

# **SAN MARINO 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The law prohibits religious discrimination and restrictions on religious freedom and provides for prosecution of religious hate crimes. Religious groups recognized by the government are eligible to receive contributions from income tax earmarked by individual taxpayers. The law requires Catholic religious instruction in all public schools but guarantees the right of nonparticipation without penalty, and it provides for alternative ethics classes for students who opt out of the Catholic instruction. Catholic symbols remained common in government buildings.

There were no reports of significant societal actions affecting religious freedom.

During visits and telephonic discussions, officials from the U.S. Consulate General in Florence, Italy, continued to stress the importance of religious tolerance in meetings with officials of the Ministry of Foreign Affairs.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 34,000 (midyear 2020 estimate). While it does not collect statistics on the size of religious groups, the local government continues to report the vast majority of the population is Roman Catholic. Other religious groups present include Jehovah's Witnesses, the Baha'i Faith, Islam, Judaism, Orthodox Christianity, and the Waldensian Church.

## **Section II. Status of Government Respect for Religious Freedom**

### **Legal Framework**

The constitution provides for freedom of religion and prohibits religious-based discrimination and restrictions on religious freedom, except for the protection of public order and general welfare. The criminal code provides for possible prison terms of six months to three years for discrimination, including that based on religion. Discrimination on the basis of religion may also constitute an aggravating circumstance for other types of crime. In these cases, penalties may be increased. The law prohibits hate crimes and speech that defiles religious groups, with violators subject to imprisonment for a period of three months to one year.

The law forbids media professionals from generating and spreading information that may discriminate against someone on the basis of religion, among other factors. Anyone may report a case to the Authority for Information, a government body, which may take disciplinary action. The authority may issue sanctions for a violation of the code, ranging from a warning to censure, suspension, and/or removal from the professional register. These sanctions are in addition to the ones already provided in the criminal code.

The law allows taxpayers to allocate 0.3 percent of their income tax payments to the Catholic Church or to other religious or secular groups recognized as nonprofit organizations. Taxpayers need not be members of a group to earmark a contribution. Religious organizations must be legally recognized in the country to receive this benefit. To obtain legal recognition, religious organizations are required to submit evidence to the government of nonprofit activities and annual reports, which includes their budget, and the procedure required by the association for its approval. The government may periodically audit and inspect organizations, require them to submit additional documentation, and investigate any complaints from organization members or third parties.

There are no private religious schools, and the law requires religious education in public schools. Public schools offer only Catholic religious instruction. An agreement signed with the Holy See in 2018 that granted Catholic instruction equal status with other subjects taught in schools continues to be implemented. The Catholic curriculum includes comparisons between Christianity and other religions and between the Bible and other religious texts. The Church selects the teachers, who may be religious or lay, and the state pays their salaries. The law guarantees students the right to opt out of religious instruction without penalty. Students (or their parents, if the student is younger than 18) must choose to opt out at the beginning of each school year. The law permits students in primary and secondary schools who choose not to attend Catholic religious instruction to attend an alternative “ethics, culture, and society” class.

The country is party to the International Covenant on Civil and Political Rights.

### **Government Practices**

As of 2019, the last year for which data was available, 183 nonprofit organizations (the same number as in the previous year) received contributions from taxpayers, in accordance with the law. The government did not indicate how many of these organizations were religious, but among them were the Catholic Church, a number

of Catholic associations, the Orthodox Church, Jehovah's Witnesses, and the Baha'i Faith.

Catholic symbols remained common in government buildings. Crucifixes continued to hang on courtroom and government office walls. The government continued to maintain a public meditation and prayer site in the capital for use by worshippers of any religion.

### **Section III. Status of Societal Respect for Religious Freedom**

There were no reports of significant societal actions affecting religious freedom.

### **Section IV. U.S. Government Policy and Engagement**

During visits and telephonic discussions, including her official visit in September, the U.S. Consul General in Florence and other consulate general representatives discussed the importance of religious tolerance with officials at the Ministry of Foreign Affairs.