

## NATIONAL LEGAL MEASURES TO COMBAT RACISM AND INTOLERANCE IN THE MEMBER STATES OF THE COUNCIL OF EUROPE

### SAN MARINO, Situation as of 1 December 1997

#### General Overview

*Preliminary Note: this table is accompanied by an explanatory note*

COUNTRY:	Constitutional provisions	Specific legislation	Criminal law	Civil and administrative law
<b>SAN MARINO</b>				
<b>Norms concerning discrimination in general</b>	No	No	No	No
<b>Norms concerning racism</b>	No	No	No	Yes, Section 1 (4) of the Act of 30 July 1980; Decree no. 133 of 10 November 1986; Act n° 46 of 18 July 1979
<b>Relevant jurisprudence</b>	No	No	No	No

#### EXPLANATORY NOTE

##### SAN MARINO / GENERAL OVERVIEW

According to information provided by the Ministry of Justice, there is little legislation on racial discrimination in the Republic of San Marino. This can be explained by the State's characteristics and by the absence of any visible manifestations of racism in its territory so far.

It is probably for that reason that Art. 4 of the "Declaration of the Rights of Citizens and of the Fundamental Principles of the Legal System of San Marino", which was approved in 1975 by ordinary law (San Marino has no constitution) and which affirms the principle of equality before the law, does not refer specifically to racial or ethnic discrimination. San Marino has not ratified the UN International Convention of 1966.

It should be noted, however, that certain civil and administrative provisions governing specific areas forbid racial discrimination (see the tables).

### Constitutional law: San Marino

*Preliminary Note: this table is self-sufficient and is not accompanied by an explanatory note*

Constitutional provision	Scope	Relevant jurisprudence	Remarks
Article 4 of the Declaration of the Rights of Citizens and of the Fundamental Principles of the Legal System of San Marino	Equality before the law, irrespective of personal, economic, social, political or religious circumstances. There is no specific reference to race.		The Republic of San Marino has no constitution. The Declaration of the Rights of Citizens and of the Fundamental Principles of the Legal System of San Marino is contained in an ordinary law (Act no. 59 of 8 July 1974).

### Civil and administrative law: San Marino

*Preliminary Note: this table is self-sufficient and is not accompanied by an explanatory note.*

Provision	Scope	Consequences of breach	Relevant jurisprudence	Remarks
Section 1(4) of Act no. 60 of 30 July 1980 (reform of the educational system)	Prohibits any distinction at school on grounds of race, sex, language, religion or political opinions.			
Section 8 of Act no. 133 of 23 October 1991 (rules governing sports activities)	The activities of the San Marino National Olympic Committee must be free of any religious, political, racial			

	or economic influence.		
Decree no. 133 of 10 November 1986	Implements the ILO Convention on Discrimination in Employment and Occupation.		
Act no. 46 of 18 July 1979 (Establishment of the San Marino National Committee for the International Year of the Child - National UNICEF Committee)	One of the aims of this committee is to reduce the suffering of children who are victims of racial discrimination.		