

Committee of the Parties

Council of Europe Convention
on preventing and combating violence
against women and domestic violence
(Istanbul Convention)

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Reply by SAN MARINO to the reporting form on the implementation of the Recommendations of the Committee of the Parties adopted on 7 December 2021

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on preventing and combating violence against women and domestic violence

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

Strasbourg, 5 September 2024

IC-CP(2024)9

**Committee of the Parties
Council of Europe Convention
on Preventing and Combating
Violence against Women
and Domestic Violence
(Istanbul Convention)**

Reporting form on the implementation of the recommendations addressed to state parties

In accordance with Article 68, paragraph 12, of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence, the Committee of the Parties adopts, on the basis of the report and conclusions of GREVIO, recommendations addressed to state parties concerning the measures to be taken to implement the conclusions of GREVIO.

The applicable procedure for issuing recommendations was settled by the Committee of the Parties at its 4th meeting and is described in document IC-CP(2018)6. In accordance with this procedure, the recommendations call upon state parties to implement all the proposals and suggestions set out in GREVIO's baseline evaluation report. However, the obligation to report on measures taken is limited to those specifically outlined in section A of the recommendation, namely: a) all the proposals and suggestions formulated by GREVIO throughout the report which require immediate action – these are qualified by the use of the verb “urge”, and b) the proposals and suggestions related to Chapters I and II of the convention which require taking remedial action in the near future and are qualified by the use of the expression “strongly encourage”. According to the agreed procedure, state parties are given a period of three years to implement the recommendations of the Committee of the Parties and report back to the Committee.

To facilitate this reporting, state parties are requested to use this questionnaire to report on the implementation of recommendations issued by the Committee of the Parties. Recommendations not issued in relation to San Marino do not need to be reported on. Please see the accompanying letter for full details on the recommendations to be reported on by San Marino.

The reporting deadline given to San Marino expires on 8 December 2024. Information related to the monitoring of San Marino is available on the dedicated [country monitoring webpage](#).

I. Fundamental rights, equality, and non-discrimination (Article 4)			
1	Have your authorities taken measures to ensure that the provisions of the Istanbul Convention are implemented without discrimination on any grounds listed in Article 4, paragraph 3, of the convention, including in terms of the availability of services and the protection by law enforcement agencies?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
1.1	<p>If yes, please specify:</p> <p>CONCLUSION OF MEMORANDA OF UNDERSTANDING AND OPERATIONAL PROTOCOLS</p> <p>With regard to the improvement and strengthening of the services available to women victims of violence, following the adoption of the GREVIO's Baseline Evaluation Report, the anti-violence network, coordinated by the Authority for Equal Opportunities, has concluded a series of operational protocols and memoranda of understanding. In this regard, we would like to mention the following recently signed documents:</p> <ul style="list-style-type: none"> - The “Operational Protocol for cooperation and exchange of information between civil and criminal magistrates for the protection and defence of victims of domestic violence, in agreement with the Judicial Police and the Corps of the Gendarmerie, the Fortress Guard and the Civil Police, and the Lawyers' Association”. This instrument allows for greater collaboration among the jurisdictions of the Court, as well as greater coordination among the parties involved in cases of violence. 		

- The “**Protocol between the Single Court of the Republic of San Marino and the Minors' Protection Organisational Unit of the Social Security Institute on the protection of minors**” concluded in February 2024. The purpose of this protocol is to share operational models between the Minors' Protection Service and the Single Court of the Republic of San Marino, in order to facilitate the exchange of information on the existing cases, to ensure prompt responses in case of situations detrimental to minors and to monitor the implementation of the measures ordered.
- The “**Agreement between the Social Security Institute and the Confine Association**” aimed at initiating a collaboration for the rehabilitation of perpetrators, signed in 2023.
- The “**Agreement between the Professional Association of Psychologists and the Authority for Equal Opportunities**” to ensure free psychological assistance to women victims of violence, in compliance with the provisions of the Istanbul Convention.
- **Operational Protocol of the Gendarmerie Corps**, the latest version of which was updated in August 2024, concerning reports of gender-based violence requiring the intervention of the police forces.

Additional protocols are currently being drawn up to address issues such as preventing and combating violence in sports contexts, regulating the provision of financial support to victims to help them leave violence, and ensuring free legal aid.

Together with the updating of the current legislation on combating gender-based violence, the 24-hour on-call service of Social Workers and Psychologists was introduced and regulated, with the aim of guaranteeing protection and prompt intervention even during non-working hours and on public holidays. Alongside on-call service, the “Emergency Centre” was set up, i.e. a secure facility whose location is known only to the professionals of the anti-violence network. This social shelter makes it possible to overcome the practice of “social hospitalisation” of women victims of violence and any dependent minors in the State Hospital, while still guaranteeing them protection for the time needed to initiate the socio-health and legal assistance process.

UPDATING OF LEGISLATION ON THE PREVENTION AND ELIMINATION OF VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE

The Congress of State of the Republic of San Marino (Government) has recently adopted Delegated Decree no. 109 of 9 August 2024 “*Amendments to Law no. 97 of 20 June 2008 “Prevention and elimination of violence against women and gender violence” and to the Criminal Code*” and subsequently ratified by the Great and General Council (Parliament) with Delegated Decree no. 161 of 29 October 2024. The purpose of this regulatory amendment is to bring San Marino's actions in line with the principles set forth by GREVIO and to further strengthen the existing prevention instruments. Just to mention a few of the amendments introduced, the Delegated Decree:

- precisely outlines the notion of psychological violence by specifying that it shall include any intentional behaviour that seriously harms the psychological integrity of another person, carried out through various means and methods such as isolation, control, coercion, intimidation, denigration and humiliation, including in respect of persons close to the victim;
- introduces the verbal reprimand before the Commander of the Gendarmerie, as a preventive administrative measure, intended only for the perpetrators of specific offences: beatings, injuries, threats, persecutory acts and sexual harassment. It was decided to identify these offences because they cannot be prosecuted ex officio;
- specifies that, in the case of a precautionary measure prohibiting the perpetrator from approaching places usually visited by the victim, a minimum distance of 500 metres must be observed, except for proven reasons duly motivated by the Investigating Judge;
- establishes that the Investigating Judge must obtain information from the victim or from those who filed a report within 48 hours at the latest. Investigations should take place as soon as possible.
- ensures greater security and assistance to victims of violence, through the cooperation of the Court, the police, social services and the Minors' Protection Service. In particular, it is important to emphasise that in the case of minors, the competent Service, after verifying an, albeit

	<p>temporary, inability/impossibility to exercise parental authority, if it deems it necessary to place minors in protective custody, orders their placement in a protected shelter in accordance with existing protocols. This decision is promptly communicated to the Guardianship Judge within the next 24 hours;</p> <ul style="list-style-type: none"> - provides for a graduated punishment in relation to the seriousness of the case for offences referred to in Article 171 of the Criminal Code (sexual violence); - outlines new criminal offences, such as sexual harassment and solicitation of children. It also provides for an aggravating circumstance in the event that the sexual violence referred to in Article 171 of the Criminal Code (Sexual Violence) is committed against a minor; - transposing GREVIO's Recommendation no. 152 issued in its latest Evaluation Report and in accordance with Article 34 of the Istanbul Convention, in order to ensure that any threatening conduct causing the victim to fear for her or his safety, irrespective of any severe moral suffering and harm, is criminalised, the Decree amends Article 181 bis of the Criminal Code (Persecutory Acts); 			
1.2	[Optional question: if not, please specify the reasons]:			
2	<table border="1"> <tr> <td>Have your authorities taken measures contributing to prevent and combat violence against women who are or might be exposed to intersectional discrimination?</td> <td>Yes <input checked="" type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> </table>	Have your authorities taken measures contributing to prevent and combat violence against women who are or might be exposed to intersectional discrimination?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Have your authorities taken measures contributing to prevent and combat violence against women who are or might be exposed to intersectional discrimination?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>		
2.1	<p>If yes, please specify:</p> <p>An example of intersectionality can be found in Law no. 28 of 10 March 2015 "<i>Framework Law for the Assistance, Social Inclusion and the Rights of Persons with Disabilities</i>", which establishes the San Marino Commission for the Implementation of the Convention (known as the UN CSD Commission). In particular, Article 5 stipulates that the members of the UN CSD Commission shall work in close cooperation with the Authority for Equal Opportunities, thus creating an operational link between the two national institutional bodies which are responsible for the protection of the rights of persons with disabilities and the rights of women victims of violence respectively. Such cooperation is effective in situations where women face discrimination or violence not only as women, but also as women with disabilities.</p> <p>In addition, the Republic of San Marino has embarked on a path aimed at strengthening and facilitating respect for human rights at national level, through the establishment of a "Hub for Equal Opportunities and for the Prevention and Fight against Discrimination and Intolerance", which is being developed by the current Working Group referred to in Congress of State Decision no. 29 of 31 March 2017 This is a recently launched project which would make it possible to identify a single public entity of reference in the field of equal opportunities, bringing together the Authority for Equal Opportunities, the Commission for Equal Opportunities and the UN CSD Commission.</p> <p>From the first evaluations, the involvement of the UN CSD Commission within the Working Group was not foreseen, since it does not have executive powers by law. However, it was decided to involve this body in order not only to guarantee the social inclusion of persons with disabilities in San Marino social, educational and occupational context, but also to protect them with particular attention when they are victims of violence, in accordance with the principle of intersectionality.</p> <p>The Authority and the Commission for Equal Opportunities would remain separate and would maintain their current functions, but with a different composition and competences compared to the current ones. Indeed, they would have to cover all forms of intolerance and racism, incitement to hatred and violence, and also include further competences on matters related to international conventions signed by the Republic of San Marino, for which no domestic reference body has been identified yet.</p>			

	<p>Within the framework outlined above, the Commission for Equal Opportunities would have proposal and guidance functions, while the Authority for Equal Opportunities would have purely executive functions, in addition to the functions already recognised by current legislation.</p> <p>At the same time, the call for the establishment of a National Human Rights Guarantor to promote, safeguard and protect human rights has been made by various international bodies under different forms and names, such as Ombudsman or Institution for the Protection of Human Rights.</p> <p>On several occasions, the Republic of San Marino has expressed its intention to create a body dedicated to the protection and guarantee of human rights. This body will have to be integrated into the institutional system, taking into account the specificities of San Marino.</p> <p>Following the discussion on the third cycle of the Universal Periodic Review in 2019, San Marino accepted two recommendations on the establishment of the Ombudsman and the creation of a national human rights institution in line with the Paris Principles, but has not yet followed up and effectively implemented the two recommendations.</p> <p>Recently, on 18 March 2024, the Great and General Council approved a Popular Petition for the establishment of the National Human Rights Guarantor, committing the Congress of State to take the necessary measures within the limits of its powers.</p> <p>The Working Group for the establishment of the Hub for Equal Opportunities suggested and expressed its willingness to set up the Ombudsman in parallel with the establishment of the Hub as part of a comprehensive draft legislation.</p>
2.2	[Optional question: if not, please specify the reasons]:
3	<p>In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 4, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:</p> <p>With regard to the ongoing work aimed at eliminating all forms of gender-based discrimination, in May and September 2022, respectively, Delegated Decree no. 79 of 18 May 2022 and Law no. 129 of 14 September 2022 were adopted, which provide for interventions aimed at fostering employment, training and active labour market policies on the one hand, and introducing family support measures on the other. Among the purposes of Delegated Decree no. 79/2022 is the intention to <i>"promote female employment, also through the mitigation of the effects on the organisation of work due to the maternity of a female worker, by facilitating the employment of a new worker from the moment when the pregnancy certificate is issued and until her return to the workplace"</i>¹.</p> <p>The aforementioned Law no. 129/2022 indicates that <i>"one of the aims of this Law is to eliminate gender-based discrimination in the workplace and, more specifically, discrimination related to the marital status and family situation of individuals, as well as discrimination related to the pregnancy status of women"</i>².</p> <p>Numerous events are organised in the Republic of San Marino to discuss topics such as the gender gap, violence in all its forms - not only physical but also verbal and psychological - and how to support the empowerment of women from all points of view.</p>
<p>II. Comprehensive and co-ordinated policies implemented under the responsibility of an adequately mandated and resourced co-ordinating body (Articles 7 and 10)</p>	

1 Art. 1, letter d) of Delegated Decree no. 79 of 18 May 2022 "Interventions for employment, training and active labour market policies".

2 Art. 1, paragraph 2 of Law no. 129 of 14 September 2022 "Family support measures".

4	Have your authorities developed a long-term plan/strategy to prevent and combat violence against women?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A (a plan/strategy was already developed at the time of GREVIO's baseline evaluation) <input type="checkbox"/>
5	Does the plan/strategy cover all forms of violence against women covered by the scope of the Istanbul Convention?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
5.1	If not, please specify which form of violence the plan/strategy addresses:		
	- Domestic violence	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Stalking	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Sexual violence	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Sexual harassment	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Forced marriage	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Female genital mutilation	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Forced abortion	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	- Forced sterilisation	Yes <input type="checkbox"/>	No <input type="checkbox"/>
6	Was specific attention given to place the rights of women victims at the centre of all measures planned?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
6.1	<p>If yes, please specify how:</p> <p>In compliance with Recommendation No. 23 of the GREVIO Baseline Evaluation Report, on 28 December 2023, the Congress of State of the Republic of San Marino adopted the "Comprehensive National Plan to Combat Violence against Women 2024/2026" (hereinafter referred to as the Plan), which is attached to this questionnaire. This document aims to involve all institutions, the Government, associations and socio-economic partners in the prevention and management of violence.</p> <p>The Plan is divided into four sections: knowledge of the phenomenon, the current relevant legal framework and the way forward for implementation of the Plan. A very important section includes the lines of action, which are divided into five sub-sections:</p> <ul style="list-style-type: none"> - Creation of a Hub for Equal Opportunities to better respond to the requests related to the work of the Authority and the Commission for Equal Opportunities, the UN CSD Commission (Commission implementing the UN Convention on Persons with Disabilities) and the Bioethics Committee. 		

	<ul style="list-style-type: none"> - Prevention, which is considered one of the most effective tools in the fight against gender-based violence, thus reinforcing efforts to combat discrimination and stereotypes related to gender roles and sexism. - Protection and support, in order to provide tools ensuring that victims of violence are fully taken into care and can escape from situations of violence. - Punishment of conducts, thus allowing for the swift application of justice. - Monitoring of the Plan so that specific action can be taken in the area of violence through appropriate data collection and statistics. <p>Pursuing what GREVIO recommended in the Baseline Evaluation Report (Recommendation No. 85), the "National Multi-Year Plan on the Elimination of Violence, Harassment and Discrimination in the World of Work" (hereinafter referred to as the National Plan) was signed on 20 March 2024 by the Ministry of Labour, the Ministry of Health with responsibility for Equal Opportunities, the Ministry of Internal Affairs, Trade Unions - CSdL, CDLS and USL - and the employers' associations - Anis, Osla, Usc, Usot. The above-mentioned document is also attached to this questionnaire.</p> <p>It is a Plan to implement International Labour Organisation Convention no. 190 on the elimination of violence and harassment in the world of work. The parties to the National Plan recognise that any form of violence, harassment or discrimination is a violation of human rights and fundamental labour rights; it is also an obstacle to the enjoyment of free and safe citizenship.</p> <p>At the same time, the signatories undertake to promote appropriate training in public and private companies and to launch communication campaigns on the prevention of gender-based violence in the workplace.</p>
6.2	[Optional question: if not, please specify the reasons]:
7	<div>Do the plan/strategy and the measures contained therein involve all relevant actors, such as government agencies, the national, regional and local parliaments and authorities, national human rights institutions and civil society organisations?</div> <div>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></div>
7.1	<div>Please specify the actors involved:</div> <p>In order to comply with the documents referred to in answer 6.1, the active involvement and participation of all institutional and non-institutional stakeholders is required, such as the Government and the Parliament with regard to the regulatory update, the anti-violence network (Judiciary, Police Forces and SSI Services), schools of all levels, and the Public Administration as a whole. Civil society and associations are also clearly involved, contributing to spreading a culture of absence of gender-based-violence through dedicated initiatives and projects, sometimes in cooperation with the public sector.</p> <p>Great attention is also paid to the training of the stakeholders involved, not only with regard to taking care of the victim of violence but also of the perpetrator.</p>
8	<div>Have the authorities assigned the role of co-ordinating body to one or more fully institutionalised entities?</div> <div>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></div>
9	Please specify the mandate, powers, and competences, as well as the composition, of the co-ordinating body/bodies:

	<p>The Authority for Equal Opportunities was established by Law no. 97 of 20 June 2008 and its tasks are specified by Delegated Decree no. 60 of 31 May 2012. It consists of three members appointed by the Great and General Council (Parliament) who serve for a term of four years. The members are chosen from among legal experts, representatives of associations or NGOs active in the field of equal opportunities and experts in communication and psychology.</p> <p>The Authority for Equal Opportunities has the task of preventing violence against women and gender-based violence, promoting the implementation of support services, such as legal and psychological assistance, fostering the conclusion of cooperation agreements with stakeholders, and disseminating information on support services. The Authority also promotes awareness-raising and prevention activities, organising training for the professionals concerned and collecting statistical data on the phenomenon. The Authority prepares and publishes an annual report on violence against women, which is delivered to the Captains Regent (Heads of State), the Government, the Parliament and the competent offices.</p> <p>Pursuant to Law no. 97/2008, the Authority joins the proceedings as a civil party in cases of violence against women and gender-based violence.</p>		
9.1	In particular, please indicate whether the co-ordinating body/bodies is/are responsible for:		
	- Co-ordination of policies and measures to prevent and combat violence against women	Yes <input checked="" type="checkbox"/> The co-ordination body responsible is the Authority for Equal Opportunities	No <input type="checkbox"/>
	- Implementation of policies and measures to prevent and combat violence against women	Yes <input checked="" type="checkbox"/> The co-ordination body responsible is the Authority for Equal Opportunities	No <input type="checkbox"/>
	- Monitoring and evaluation of policies and measures to prevent and combat violence against women	Yes <input checked="" type="checkbox"/> The co-ordination	No <input type="checkbox"/>

		body responsible is the Authority for Equal Opportunities	
	- Co-ordination of the collection of data, analysis and dissemination of its results	Yes <input checked="" type="checkbox"/> The co-ordination body responsible is the Authority for Equal Opportunities	No <input type="checkbox"/>
10	<p>Please specify the human and financial resources allocated to the co-ordinating body/bodies:</p> <p>Delegated Decree no. 28 of 20 February 2024 established the Technical and Administrative Office for Equal Opportunities, Bioethics and Social Inclusion, which performs secretariat functions and provides technical, legal and accounting support to the Authority for Equal Opportunities and to the bodies operating in the field of equality and inclusion in the Republic of San Marino, in order to facilitate and implement their activities. In addition to the staffing requirements of the Office, the Delegated Decree regulates its specific functions, which are outlined hereunder in general terms. This new Office is established to respond to Recommendation 40, letter a) of the Baseline Evaluation Report, by increasing the human resources devoted not only to preventing and combating violence against women, but also to promoting equal opportunities issues more generally. Indeed, pursuant to the above-mentioned Delegated Decree, the human resources of the Office should include an administrative expert in the legal field, an accounting officer and a secretary in order to provide effective support to the Authority for Equal Opportunities and other relevant bodies.</p> <p>Annex A of Budget Law no. 194 of 22 December 2023 sets the amount of salaries allocated to the resources of the new Technical and Administrative Office, which is equal to EUR 170,000.</p> <p>Remuneration has also been introduced for the members of the Authority for Equal Opportunities, in accordance with Article 74 of Law no. 207/2021, to be paid quarterly: EUR 400 is paid to the member appointed as legal representative and EUR 200 to the other members.</p> <p>An expenditure chapter of the State Budget is dedicated to the Office, in which all the expenses related to the activity of the Authority for Equal Opportunities are entered, including: the victims assistance fund, the expenses related to the fulfilment of professional training obligations, the remuneration of members introduced by Law no. 207 of 22 December 2021, based on Recommendation no. 40 letter a) of the Baseline Evaluation Report, and any other activity aimed at strengthening the prevention of violence against women and gender violence.</p> <p>The allocation of this expenditure chapter is established annually from:</p> <ul style="list-style-type: none"> - Funds allocated by the State upon adoption of the State and Public Entities Budget Laws; 		

	<ul style="list-style-type: none"> - Amounts of donations from private citizens, economic operators, Entities, Associations and any other donors; - Amounts from compensation resulting from criminal proceedings joined by the Authority for Equal Opportunities as a civil party pursuant to Article 29 of Law no. 160 of 3 November 2015. <p>Pursuant to Article 5 of Law no. 57 of 2016 and Article 2 of Delegated Decree no. 56 of 2018, a special fund in favour of the Department of Institutional Affairs and Justice has been established for the financial assistance to victims of gender violence provided by the Authority for Equal Opportunities and managed in accordance with its instructions and directives.</p> <p>The management of the fund has recently been entrusted to the Technical and Administrative Office for Equal Opportunities, Bioethics and Social Inclusion, on the basis of Congress of State Decision no. 13 of 2 July 2024.</p> <p>The fund is designed to allow for more streamlined management of the amounts allocated for the assistance of victims for urgent expenses such as, for example, the purchase of clothing, the payment of facilities to accommodate victims on a temporary and immediate basis, and in any case for all urgent expenses.</p> <p>The fund, with an annual availability of EUR 5,000, is linked to a special current account established together with the fund by the above-mentioned Decision.</p> <p>This Decision also authorises the use of a credit card in favour of the Director of the Technical and Administrative Office, to be used for urgent and unavoidable expenses incurred by the Authority for Equal Opportunities in assisting victims of violence. The credit card has been made available for a faster and more effective response.</p>									
11	<p>In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Articles 7 and 10, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:</p> <p>In pursuit of what is indicated in Article 7(1) of the Istanbul Convention, two regulatory provisions that have intervened since the adoption of the GREVIO Baseline Assessment Report are noted:</p> <ul style="list-style-type: none"> - Law no. 16 of 1 February 2021 <i>“Amendments to the Criminal Code - Introduction of the crime of illicit dissemination of sexually explicit images or videos (revenge porn)”</i>. The purpose of this Law is to better align San Marino legislation with the provisions of the Istanbul Convention. - The recent adoption of Delegated Decree No.164 of October 31, 2024 <i>“Provisions for the prevention and countering of the phenomena of bullying and cyberbullying”</i>, with the aim of <i>“preventing and countering the phenomena of bullying and cyberbullying in all their manifestations, in particular with preventive actions and with a strategy of attention and protection towards minors, both in the position of victims and perpetrators of offenses”</i> (Article 1). 									
III. Financial resources (Article 8)										
12	<table border="1"> <tr> <td>Have your authorities allocated specific funds at the</td><td></td><td></td></tr> <tr> <td>- national</td><td>Yes <input checked="" type="checkbox"/></td><td>No <input type="checkbox"/></td></tr> <tr> <td>- and/or regional</td><td>Yes <input type="checkbox"/></td><td>No <input type="checkbox"/></td></tr> </table>	Have your authorities allocated specific funds at the			- national	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	- and/or regional	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Have your authorities allocated specific funds at the										
- national	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>								
- and/or regional	Yes <input type="checkbox"/>	No <input type="checkbox"/>								

	- and/or local	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	levels of government for activities to prevent and combat all forms of violence against women covered by the Istanbul Convention?		
12.1	<p>If yes, what is the annual amount of these funds? If possible, please specify the percentage of the total national state budget that the amount represents.</p> <p>The amount of the funds is €206,000, to be divided into €30,000 reserved for the activities of the Authority for Equal Opportunities, €5,000 for the activities of the Commission for Equal Opportunities, and €171,000 for salaries and equipment reserved for the Technical and Administrative Secretariat for Equal Opportunities, which performs legal, administrative, accounting and secretariat support functions for these bodies, albeit not exclusively. The total amount corresponds to 0.26% of the State budget.</p>		
12.2	[Optional question: if not, please specify the reasons]:		
13	Have these funds increased since the publication of GREVIO's baseline evaluation report?	<p>Yes <input checked="" type="checkbox"/></p> <p>If yes, by what amount:</p> <p>At the time of the publication of the GREVIO Report, the office mentioned under point 12.1 did not exist and was established later. The resources reserved for the Commission for Equal Opportunities have</p>	No <input type="checkbox"/>

		remained unchanged, while those reserved for the activity of the Authority for Equal Opportunities have increased by 100% from €15,000 to the current €30,000.	
14	Have your authorities taken measures to foster long-term and sustainable financial support for non-governmental organisations working to support victims and prevent violence?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
14.1	<p>If yes, please specify:</p> <p>As a preamble, there are no NGOs in San Marino that provide direct assistance to women victims of violence (e.g. non-profit organisations of social utility, associations managing shelter facilities, network of volunteers providing psychological/legal support, etc.).. However, there are associations that promote women's rights and have as one of their objectives the support of women's social role and the achievement of gender equality, also in women's participation in social and political life.</p> <p>On 2 April 2023, a Popular Petition was submitted by the Union of San Marino Women in order to obtain the adoption of measures to support and recognise civil society organisations working to prevent and combat violence against women and gender-based violence.</p> <p>By Decision no. 8 of 29 August 2023, the Great and General Council, with the favourable opinion of the Authority, approved the Popular Petition, recognising the value and experience of such organisations. It was also decided to establish cooperation mechanisms for consultation and cooperation with civil society organisations in designing, monitoring, assessing and implementing measures and policies to prevent and combat violence against women.</p> <p>The Authority expressed a favourable opinion on the Petition, thus agreeing with the content of GREVIO Recommendations nos. 29, 30 and 31 on the involvement of civil society in preventing and combating gender violence and violence against women.</p> <p>In this regard, it is also noted that Article 1 of Delegated Decree no. 60 of 31 May 2012 establishes that the Authority for Equal Opportunities "shall favour and monitor the activity of the Associations promoting the knowledge of services granting assistance and starting prevention projects".</p> <p>In the spirit of this legislative provision, and in full compliance with GREVIO's call for the recognition of associations, in order to fully comply with the suggestions of international organisations in this field and to have a better knowledge of the associations and civil society organisations that are legally involved in assistance, prevention and awareness-raising, the Authority for Equal Opportunities has proposed the creation of a list in which the aforementioned social associations can register.</p>		

	<p>With regard to access to public financing by civil society organisations for the arrangement of initiatives and events in this field, the Authority for Equal Opportunities also proposed, in accordance with aforementioned Article 1 of Delegated Decree no. 60/2012, that these civil society stakeholders should submit their initiative projects to the Authority for Equal Opportunities and share them with the anti-violence network, thus ensuring synergy between all actors in the network and better integrating the policy objectives in the area of combating violence against women.</p> <p>For the time being, it remains possible for the Ministries, even jointly, to fund events and initiatives proposed by civil society to prevent and combat gender violence which they consider worthy.</p>		
14.2	[Optional question: if not, please specify the reasons]:		
15	In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 8, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:		
IV. Non-governmental organisations and civil society (Article 9)			
16	Have your authorities taken measures contributing to further recognise, encourage and support the work of relevant non-governmental organisations and of civil society active in combating all forms of violence against women covered by the Istanbul Convention, including in terms of funding and co-operation?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
16.1	<p>If yes, please specify:</p> <p>In addition to the answer under point 14.1, please also note that the Authority for Equal Opportunities has the possibility to grant patronage to Associations that request it for projects related to raising awareness, preventing and combating gender-based violence. Furthermore, it collaborates with civil society on the occasion of the International Day for the Elimination of Violence against Women, during which a press conference is organised around 25 November to present the initiatives implemented by the associations.</p> <p>It is also worth mentioning the signing of an agreement between the Social Security Institute and the Association Confine with the aim of supporting the activities of this association in the rehabilitation of perpetrators, both financially and in terms of cooperation.</p>		
16.2	[Optional question: if not, please specify the reasons]:		
V. Data collection and research (Article 11)			
17	Does statistical data collection by all relevant sectors of the administration ³ clearly identify the following categories:		
	- Type of violence	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

³ According to the Explanatory Report to the Convention, relevant statistical data may include administrative data collected from statistics compiled by health care services and social welfare services, law enforcement agencies, as well as judicial data recorded by judicial authorities, including public prosecutors.

	- Sex	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- Age	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- Type of relationship between the victim and the perpetrator	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- Other factors deemed relevant a) The channel used to leave violence is recorded and therefore also the service of the anti-violence network to which victims turn (social services, judiciary, police forces, counselling centre); b) Number of protection and barring orders; c) Cases of violence against women with disabilities; d) Cases of violence against minors and witnessing violence.	Yes <input checked="" type="checkbox"/> If yes, please specify:	No <input type="checkbox"/>
17.1	If not, please specify which sectors of the administration collects data on which categories:		
17.2	<p>In implementation of the recommendation addressed to your authorities, please specify which sectors have started to collect data/improved their data collection and how:</p> <p>The data are provided by all the institutions that come into contact with women victims of violence, in particular the Court (both civil and criminal jurisdictions), the Mental Health Service and the Counselling Centre, the Minors' Protection Service and all three police forces - the Gendarmerie, the Civil Police and the Fortress Guard.</p> <p>Data is collected separately by each actor of the anti-violence network and then collected and processed by the Authority for Equal Opportunities. In light of GREVIO's recommendations, it is reported that the categories of data collected have been expanded.</p>		
18	Is statistical data collection by all relevant sectors of the administration conducted at regular intervals?	Yes <input checked="" type="checkbox"/> If yes, please specify at what interval: data are requested every 6 months and official statistics are published once a year.	No <input type="checkbox"/>

19	Does statistical data by all sectors of the administration cover the following forms of violence against women?		
	- Domestic violence	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- Stalking	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- Sexual violence	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- Sexual harassment	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- Forced marriage	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- Female genital mutilation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- Forced abortion	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- Forced sterilisation	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
20	Does statistical data collection by law-enforcement agencies and the judiciary enable cases of violence against women to be tracked in order to indicate:		
	- Conviction rates	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- Types of sentences	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- Attrition rates	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	- Time-barred proceedings	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> N/A <input type="checkbox"/>
21	<p>As regards population-based surveys, please indicate any survey conducted since the publication of GREVIO's baseline evaluation report, while specifying the forms of violence covered:</p> <p>It should be noted that recently the Department of Human Sciences of the University of San Marino, in cooperation with the Historical and Legal Department, launched the self-financed research project "<i>Foreign Women in San Marino</i>" in 2022. The research aims to analyse the situation of foreign women without citizenship or residence in San Marino. The aim is to verify the extent of the phenomenon and to investigate the living conditions of these women, with particular attention to their ability to access services and meet basic and social needs. By way of information, it should be noted that the publication and subsequent dissemination of the research results is planned for the first half of 2025.</p>		
22	<p>In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 11, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:</p> <p>Since 2022 several meetings have been held with the participation of the IT Office and representatives of the anti-violence network to consider the possibility of developing a common database for data collection, with due regard to the protection of privacy and sensitive data. The meetings revealed the difficulty in identifying the person responsible for keeping and protecting the data contained in the database, which belonged to different interlocutors with different public functions. Since the Authority for Equal Opportunities is not part of the State administrative structure, it cannot to date identify a body responsible for the privacy of the data collected.</p>		

	<p>In order to address this issue, it has been proposed that all data on gender violence be channelled to the Technical and Administrative Office mentioned in the previous answers. Within the Office, it will be possible to identify a person from among the administrative staff who can collaborate not only in the collection and keeping of such data, but also in their processing, always under the close supervision of the Authority for Equal Opportunities, which is mandated by law.</p> <p>As part of the reorganisation of the IT system of the San Marino Criminal Court, meetings are being held to formalise a new disaggregated data collection for all pending criminal proceedings, which should include not only data provided over time on victims of violence, with corresponding data on age, sex, nationality, type of violence, perpetrator and relationship of the perpetrator to the victim, but also a cross-cutting observation to follow all the stages of the judicial proceedings in cases of violence, from complaint to the final outcome of the proceedings.</p> <p>Since 2022, the Authority has extended the collection of data presented and published in the annual report. In addition, since 2023 data collection has been further extended by requesting information on the number of protection orders applied for and possible violations thereof, injunction and removal orders.</p> <p>With regard to violence against women with disabilities, a hidden and complex phenomenon, the Authority for Equal Opportunities has recently called on the relevant Institutions and Offices to take concrete measures to promote the systematic collection of disaggregated data on violence against women with disabilities.</p>		
<p>VI. Custody, visitation rights and safety (Article 31)</p>			
23	Have your authorities taken measures contributing to ensure that incidents of violence covered by the scope of the Istanbul Convention are taken into account in the determination of custody and visitation rights of children, notably by courts?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
23.1	<p>If yes, please specify how this has been done (by legislative amendments or other means)</p> <p>In national law, incidents of violence are taken into account in the determination of custody and rights of children. Even in the absence of specific legislation, the Judges have recognised that witnessing violence by one parent against the other is harmful to the child; they ensure that custody with the non-violent parent is preferred over foster-care. In civil proceedings, the Judge also takes into account any incidents of violence that have occurred and requests information from other authorities responsible for preventing and combating gender-based violence in order to determine the best interest of the child when deciding on custody and visitation rights.</p> <p>GREVIO had noted in its Baseline evaluation Report that in San Marino, as in other countries, <i>"there was no explicit reference to domestic violence among the legal criteria to be taken into account when determining custody and/or visitation rights"</i>. In order to better comply with GREVIO's recommendation, the Judicial Offices have drawn up a protocol to regulate relations between the civil and criminal divisions, thus strengthening the links between them.</p> <p>On 29 February 2024, the Operational Protocol for cooperation and exchange of information between civil and criminal magistrates for the protection and defence of victims of domestic violence, in agreement with the Judicial Police and the Corps of the Gendarmerie, the Fortress Guard and the Civil Police, and the Lawyers' Association was adopted.</p>		

23.2	<p>If yes, please specify how the above obligation is implemented in practice, including by providing data indicating to what extent courts consider all issues related to violence against women in their decisions on custody and visitation rights:</p> <p>This Protocol stipulates that, when a report of violence is received, the police authorities, in cooperation with the Registries, shall verify the existence of any pending proceedings relating to divorce, separation, custody or guardianship of children and, if possible, identify the details of the file (Article 1). The existence of any proceedings shall be noted in the case file of the criminal proceedings. The Investigating Judge in charge of the case file on violence, after verifying whether civil proceedings are pending, shall transmit to the competent civil Judge: a) during the preliminary investigation, the acts that he/she deems can be shown, possibly also at the request of the parties; b) the decrees applying precautionary measures (protection orders or other measures) and any subsequent decrees, which may, however, be requested by the civil/guardianship and juvenile Judge if they are considered useful for the adoption of the decision; c) the indictment request.</p> <p>The Protocol provides for maximum cooperation among criminal and civil Judges.</p> <p>Moreover, the civil/guardianship and juvenile judge shall transmit any <i>notitia criminis</i> prosecutable ex officio and resulting from the case file, for which criminal proceedings are not already pending. Protection orders issued by the civil Judge or the guardianship measures taken by the guardianship and juvenile Judge shall be transmitted to the Judge in charge of any pending criminal proceedings and shall be assessed for the purpose of their registration as <i>notitia criminis</i>.</p> <p>The same cooperation among criminal and civil Judges also applies to the adoption of measures related to forfeiture and restriction of parental rights (Article 3).</p>		
23.3	[Optional question: if not, please specify the reasons]:		
24	Have your authorities taken measures contributing to ensure that visitation rights do not jeopardise the rights and safety of the victim or children?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
24.1	<p>If yes, please specify:</p> <p>As a general rule, the Investigating Judge in criminal matters, in order to take the measures falling within his/her competence, obtains information and analyses from the police forces or, in the case of minors, from the Minors' Protection Service and the other authorities concerned, in order to take them into account in determining the best interests of the child in the context of custody and visitation decisions.</p> <p>Equally, the Juvenile Judge and the Civil Judge who holds jurisdiction in family matters acquire information from the Minors' Protection Service, entrusting it with monitoring for the purpose of taking the necessary protective measures provided by law (e.g., protected visits).</p>		
24.2	[Optional question: if not, please specify the reasons]:		
25	<p>In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 31, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:</p> <p>Regarding the training of Magistrates on issues related to violence against women and children, it is represented that the Judicial Council, which adopts the annual training plan for judges pursuant to Article 13 of Constitutional Law no. 1/2021, has planned training initiatives for civil Judges on</p>		

	<p>matters of interest to GREVIO for 2023 and 2024. In particular, the 2023 training plan for civil Judges focused on “minority rights and non-marital relationships” and on the subject of family and personal law, for criminal Judges on “gender-based violence and protection instruments for abused persons”.</p> <p>In 2024, the training of Civil Judges covered-among others-the subject of “family and minors,” as well as “minority rights and non-marital relationships” together with specific course related to “Preventing and combating violence against women and domestic violence” held from November 25 to 27 this year. In the criminal sector, the topic of “gender-based violence and tools for the protection of battered persons” was addressed and further explored. It is specified that this training takes place through participation in courses organized by the Superior School of the Judiciary in Italy, as well as through the organization of initiatives, seminars and assemblies in-house or in concert with the San Marino Legal Institute. In addition, the adoption of the Operational Protocol for cooperation and exchange of information has helped to strengthen the professionalism and deontology of Magistrates on the point of gender-based violence and towards minors.</p> <p>The Minors’ Service is an auxiliary of the judge and is composed of psychologists and social workers who have undergone specific training on domestic violence. Thus, they are therefore aware, for example, of the notion of “parental alienation” and more generally of similar concepts that are used to obscure the violence and control exercised by perpetrators of domestic violence over women and their children.</p> <p>Finally, when necessary, the judge appoints expert witnesses chosen from among trained psychologists.</p>		
<p>VII. Immediate response, prevention, and protection (Article 50)</p>			
26	<p>Have your authorities taken measures contributing to improve the prompt and appropriate response of law enforcement agencies, in particular by:</p>		
	<ul style="list-style-type: none"> - Enhancing training of law enforcement officials on the gendered nature of violence against women and its consequences 	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> - Ensuring a sufficient number of female police officers 	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> - Setting up premises designed to establish a relationship of trust between the victim and the law enforcement personnel 	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
	<ul style="list-style-type: none"> - Ensuring the efficient collection of evidence so that the reliance on the victim’s testimony is lessened 	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
26.1	<p>If yes, please specify:</p> <ol style="list-style-type: none"> The following is a list of some of the training courses attended by members of the police forces: <ol style="list-style-type: none"> Men, stereotypes and violence. Towards taking responsibility.” Role and treatment of men; Training on prevention and repression of violence against women and gender violence”. Two meetings for a total of four hours. In-service training for the officers of San Marino police forces. The training was aimed at studying more in depth the legislative and procedural aspects of first intervention. 1st meeting/4 - Gender violence phenomenon. Three-hour meeting. Overview of the phenomenon, data and history and methodology of anti-violence centres, the cycle of violence, theoretical principles and a snapshot of the social context and related changes in the perception of the phenomenon 		

	<p>d. 2nd meeting/4 – Methodology of reception”. Three-hour meeting. The feminist view of women’s helping relationship, active listening and the suspension of judgement. The woman's decision to seek help, routes out of violence and networking</p> <p>2. The trend of female participation in the police forces is steadily increasing, as several women were also recruited following the recent recruitment announcements of 2021 and 2024. In addition, it should be noted that the military contact person for the Gender and Child Abuse Office of the Gendarmerie Corps is a woman who receives specific training on the subject.</p> <p>3. In March 2021, a project called “A room for you” was launched thanks to the cooperation between the Soroptimist Club San Marino and the Gendarmerie Corps to foster the reception of and reporting by victims of gender violence. Based on the protocol signed, an encouraging and protected environment has been created assisting victims of violence when reporting through a less traumatic approach. The Gendarmerie readily accepted the proposal and provided a room, including an entertainment area for accompanying children, which was entirely financed, designed and furnished by Soroptimist. It is a dedicated and welcoming environment, where women can feel that attention is being paid to their experience and painful report and, if minors are present, they can be guaranteed psychological protection in conditions of privacy and safety. The project was also implemented under the auspices of the Authority for Equal Opportunities with the involvement of the competent offices.</p> <p>4. Pursuant to Article 23 of Law no. 97 of 20 June 2008 recently revised by Delegated Decree no. 161 of 29 October 2024, in case of proceedings for crimes of violence against women and children, psychological support of victims is always guaranteed by experts, either when victims are heard as witnesses or during the confrontation with the suspect or other witnesses (paragraph 1). In addition, victims’ interviews are organised in such a way as to avoid repetition, including through the use of technologies such as video recording (paragraph 3).</p>		
26.2	[Optional question: if not, please specify the reasons]:		
27	Have your authorities taken measures contributing to enable the identification and careful analysis of any failure of protection?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
27.1	<p>If yes, please specify what kind of measures, and if further preventive measures were adopted to remedy this situation:</p> <p>Delegated Decree no. 109 of 9 August 2024 <i>“Amendments to Law no. 97 of 20 June 2008 “Prevention and elimination of violence against women and gender violence” and to the Criminal Code”</i> and subsequently ratified by the Great and General Council by Delegated Decree no. 161 of 29 October 2024 intends to strengthen the instruments available to both victims of violence and stakeholders in the anti-violence network. Specifically, worth mentioning is that with Delegated Decree no. 161/2024 the legislator intervened by improving the procedure for the collection of reports of cases of violence. In order to provide greater protection for victims of violence, perpetrators are prohibited from approaching places usually visited by the victim by keeping a distance of at least 500 metres while it has been established that in cases of violence police forces may enter, even forcibly, the home or other places where the perpetrator is located.</p> <p>With regard to the conduct of criminal proceedings for violence against women, children or gender-based violence, Delegated Decree no. 161/2024 amends Law no. 97/2008 by providing for the victim’s free access <i>“to the case file at any stage and instance of the proceedings, irrespective of whether or not he/she has joined the proceedings as a civil party, upon a reasoned request for access by means of a public prosecutor”</i>.</p> <p>In terms of prevention, verbal reprimand (Article 5) before the commander of the Gendarmerie was introduced - a preventive administrative measure intended only for the perpetrators of offences that cannot be prosecuted ex officio, such as beatings, injuries, threats, persecutory acts and sexual harassment.</p>		
27.2	[Optional question: if not, please specify the reasons]:		

28	<p>In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Article 50, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:</p> <p>Please refer to the answer to question 1.1 regarding the measures introduced by Delegated Decree no. 161/2024.</p>		
<p>VIII. — Emergency barring, restraining or protection orders (Articles 52 and 53)</p>			
29	<p>As regards emergency barring orders, have your authorities taken measures contributing to ensure that the competent authorities are granted the power to order, in situations of immediate danger, a perpetrator of domestic violence to vacate the residence of the victim or person at risk, and to prohibit the perpetrator from entering the residence of or contacting the victim or person at risk.</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
29.1	<p>If yes, please indicate which authorities have the power to issue emergency barring orders:</p>		
29.2	<p>If yes, please indicate the length of time for which emergency barring orders may remain in force:</p>		
29.3	<p>[Optional question: if not, please specify the reasons]:</p>		
30	<p>Have your authorities taken measures contributing to ensure the availability of restraining or protection orders to victims of the following forms of violence against women?</p>		
	— Domestic violence	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	— Stalking	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	— Sexual violence	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	— Sexual harassment	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	— Forced marriage	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	— Female genital mutilation	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	— Forced abortion	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	— Forced sterilisation	Yes <input type="checkbox"/>	No <input type="checkbox"/>
30.1	<p>If yes, please specify:</p>		
30.2	<p>[Optional question: if not, please specify the reasons]:</p>		

31	Is data collected on the percentage of orders issued and their violation?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
32	Have your authorities taken measures contributing to ensure the effective enforcement of barring, restraining or protection orders?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
32.1	If yes, please specify:-		
32.2	[Optional question: if not, please specify the reasons]:		
33	In case your authorities have taken further measures contributing to the implementation of recommendations in relation to Articles 52 and 53, which were not covered by the questions above, please report on these measures [word limit: 1000 words]:		

Specific recommendations

34	<p>Please report on measures taken by your authorities contributing to the implementation of the recommendation to reform the Criminal Code in order to base all legal provisions covering sexual violence on the notion of freely given consent as required by Article 36 of the convention [Recommendation A.8, IC-CP/Inf(2021)9].</p> <p>At present, the San Marino institutions have focused on regulatory alignment and the drawing up of the national strategic plans, thus introducing into the San Marino Criminal Code the criminal offences that had not yet been covered and adopting the two Action Plans (see answer to question 1.1). However, it is worth noting that the concept of freely given consent will be soon analysed by the San Marino institutions.</p>
35	<p>Please report on measures taken by your authorities contributing to the implementation of recommendation to take the necessary measures, including legislative, to meet the requirements of Article 59 of the convention, in particular with regard to the residence status of victims of violence against women whose residence status depends on that of the spouse or partner [Recommendation A.11, IC-CP/Inf(2021)9].</p> <p>The reference law on the entry and stay of foreigners in San Marino is Law no. 118 of 28 June 2010 “Law on the entry and stay of foreigners in the Republic of San Marino” and subsequent amendments.</p> <p>More specifically, with regard to the treatment of foreign women victims of violence in San Marino, Article 14 of the aforementioned Law, as amended by Article 19 of Law no. 118 of 30 July 2015 "Amendment to Law no. 118 of 28 June 2010 and subsequent amendments (Law on the entry and stay of foreigners in the Republic of San Marino)" and included hereunder, explicitly extends the granting of the extraordinary stay permit for humanitarian reasons of social protection also to victims of violence and victims of trafficking in human beings.</p> <p style="text-align: center;">“Art. 14</p>

(Extraordinary stay permit for humanitarian reasons of social protection)

1. Extraordinary stay permits may be granted to foreigners for specific humanitarian reasons of social protection. Holders of extraordinary stay permits for humanitarian reasons of social protection shall be entitled to receive health assistance and temporary economic benefits from the Social Security Institute and shall have the possibility to work in the Republic of San Marino.

1-bis. Extraordinary stay permits shall also be granted to victims of trafficking and victims of violence, as defined by international human rights instruments ratified by the Republic of San Marino, having regard to their personal situation and/or for the purpose of their cooperation in the context of criminal investigations or proceedings. The permits shall be granted following a favourable opinion from the Authority for Equal Opportunities which, supported by public services and offices, may carry out the necessary investigations.

2. Extraordinary stay permits shall be temporary. It may be renewed annually until the reasons for social protection exist. For the victims of trafficking and the victims of violence, it shall be renewed in accordance with the instructions from the Authority for Equal Opportunities or the Judicial Authority.”

As can be seen from the text of the specific article, this type of residence permit is valid for one year and renewable, entitles victims to temporary health and economic benefits, access to employment.

In the light of the above, the extraordinary stay permit for humanitarian reasons of social protection, in the case of victims of violence and human trafficking, is issued to foreign women whether or not they have a stay permit, domicile or residence in San Marino.

Foreign women victims of violence are granted protection and safeguards regardless of whether their presence in the Republic is related to their spouse or partner.