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**ADVISORY COMMITTEE ON THE  
FRAMEWORK CONVENTION FOR THE  
PROTECTION OF NATIONAL MINORITIES**



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

ACFC/SRV(2021)001

## **Fifth Report submitted by San Marino**

**Pursuant to Article 25, paragraph 2 of the Framework  
Convention for the Protection of National Minorities –  
received on 22 March 2021**

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NATIONAL MINORITIES

14 February 2021

## **Report of the Republic of San Marino under the fifth monitoring cycle of the Council of Europe Framework Convention for the Protection of National Minorities**

### **Introduction**

In presenting this report under the fifth monitoring cycle of the Framework Convention for the Protection of National Minorities, it is worth reiterating what was already stated in the previous reports, as well as in the written reply of 2006 to the second opinion of the Advisory Committee and upon the adoption of Resolution CM/ResCMN(2007)3 by the Committee of Ministers at the 985th meeting of the Ministers' Deputies: the San Marino Government confirms that there are no national minorities – whether ethnic, linguistic and/or religious – in San Marino, since the foreigners living in the country are not considered to constitute a minority.<sup>1</sup> As there are no national minorities of any kind, there are no associations or non-governmental organisations in San Marino for protecting, promoting or integrating minorities, and there are no specific provisions on national minorities in domestic law. The following paragraphs describe the measures taken to combat racism and intolerance and promote dialogue and integration of foreigners living in San Marino.

### **Practical arrangements made at the national level for following up the results of the fifth cycle**

Through its website, the Ministry for Foreign Affairs highlights information from United Nations and Council of Europe monitoring bodies (reports, opinions, resolutions, recommendations, etc.), including the situation of San Marino in terms of the Framework Convention for the Protection of National Minorities. The information needed to access the text of the Framework Convention is available on the website.

### **Measures taken to improve the implementation of the Framework Convention**

Although no cases of racism or racial discrimination have been recorded in San Marino, the increasing complexity of social phenomena around and within society, together with isolated cases of “latent prejudice”<sup>2</sup> towards groups of people who are not citizens of San Marino, has prompted a cultural and legal commitment to prevention and monitoring in order to ensure that San Marino has the instruments needed to prevent the emergence of any racism, and to increase people's level of tolerance and understanding. Consequently, on 28 April 2008, the Great and General Council (San Marino Parliament) approved Law No. 66 (“Provisions on Racial, Ethnic and Religious discrimination”). The law is an important measure reaffirming the commitment of the San Marino Government to the principle of non-discrimination and implements the international commitments made by San Marino on acceding to the main international legal instruments in the field, such as Protocol No. 12 to the European Convention on Human Rights (ECHR) and the International Convention on the Elimination of All Forms of Racial Discrimination (CERD).

This law, which gives effect to the fundamental principle of equality enshrined in Article 4 of the Declaration of Citizens' Rights and Fundamental Principles of the San Marinense Legal Order, introduces the offence of racial discrimination into the San Marino Criminal Code and specifically penalises dissemination, by any means, of ideas based on ethnic or racial hatred or superiority and actual discrimination or incitement to discrimination on racial, ethnic or religious grounds.

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<sup>1</sup> The composition of the population living in the Republic of San Marino, by nationality, age and sex as at 31 December 2020 is shown in the table in the appendix. It should be noted that “resident population” comprises both foreign and San Marino nationals registered as resident in San Marino, while foreign nationals holding a residence permit for San Marino are considered to be “staying persons”.

<sup>2</sup> Resolution CM/ResCMN(2007)3 of the Committee of Ministers.

San Marino has always taken part in the International Day for the Elimination of Racial Discrimination, organised by the United Nations in memory of the Sharpeville massacre in 1960. This day sees numerous initiatives both in the media (see San Marino national television programme on 27 January 2020: <https://www.sanmarinortv.sm/programmi/closeup-p14>) and in the form of annual training seminars for teachers in all types of school in association with UNESCO and the Emilia Romagna Region (Italy). The education and sports sectors came together in a very interesting project in which the journalist, Adam Smulevich, presented his book, *Un calcio al razzismo. 20 lezioni contro l'odio* ("Kicking Out Racism: 20 Lessons to Combat Hate"), to San Marino schoolchildren on a number of occasions. On 13 May 2018, a March Against Hate was held in the historic centre of San Marino by a number of non-governmental organisations in conjunction with the San Marino Commission for Equal Opportunities, which saw a large turnout.

The Republic of San Marino is determined to promote social integration, tolerance and hospitality through its government authorities and non-governmental organisations.