

ADVANCE QUESTIONS TO SAN MARINO

DENMARK

- When does San Marino intend to adhere to OPCAT?
- As of October 2009, San Marino no longer has a national human rights institution. Which steps will be taken to establish an independent national human rights institution with a mandate to further protect and promote human rights in San Marino?

SWEDEN

- Full equality and freedom from discrimination, including with regard to sexual orientation, are guaranteed under the Declaration on the Citizens' Rights and Fundamental Principles of San Marino Constitutional Order and other San Marino law. At the same time, civil society organisations have reported that the lack of formal recognition of non-traditional family models such as unmarried partners, cohabitants and same-sex civil partners have resulted in disparities in the enjoyment of family-related social welfare and other public benefits, employment and immigration.
- Could the government of San Marino elaborate on the measures it is taking to ensure the equal protection of the rights of persons in non-traditional family models, such as unmarried partners, cohabitants and same-sex civil partners?
- The UN Committee on the Rights of the Child has held that all corporal punishment of children, including in the context of the family, contradicts the Convention on the Rights of Child, to which San Marino is party. In its national UPR report, San Marino highlights existing national legal protection of children from violence. At the same time, no explicit prohibition of all corporal punishment is reported to exist in San Marino.
- Could the government of San Marino elaborate on the measures taking to ensure the freedom of children from all physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation in accordance with the said Convention?

UNITED KINGDOM OF GREAT BRITAIN & NORTHERN IRELAND

- The UK notes the consultation of civil society stakeholders in the production of San Marino's national report. We would like to inquire as to what plans the government has in place to consult these stakeholders in the follow up process?
- We would be interested to learn what measure the government of San Marino is taking to guard against the exploitation and isolation of women who come to San Marino to work as private carers. We are aware of the association called "

Le amiche di Ruth", which promotes courses for foreign women, such as language, computer skills and cooking; what other methods are being offered to assist these women?

- We would be grateful for information on action taken by the government of San Marino to implement the recommendations from the Council of Europe Commissioner in 2008 that San Marino establish procedural rules for involuntary confinement of persons with mental disabilities? Has a legal framework for involuntary confinement been established?
- Noting that the Council of Europe Commissioner stressed that San Marino lacked a separate justice system for minors, we welcome the plans by the government of San Marino to adopt a law which will increase the criminal liability age from 12 to 14. We should be grateful to know what additional methods the San Marino government is applying to improve the judicial system for minors.
- We are aware of domestic laws promoting the integration of persons with disabilities in the labour market and reaffirming the right of the disabled to work. We would be interested to know whether a quota system for the employment of persons with disabilities has been introduced; if so what incentives are currently being offered to companies that recruit them?
- We note that San Marino has yet to respond to the 16 questionnaires sent by special procedures mandate holders. Does the government of San Marino intend on replying to these questionnaires and allocating resources to reply to future requests?
