial aid measures are available to families facing a situation of poverty, although temporary. The measures are aimed at supporting households facing particular economic difficulties, taking into account the needs and number of members of the household, paying special attention to single-income families with minor dependent children, disabled, elderly or in situations of social malaise.

## **C. Economic, social and cultural rights**

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

#### **Recommendation 78.27 on measures 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**

107. Law no. 115/2017 and subsequent amendments introduced incentives for the hiring of certain categories of workers, including women returning to work after the period of abstention provided for maternity or adoption and women enrolled in the unemployment lists of part-time jobs that are hired for a new job for less than 25 hours per week.

108. In addition, a special economic bonus has been introduced for companies that employ female workers on an open-ended basis. This bonus could only be used for 2018 and only in case of women not falling within one of the categories described above.

109. Delegated Decree no. 22/2018 reorganised the services dedicated to businesses and workers and created two new offices: the Office for Economic Activities (UAE) and the Vocational Training and Active Policies Centre (CFP-UPAL). In particular, the latter office deals with the management of labour supply and demand and with monitoring compliance with labour standards and access to social safety nets.

110. With reference to the rights of migrant workers in San Marino, Article 2 of Law no. 115/2017 liberalises the hiring of workers who are not San Marino citizens, resident foreigners or people holding ordinary stay permits, against payment by the employer of an annual amount equal to 4.5% of the taxable social security contribution of the worker hired. This amount finances the "Fund for Active Labour Policies", which is also aimed at retraining San Marino or resident labour force and matching labour demand and supply. Therefore, the purpose of Law no. 115/2017, the so-called "Development Law", is to address the economic crisis - and therefore the employment crisis - by favouring and



promoting businesses on San Marino territory. According to the data compiled by the Statistical Office, from March 2018 to March 2019 the number of workers increased by 552 people, of which 80% come from the Italian surrounding areas (cross-border workers).

**Recommendation 79.17 on the monitoring of compliance with and enforcement of employment safety regulations, especially in the construction and mechanical industries**

111. Law no. 31/1998 on health and safety in the workplace outlines the general principles of prevention of accidents and occupational diseases and the tools for prevention and control in general for all types of activities carried out by San Marino companies.

112. The Prevention Department of the Social Security Institute carries out workplace surveillance activities in all occupational sectors, as well as risk prevention and promotion of health and well-being in the living and working environment. The Occupational Safety Unit of the Prevention Department deals with the assessment of hazards and risk factors related to safety, in order to prevent accidents in the workplace and consequent damage to the health of workers. This Unit deals in particular with planned and emergency surveillance activities to verify compliance with accident prevention safety regulations, both in companies and on construction sites, and it issues, in the event of non-compliance, immediately enforceable orders and/or instructions.

**2. Right to health and social security**

113. In the health and socio-health field, the services for patients have been increased and expanded on the basis of the 2015-2018 Health and Socio-Health Plan adopted by the Parliament and still in force, which outlines the guidelines of San Marino's health system. During the period under review, the main updates in the field of health and social security can be summarised as follows.

114. In November 2017, the only private rest home in San Marino was transformed into a public facility, thus increasing the number of publicly assisted elderly people from 70 to 116. In this way, almost all care for the elderly and people with cognitive deficits in San Marino became State-owned. Following this unification, several private health staff members became health public employees under specific regulatory interventions.

115. The enhancement of the vaccination service is important for prevention purposes, according to the guidelines of the WHO. Indeed, in January 2017 the National Vaccine Commission was established and the vaccination calendar was revised, with the inclusion and extension of further free and other recommended vaccinations.

116. In 2015, the programme for the eradication of Hepatitis C virus from San Marino was started thanks to the use of new drugs. This objective can be considered as achieved as the last patients suffering from this infection are finishing their treatment (July 2019).

117. The number of agreements and collaborations has been increased with neighbouring regions and centres of excellence in Italy for specialist treatments and therapies that cannot be provided in San Marino. Indeed, since its establishment to today, the universalistic health system of San Marino allows the coverage of health costs for its citizens even if they have to travel outside the territory for all the necessary health services that cannot be provided in San Marino.

118. Law no. 139 of 6 November 2018 "Provisions regulating Health Directors of the Social Security Institute" has modified the rules of recruitment and management of health personnel, through the simultaneous creation and recognition of the managerial role of doctors employed and to be employed by the Social Security Institute. The adoption of this Law has allowed in a very short time to increase specialised staff within our State Hospital, which in recent years had suffered a sharp reduction.

119. Decision no. 79 of 29 December 2016 established the multidisciplinary and intersectoral panel for the planning and coordination of health promotion and education interventions in schools, with the aim of connecting the school and socio-health sectors for the organisation of initiatives promoting health and well-being among students. This panel is active and meets once a month.

120. Law no. 112 of 23 August 2016 "Provisions on the protection of individuals suffering from celiac disease" and subsequent implementing Regulation has implemented a popular petition requesting San Marino Parliament to provide support to individuals suffering from celiac disease, through a series of interventions to facilitate integration into the social life of individuals with celiac disease and provide them with adequate financial support.

### **3. Right to an adequate standard of living**

#### **Recommendation 78.38 on strengthening the social programmes and plans which drive the fight against social exclusion and inequality**

121. Also San Marino has long felt the need to adopt an instrument verifying the actual economic situation of individuals and their families, when they request access to benefits subject to proof of means of subsistence or other subsidies granted, directly or indirectly, by the State. The decision to intervene is based on the problems recorded following the 2008 economic crisis. The crisis has highlighted the considerable amount of public resources used for the benefit of citizens and the need to increasingly target these resources to be able to provide appropriate assistance to the weakest groups of the population.

122. Therefore, Delegated Decree no. 80 of 20 May 2019 identified the criteria for determining the indicator of the economic condition for the equity (ICEE) of households. The introduction of ICEE makes it possible to parameter the assets of individuals or households to the actual quality of life, based on a set of data and information on income, assets and personal data. All data transmitted or held by the Administration are collected in a single database, thus creating an information system, which receives citizens' applications for preferential social benefits. This procedure is essential to be granted contributions and benefits for families.

123. Moreover, Delegated Decree no. 179 of 3 November 2014 established the Extraordinary Solidarity Fund and regulated the criteria for access to the benefits. This is a support measure, in addition to the Social Credit Fund established in 2006, aimed at quickly coping with the social and economic emergencies of individuals and families who, due the protracted economic and employment crisis, are temporarily in economic difficulties, and at ensuring their livelihood and dignity.

124. The right to adequate housing is guaranteed by Law no. 44 of 31 March 2015 "Provisions on subsidised housing", which, replacing the previous legislation on the subject, defines the conditions, methods and procedures for access to State funding aimed at supporting families residing in San Marino in order to meet their housing needs.

### **4. Right to education**

125. Delegated Decree no. 83 of 10 July 2018 "Interventions in the organisation of the school system and in the educational offer" introduced criteria for the assignment of teachers/educators, in order to meet the need of expenditure containment, while maintaining a high quality standard of the education system.

126. Human rights are taught in the San Marino school system at all levels following a cross-cutting approach, starting from kindergarten. In particular, the aim is to ensure that young people acquire skills for a sustainable development, including by focussing on a sustainable lifestyle, human rights, gender equality, the promotion of peace and non-violence, global citizenship and the enhancement of diversity.

127. In 2018 the "Indications for the curriculum of San Marino school" were approved, which define a comprehensive and progressive educational project for all levels, from kindergarten to secondary school. Since the 2018/2019 school year, the "Curriculum of education to citizenship" has been activated, introducing issues concerning citizenship, dialogue, respect for others and conflict management.

128. An important innovation in the school system concerns the introduction of the teaching of ethics, culture and society in primary school and in all higher school levels, provided for by Law no. 96 of 6 June 2019, starting from the school year 2019-2020. Until

now there were no alternative teaching activities for students exempted from the teaching of catholic religion. From now on, parents or students aged over 18 will be able to choose between two teachings of equal value and dignity: "Catholic religion" and "Ethics, culture and society", without this choice constituting grounds for discrimination or penalising the assessing of individual learning.

## 5. Right to information

129. With Law no. 211 of 5 December 2014 "Law on publishing and the profession of media operators" an important innovation in the field of the right to information was approved. This law introduced a comprehensive, structured and more protective discipline for media operators at all levels, aimed at safeguarding the impartiality and correctness of information. The law also established the Supervisory Authority for Information, introduced a code of ethics and created a self-governing body for operators (the San Marino Information Board) with the task of protecting and controlling media operators; moreover, the position of professional journalist has been introduced and rules have been established for publishers, including of on-line newspapers.

130. The Republic of San Marino also focussed on the issues of disinformation and misinformation by organising on 10 May 2019 an important high-level conference on the dangers of misinformation. This was attended by speakers from the academic and business world, as well as by experts and representatives of the relevant offices of international organisations working on information, such as the Council of Europe and the OSCE.

## V. Cooperation with civil society

### Recommendations 78.18 and 78.19 concerning cooperation with civil society

131. With Law no. 75 of 16 June 2016, the San Marino Parliament approved the new legislation on associations and voluntary activities. The Law aims to promote social and cultural associations in the Republic as an instrument of aggregation between people who, without profit, are committed to fostering socialization, integration and cultural growth of citizens. One of the main objectives of the Law is to strengthen and support the involvement in associations, also giving a strong autonomy to its governance body, i.e. the Council of San Marino Associations and the Volunteering Coordination team, which shall support all associations and manage human, material and financial resources for the promotion of non-profit activities.

132. In preparing the national report, the San Marino Ministry of Foreign Affairs invited all San Marino non-governmental organizations to participate in the review process and provide comments and recommendations, by sending contributions to the UPR Secretariat or to the Ministry itself. Information for the participation of non-governmental organisations was provided through the press, through the Council of San Marino Associations, and in some cases through direct invitations.

133. Only one San Marino association responded to the appeal and invited the Government to consider taking measures in the following areas:

(a) rights of persons with disabilities: strengthening services, facilities and strategies to adequately respond to the needs of people with psychiatric disorders, even in the case of urgent hospitalization, to avoid the use of unsuitable facilities; drawing up an inventory of the main infrastructures in which architectural barriers should be removed and the related multi-annual plans of demolition; providing training for special needs teachers through University level specialist courses, which allow to work in the school only after the relevant skills have been certified by a special commission; ensuring pedagogical continuity for students with special needs; paying more attention to the drafting of the personal educational plan, by involving parents in its drafting and periodic verification;

(b) children's and family's rights: establishing a section of the court dedicated to children's law; providing for policies aimed at promoting an inclusiveness and solidarity culture; strengthening measures to help families, including adoptive and foster families; recruiting psychologists as permanent members of school teams; considering the creation of

family counselling centre to support separated parents with children and children of separated parents; increasing the staff of the Minors' Service that deals with children's protection;

(c) justice: building a new prison, adequate to current needs; solving the problem of backlog of court proceedings.

## **VI. Final observations**

134. The previous UPR evaluation round allowed the Republic of San Marino to take important steps forward in the field of the protection and promotion of human rights, through the adoption of new measures and policies, the updating of San Marino legislation and the ratification of important international instruments, thanks to the inputs received from the recommendations of the Member States and observers of the Human Rights Council.

135. At the same time, we are confident that this evaluation round will enable us to face new challenges in order to make progress on the path we have undertaken to continuously improve the protection and promotion of human rights and to outline our future strategy.

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