

SAN MARINO 2019 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. A law adopted in June 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 periodic 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 staff of the Ministry of Foreign Affairs.

Section I. Religious Demography

The U.S. government estimates the total population at 34,000 (midyear 2019 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. 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 with the Holy See grants Catholic instruction equal status with other subjects taught in schools. 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 the parents, if the student is younger than 18) must choose to opt out at the beginning of each school year. Following a law adopted in June, students in primary and secondary schools who choose not to attend Catholic religious instruction, may 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 2018, the last year for which data were available, approximately 183 nonprofit organizations (up from 110 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, Jehovah’s Witnesses, and Bahai’s.

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 periodic visits and telephonic discussions, the U.S. Consul General in Florence and other consulate general representatives discussed the importance of religious tolerance with staff at the Ministry of Foreign Affairs.