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High Commissioner for Human Rights in accordance with
paragraph 15 (b) of the annex to Human Rights Council
resolution 5/1 and paragraph 5 of the annex to Council
resolution 16/21**

San Marino

The present report is a compilation of the information contained in reports of the treaty bodies and special procedures, including observations and comments by the State concerned, in reports of the United Nations High Commissioner for Human Rights, and in other relevant official United Nations documents. It is presented in a summarized manner owing to word-limit constraints. For the full texts, please refer to the documents referenced. The report does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights other than those contained in public reports and statements issued by the Office. It follows the general guidelines adopted by the Human Rights Council in its decision 17/119. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the periodicity of the review, and developments during that period.

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I. Background and framework

A. Scope of international obligations¹

International human rights treaties²

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
Ratification, accession or succession	ICERD (2002)	OP-CRC-AC (2011)	OP-CAT
	ICESCR (1985)	OP-CRC-SC (2011)	ICRMW
	ICCPR (1985)		CPED
	ICCPR-OP 2 (2004)		
	CEDAW (2003)		
	CAT (2006)		
	CRC (1991)		
Reservations and/or declarations		OP-CRC-AC (Declaration, art. 3 (2), age of recruitment at 18 years, 2011)	
Complaints procedures, inquiries and urgent action ³	ICERD, art. 14 (2008)		OP-ICESCR
	ICCPR-OP 1 (1985)		ICCPR, art. 41
	OP-CEDAW, art. 8 (2005)		CAT, arts. 21 and 22
	CAT, art. 20 (2006)		OP-CRC-IC
	OP-CRPD, art. 6 (2008)		ICRMW CPED

Other main relevant international instruments

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
Ratification, accession or succession	Rome Statute of the International Criminal Court	Convention on the Prevention and Punishment of the Crime of Genocide	Conventions on refugees and stateless persons ⁷
	Geneva Conventions of 12 August 1949 and Additional Protocols I, II, and III ⁴	Palermo Protocol ⁶	ILO Conventions Nos. 169 and 189 ⁸
	ILO fundamental conventions ⁵		UNESCO Convention against Discrimination in Education (1960)

1. The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended that San Marino be strongly encouraged to ratify the 1960 UNESCO Convention against Discrimination in Education.⁹

2. In 2013, the International Labour Organization (ILO) Committee of Experts on the Application of Conventions and Recommendations (Committee of Experts) recalled that the transmission of reports on the application of ratified Conventions was a fundamental constitutional obligation and the basis of the system of supervision. The Committee of Experts stressed the importance of transmitting the reports within the scheduled deadline and expressed the firm hope that ... San Marino ..., which to date had not presented reports on the application of ratified Conventions, would do so as soon as possible.¹⁰

B. Constitutional and legislative framework

3. UNESCO noted that San Marino has no official Constitution. The *Leges statutae Sancti Marini*, a Latin text from the early seventeenth century, brings the laws in force in San Marino together into six books, the first of which, consisting of 62 articles, contains the constitutional law and administrative law of the Republic.¹¹

4. UNESCO further noted that an ordinary law of 8 July 1974 outlines the basic structure of the Government, and its 2002 revision establishes a hierarchy among the laws, but the constitutional-level material is spread throughout a number of other texts.¹²

5. With reference to its previous concluding observations (para. 5),¹³ in 2012, the Human Rights Committee (HR Committee) requested, in its list of issues prior to the submission of the third periodic report, that San Marino clarify the exact status of the Covenant and the Optional Protocol in domestic law, specifically in the event of a conflict between a domestic law and the Covenant, as well as the possibility of the Covenant being invoked by individuals before the courts or applied by domestic courts and tribunals.¹⁴

6. The HR Committee requested that San Marino indicate whether it had adopted the Comprehensive Regulations of the Military Corps, which would raise the minimum age of military service to 18, and the measures taken to modify article 3 of act No. 15 of 26 January 1990 on the exceptional circumstances in which all citizens aged between 16 and 60 may be conscripted.¹⁵

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies¹⁶

Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
CERD	–	–	–	Initial report overdue since 2003
CESCR	November 2007	–	–	Fifth report overdue since 2010
HR Committee	July 2008	–	–	Third report overdue since July 2013
CEDAW	–	–	–	Initial and second reports overdue since 2005 and 2009 respectively
CAT	–	–	–	Initial report overdue since 2007
CRC	October 2003	–	–	Second to fourth reports overdue since 2008. Initial reports to OP-CRC-AC and OP-CRC-SC overdue since October 2013
CRPD	–	–	–	Initial report overdue since 2010

Responses to specific follow-up requests by treaty bodies

Concluding observations

<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
HR Committee	2009	Lack of independent mechanisms for monitoring the implementation of rights; and adoption of an anti-discrimination legal framework. ¹⁷	2010 ¹⁸

B. Cooperation with special procedures¹⁹

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	Yes ²⁰	Yes
<i>[Visits undertaken]</i>	–	–
<i>[Visits agreed to in principle]</i>	–	–
<i>[Visits requested]</i>	–	–
<i>Responses to letters of allegation and urgent appeals</i>	–	–
<i>[Follow-up reports and missions]</i>	–	–

C. Cooperation with the Office of the United Nations High Commissioner for Human Rights

7. The Office of the United Nations High Commissioner for Human Rights (OHCHR) Regional Office in Brussels covers San Marino.²¹ San Marino contributed financially to OHCHR in 2011²² and 2013.²³

III. Implementation of international human rights obligations

A. Equality and non-discrimination

8. The HR Committee requested that San Marino provide information on the measures taken to abolish de jure the rule whereby a foreigner is required to present a guarantor as a condition enabling him or her to start a civil action before the courts.²⁴

B. Right to life, liberty and security of the person

9. The HR Committee requested information on any programmes established, and awareness-raising measures adopted, to promote the implementation of act No. 97 of 20 June 2008 on the Prevention and Repression of Violence against Women and Gender Violence, to tackle violence against women. It also requested that San Marino indicate the measures taken to prevent gender-based and domestic violence, including to protect girls and women with disabilities, and to help girls and women gain access to assistance.²⁵

10. The HR Committee, further to information from other sources, requested information on measures taken, or planned to be taken, to clearly prohibit corporal punishment anywhere in its legislation.²⁶

C. Administration of justice and the rule of law

11. The HR Committee was concerned that San Marino had still not adopted a new Code of Criminal Procedure, despite act No. 93 of 17 June 2008 on the guarantee of a fair trial. It requested information on the state of progress, drafting and adoption of a new, comprehensive Code of Criminal Procedure in compliance with the Covenant, including guarantees of a fair trial.²⁷

12. With reference to its previous concluding observations (para. 12),²⁸ the HR Committee requested that San Marino indicate any measures taken to organize legal aid and ensure its provision to all those who need it and where the interests of justice so require. The HR Committee also requested that San Marino specify whether the special commission that dealt with requests for legal aid had ever refused a request.²⁹

13. Further to information from other sources, the HR Committee requested that San Marino indicate the measures taken to introduce a juvenile criminal justice system.³⁰

D. Right to privacy

14. With reference to its previous concluding observations (para. 13), the HR Committee requested that San Marino provide information on the measures taken to ensure that act No. 28 of 26 February 2004, in its application, preserves the right to privacy as guaranteed in article 17 of the Covenant.³¹

E. Freedom of expression and right to participate in public and political life

15. Regarding its previously expressed concern about the potentially far-reaching scope of application of articles 183, 184 and 185 of the Criminal Code, concerning penalties for offences against honour, and the compatibility of those articles with the Covenant, the HR Committee requested that San Marino indicate the measures taken to ensure that the application of articles 183, 184 and 185 of the Criminal Code does not violate the provisions of article 19 of the Covenant.³²

16. UNESCO also noted that defamation was a criminal offence under articles 183–185 of the Criminal Code, punishable with imprisonment or a daily fine. Under articles 3 and 7 of the Additional Law to the Criminal Code, whoever by words or acts offends or threatens the State, the Captains Regent, the State Secretary, the Commanders General of the Noble Guard and the Militia, the Judicial Magistrates and public officials shall be punished with imprisonment of up to five years.³³ UNESCO recommended that San Marino decriminalize defamation and place it under the Civil Code, in accordance with international standards.³⁴

17. UNESCO recommended that the insult provisions and their penalties provided for in the Criminal Code be reformed to better align with international standards on freedom of expression.³⁵

18. UNESCO encouraged San Marino to introduce a freedom of information law that is in accordance with international standards.³⁶

19. UNESCO recommended that San Marino develop self-regulatory mechanisms for the media.³⁷

20. The HR Committee requested information on measures taken to amend the Electoral Code, which excluded persons with “mental infirmity” from voting.³⁸

21. A 2013 United Nations Statistics Division source indicated that the proportion of seats held by women in the national parliament increased from 15 per cent in 2009 to 16.7 per cent in 2013.³⁹ According to UN Women, there were no women in ministerial positions in the Government of San Marino.⁴⁰

22. The HR Committee requested that San Marino provide information on the results of the work of the Equal Opportunities Authority, instituted by act No. 97 of 20 June 2008, to improve women's representation in politics.⁴¹

F. Right to work and to just and favourable conditions of work

23. With regard to the principle of equal remuneration for men and women for work of equal value, the ILO Committee of Experts repeated its previous request that San Marino clarify the extent of the provision of Law No. 40 of 1981 on gender equality in the labour market concerning job classification systems; indicate any judicial or administrative decisions applying [the] Law ... in line with the principle of ... [ILO Equal Remuneration] Convention [(No. 100)]; provide information on the job classification methods used in accordance with the Law and on the manner in which it is ensured that the criteria followed are not intrinsically discriminatory and do not undervalue jobs traditionally performed by women.⁴²

24. The ILO Committee of Experts noted that the report of San Marino had not been received and reiterated its previous comments to the effect that, owing to recent immigration flows into the country and to the number of foreigners living and working there, San Marino should provide information, including statistical data disaggregated by sex, on the situation of foreign people in the labour market ... [and] on the measures taken or envisaged to foster equality of opportunity and treatment in employment and occupation, irrespective of race, colour and national extraction or social origin, as well as on their impact.⁴³

G. Right to education

25. UNESCO noted that according to article 6 of the law of 8 July 1974, "The arts, science and education may be freely practised. The right to freedom of study, free of charge, is guaranteed to citizens by law." According to article 11, "Through studies, work and sports or leisure activities, the Republic encourages young people in their personal development and in preparing to exercise their fundamental rights freely and responsibly." Article 4 recognizes that "Everyone is equal before the law, with no distinction based on gender or personal, economic, social, political or religious status."⁴⁴

26. As regards adult education, UNESCO pointed out that the schools, university, social centres, voluntary associations, etc., offer a number of training opportunities. However, there is still no active network through which these initiatives might be transformed into a truly integrated training system. UNESCO encouraged San Marino to pursue its efforts to provide adults with increased educational opportunities.⁴⁵

H. Cultural rights

27. UNESCO encouraged San Marino to report within the framework of the ongoing consultations with member States on the monitoring of the implementation and a possible revision of the 1974 Recommendation on the Status of Scientific Researchers, in particular on the measures taken in the country to implement such principles of the Recommendation as the obligation of State authorities to ensure that scientific researchers have the

responsibility and the right to work in a spirit of intellectual freedom; to participate in the determination of the aims, content and methods of research, which should be compatible with respect for universal human rights and fundamental freedoms, as well as ecological and social responsibility; and to creativity, occupational mobility, international cooperation for furtherance of international peace, cooperation and understanding.⁴⁶

I. Persons with disabilities

28. The HR Committee requested that San Marino provide information on measures taken to ensure that health-care services provided to persons with disabilities were based on their free and informed consent.⁴⁷

29. Recalling that Law No. 141 of 1990 laying down the rights of persons with disabilities had the objective, inter alia, of promoting their integration into the labour market by means of quota systems, incentives for their recruitment and targeted professional training, the ILO Committee of Experts reiterated its previous requests that San Marino provide information on the measures taken to give effect to the provisions of this Law, including information on the number of disabled men and women who have benefited from them.⁴⁸

30. UNESCO noted that Law No. 141/1990 stipulated that students with handicaps had the right to individual schooling by a tutor and were given support from new technologies.⁴⁹

J. Minorities

31. Bearing in mind its previous concluding observations (para. 16),⁵⁰ the HR Committee requested San Marino to provide information on the measures taken to determine whether minorities existed in the State.⁵¹

K. Migrants, refugees and asylum seekers

32. The HR Committee requested San Marino to indicate the measures taken to reconsider the extraordinary length of, and practical difficulties involved in, the process of acquiring citizenship for long-term residents.⁵²

33. The HR Committee requested San Marino to indicate whether a procedure for granting refugee status had been established.⁵³

L. Human rights and counter-terrorism

34. The HR Committee requested that San Marino indicate any measures taken to clarify the counter-terrorism legislative measures adopted by the State party and to ensure that, in their application, they did not contravene the Covenant.⁵⁴

Notes

¹ Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on San Marino from the previous cycle (A/HRC/WG.6/7/SMR/2).

² The following abbreviations have been used in the present document:

ICERD International Convention on the Elimination of All Forms of Racial Discrimination

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

³ Individual complaints: ICCPR-OP 1, art 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and CPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; CPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; CPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: CPED, art. 30.

⁴ Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html.

⁵ International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour. Available from www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11200:0::NO::P11200_COUNTRY_ID:102829.

⁶ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

⁷ 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness, available from https://treaties.un.org/pages/ViewDetailsII.aspx?&src=TREATY&mtdsg_no=V~3&chapter=5&Temp=mtdsg2&lang=en.

⁸ International Labour Organization Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries and Convention No. 189 concerning Decent Work for Domestic Workers.

- Information available from www.ilo.org/dyn/normlex/en/f?p=1000:11200:0::NO:11200:P11200_COUNTRY_ID:102829.
- ⁹ UNESCO submission to the UPR on San Marino, para. 22.
- ¹⁰ ILO Committee of Experts on the Application of Conventions and Recommendations, General Observation (CAS) – adopted 2013, published 102nd ILC session (2013), available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3133240:YES.
- ¹¹ UNESCO submission to the UPR on San Marino, para. 2.
- ¹² Ibid., para. 3.
- ¹³ “While by virtue of Law No. 36 of 26 February 2002, ‘Regularly signed and implemented international agreements on the protection of human rights and freedoms shall prevail over domestic legislation in case of conflict’ (article 1, paragraph 1, Declaration of the Citizens’ Rights), the exact status of the Covenant and the Optional Protocol in domestic law remains unclear, in particular in contrast to the status of the European Convention for the Protection of Human Rights and Fundamental Freedoms. Furthermore, the relationship between the Covenant and the Declaration of the Citizens’ Rights and other parts of the constitutional order remains unclear (article 2). **The State party should clarify the exact status of the Covenant and the Optional Protocol in domestic law, as well as the relationship between the Covenant and the Declaration of the Citizens’ Rights and other parts of the constitutional order, so as to ensure full implementation of all Covenant rights in all circumstances. In particular, the State party should clarify whether a party to pending judicial proceedings may turn to the Guarantors’ Panel on the constitutionality of rules and claim that a national law is in conflict with the Covenant.**” (See CCPR/C/SMR/CO/2).
- ¹⁴ CCPR/C/SMR/Q/3, para. 4.
- ¹⁵ Ibid., para. 14.
- ¹⁶ The following abbreviations have been used in the present document:
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| CERD | Committee on the Elimination of Racial Discrimination; |
| CESCR | Committee on Economic, Social and Cultural Rights; |
| HR Committee | Human Rights Committee; |
| CEDAW | Committee on the Elimination of Discrimination against Women; |
| CAT | Committee against Torture; |
| CRC | Committee on the Rights of the Child; |
| CMW | Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families; |
| CRPD | Committee on the Rights of Persons with Disabilities; |
| CED | Committee on Enforced Disappearances; |
| SPT | Subcommittee on Prevention of Torture. |
- ¹⁷ CCPR/C/SMR/CO/2, para. 19.
- ¹⁸ CCPR/C/SMR/CO/2/Add.1. See also Letter from HR Committee to the Permanent Mission of San Marino to the United Nations Office and other international organizations in Geneva, dated 9 May 2011, available from http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/SMR/INT_CCPR_FUL_SMR_12242_F.pdf.
- ¹⁹ For the titles of special procedures, see www.ohchr.org/EN/HRBodies/SP/Pages/Themes.aspx and www.ohchr.org/EN/HRBodies/SP/Pages/Countries.aspx.
- ²⁰ Standing invitation extended by the Government of San Marino to all thematic special procedures on 3 April 2003, available from www.ohchr.org/EN/HRBodies/SP/Pages/Invitations.aspx#san_mariNo.
- ²¹ OHCHR Annual Report for 2013, p. 292.
- ²² OHCHR Annual Report for 2011, p. 176.
- ²³ OHCHR Annual Report for 2013, p. 183.
- ²⁴ CCPR/C/SMR/Q/3, para. 19.
- ²⁵ Ibid., para. 7.
- ²⁶ Ibid., para. 15.
- ²⁷ Ibid., para. 10.
- ²⁸ “The Committee notes with concern that immediate access to a lawyer by an arrested person who is unable to pay for the services of a lawyer might be impeded by the way the free legal assistance scheme is currently framed in San Marino (article 14, paragraph 3(d)). **The State party should review its free legal aid scheme to guarantee the right to have free legal assistance in any case where the interests of justice so require.**” (See CCPR/C/SMR/CO/2).

- ²⁹ CCPR/C/SMR/Q/3, para. 11.
- ³⁰ Ibid., para. 16.
- ³¹ Ibid., para. 12.
- ³² Ibid., para. 13.
- ³³ UNESCO submission to the UPR on San Marino, para. 15.
- ³⁴ Ibid., para. 25.
- ³⁵ Ibid., para. 26.
- ³⁶ Ibid., para. 27.
- ³⁷ Ibid., para. 28.
- ³⁸ CCPR/C/SMR/Q/3, para. 17.
- ³⁹ United Nations Statistics Division coordinated data and analyses, available from <http://mdgs.un.org/unsd/mdg>.
- ⁴⁰ Progress for women in politics, glass ceiling remains firm, UN Women, available at www.unwomen.org/en/news/stories/2014/3/progress-for-women-in-politics-but-glass-ceiling-remains-firm.
- ⁴¹ CCPR/C/SMR/Q/3, para. 5.
- ⁴² ILO Committee of Experts on the Application of Conventions and Recommendations, Observation concerning ILO Equal Remuneration Convention, 1951 (No. 100), adopted 2013, published 103rd ILC session (2014). Available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3146642:YES.
- ⁴³ ILO Committee of Experts on the Application of Conventions and Recommendations, Observation concerning ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), adopted 2013, published 103rd ILC session (2014). Available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3146718:YES.
- ⁴⁴ UNESCO submission to the UPR on San Marino, para. 3.
- ⁴⁵ Ibid., para. 24.
- ⁴⁶ Ibid., para. 29.
- ⁴⁷ CCPR/C/SMR/Q/3, para. 8.
- ⁴⁸ ILO Committee of Experts on the Application of Conventions and Recommendations, Observation concerning ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), adopted 2013, published 103rd ILC session (2014). Available from www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3146718:YES.
- ⁴⁹ UNESCO submission to UPR on San Marino, para. 4.
- ⁵⁰ “The Committee notes the State party’s assertion that there are no ethnic, linguistic and/or religious national minorities in San Marino, and observes that the identification of the presence in the territory of any country of such minorities is not so much a matter of policy or law as it is one of fact (see general comment No. 23 (1994) on article 27). **The State party should consider whether, in particular in view of immigration trends in recent years, ethnic minorities exist in its territory, even if in very small numbers, and take necessary steps to protect their rights under article 27.**” (See CCPR/C/SMR/CO/2).
- ⁵¹ CCPR/C/SMR/Q/3, para. 20.
- ⁵² Ibid., para. 18.
- ⁵³ Ibid., para. 9.
- ⁵⁴ Ibid., para. 12.