

# San Marino



Stable / Unchanged 

Religion	Population	Area
<ul style="list-style-type: none"><li>○ Christians : <b>91.5%</b></li><li>○ Agnostics : <b>5.8%</b></li><li>○ Atheists : <b>1.8%</b></li><li>○ Others : <b>0.9%</b></li></ul>	32.000	61 Km <sup>2</sup>

## Legal framework on freedom of religion and actual application

The Republic of San Marino does not have a written constitution. The legal provisions ensuring religious freedom are contained in various pieces of legislation, the most important of which is the Declaration of Citizen Rights (1974) (as amended). Article 5 of the Declaration provides: "Everyone is equal before the law, with no distinction of personal, economic, social, political and religious status."<sup>[1]</sup> Article 6 states: "Everybody shall enjoy civil and political freedoms in the Republic. In particular, personal freedoms, freedom of residence, establishment and expatriation, freedom of assembly and association, freedom of thought, conscience and religion shall be guaranteed."<sup>[2]</sup>

There is no established religion, but Catholicism is the largest religion and it is common to see religious symbols such as crucifixes in courtrooms and other public spaces. In 2009, following the ruling of the European Court of Human Rights that crucifixes should not be displayed in classrooms, the Government rejected the left-wing party Sinistra Unita's request to remove crucifixes from schools.<sup>[3]</sup>

The state supports the Catholic Church through income tax revenue. Taxpayers may request that 0.3 percent of their income tax payments be allocated to the Catholic Church or to other charities, including other religious groups<sup>[4]</sup>

There are many agreements between the Republic of San Marino and the Holy See. Besides the 1931 Monetary Convention, there is the 1989 Agreement on Religious Festivities and the 1992 Concordat that covers, among other matters, the position of Catholic chaplains in hospitals, retirement homes and prisons.

There are no private religious schools. Catholic religious education is provided but is non-compulsory in public schools. During the reporting period, some people pressed for Catholic religious instruction in public schools to be stopped and be replaced by secular classes.<sup>[5]</sup>

There are about 200 Jehovah Witnesses who are registered as an association. They are free to practise their faith but, according to the 2018 Report of the European Commission against Racism and Intolerance (ECRI), the fact that Jehovah's Witnesses are registered in this way, rather than as a religion, "leads to the application of administrative rules specific to companies/firms which are ill-suited to religious practice."<sup>[6]</sup> The same applies to the rules applied to the local Islamic community. Therefore, the ECRI has proposed that it would be useful to establish "a consultative body for promoting a regular dialogue between the state and minority religious communities, in order to examine the practical problems that religious practice can create and to propose measures to solve them."<sup>[7]</sup>

## Incidents

During the reporting period, there was a debate on religious education in public schools. San Marino's political system allows individual citizens to present bills through the so-called "Instances of Arengo" mechanism. Three of these presented in October 2016 were about Catholic education in schools. The first (instance No 5) demanded that education in the Catholic faith in public schools be stopped. In the place of Catholic religious education, citizens asked the government to provide students with alternative secular classes (instance No 6). Finally, they asked the local Church to pay the costs of Catholic religious education, including teachers' salaries and pensions (instance No 7). The three instances were discussed and rejected on 21<sup>st</sup> February 2017, but the government has now decided to review the religious education system. On 26<sup>th</sup> April 2017, the Secretariat of State for Foreign Affairs sent a note to the Holy See asking for a dialogue on the matter. The request was accepted on May 2017. The points to be reviewed include the curriculum and the selection of the teachers, who will probably have to participate in open competition instead of being chosen by the Curia, as they currently are.<sup>[8]</sup>

In 2016, the local Muslim community established a Muslim association called Al-Nur. This community conducts prayers in premises in a shopping centre in a small town called Gualdicciolo. During Ramadan in 2016, Al-Nur had to temporarily leave the premises, because they had no permit to use the space as a place of worship. Instead, they found hospitality in premises offered by private individuals and by the Catholic Church.<sup>[9]</sup>

Another positive sign of inter-religious co-operation was the fact that 15,000 Muslims attended Mass on 3<sup>rd</sup> July 2016 to show their solidarity with the local Christian community after the brutal murder by Islamists of French priest Father Jacques Hamel, who was killed on 26<sup>th</sup> July 2016 while celebrating Mass.<sup>[10]</sup>

## Prospects for freedom of religion

There were no significant cases of religious intolerance during the reporting period. Inter-faith relationships are good and, since 2016, a forum for inter-religious dialogue has brought together representatives of different religions to promote mutual understanding.<sup>[11]</sup>

The government will have to take careful decisions regarding the next steps for religious educations in public schools. There are no reasons to forecast that the situation of religious freedom will change in the near future.

## Endnotes / Sources

- [1] 'Dichiarazione dei diritti dei cittadini e dei principi fondamentali dell'ordinamento sammarinese,' 17th July 1974, [http://www.consigliograndeegenerale.sm/contents/instance18/files/document/19164leggi\\_2695.pdf](http://www.consigliograndeegenerale.sm/contents/instance18/files/document/19164leggi_2695.pdf), (accessed 27th April 2018).
- [2] Ibid.
- [3] 'Sinistra Unita chiede la rimozione del crocifisso dalle scuole,' *Giornale.sm*, 3rd November 2009, <http://archive.is/y1lq>, (accessed 27th April 2018).
- [4] 'International Religious Freedom Report for 2016,' United States Department of State, Bureau of Democracy, Human Rights, and Labor, 15th August 2017, <https://www.state.gov/documents/organization/269106.pdf>, (accessed 27th April 2018).
- [5] 'Ordine del Giorno,' Consiglio Grande e Generale, 21st February 2017 <https://www.consigliograndeegenerale.sm/online/home/lavori-consiliari/dettagli-delle-convocazioni/documento17094098.html>, (accessed 26th April 2018).
- [6] 'ECRI Report on San Marino (fifth monitoring cycle)', European Commission against Racism and Intolerance, p.22, 27th February 2018, [https://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/San\\_Marino/SMR-CbC-V-2018-001-ENG.pdf](https://www.coe.int/t/dghl/monitoring/ecri/Country-by-country/San_Marino/SMR-CbC-V-2018-001-ENG.pdf), (accessed 27th April 2018).
- [7] Ibid.
- [8] Consiglio Grande e Generale, *op. cit.*
- [9] European Commission against Racism and Intolerance, *op. cit.*
- [10] Valentina Antonioli, 'Mondo: 15mila musulmani in chiesa per la messa della domenica,' *RTV San Marino*, 31st July 2016, <http://www.smtvsanmarino.sm/attualita/2016/07/31/mondo-15mila-musulmani-chiesa-messa-domenica>, (accessed 27th April 2018).
- [11] 'Forum del dialogo, pronta al via la terza edizione', *Tribuna Politica*, 2nd March 2018, [http://www.tribunapoliticaweb.sm/fare-bene/2018/03/02/16913\\_forum-del-dialogo-pronta-al-via-la-terza-edizione/](http://www.tribunapoliticaweb.sm/fare-bene/2018/03/02/16913_forum-del-dialogo-pronta-al-via-la-terza-edizione/), (accessed 27th April 2018).