

ADVANCE QUESTIONS TO SAN MARINO- ADD.1

ARGENTINA

Derecho acceso a la justicia.

- Cuáles han sido las medidas adoptadas por el Estado de San Marino tendientes a garantizar a las personas sin recursos económicos el acceso a los servicios de un profesional abogado para recurrir ante la justicia?

Derecho al trabajo.

- El Comité de Derechos Económicos, Sociales y Culturales (CESCR), en el año 2007, observó que la legislación nacional relativa a la provisión de servicios de desempleo, discriminaba a los extranjeros en los casos de suspensión o reducción de tareas laborales. Conforme a ello, el CESCR requirió a San Marino la disposición de mecanismos que permitan a los extranjeros el acceso a la seguridad social.
- Asimismo, datos del Comité de Expertos de la OIT indican un incremento en el número de trabajadores extranjeros. Por esto la delegación argentina, desea saber qué medidas se han tomado para la inclusión de los trabajadores extranjeros en los servicios de desempleo provisto por el Estado de San Marino.
- Por otra parte y, en concordancia con lo requerido por el Comité de Expertos de la OIT en 2009, la Argentina desea preguntar qué decisiones administrativas o judiciales se han tomado para aplicar la ley N° 40 de 1981 según los lineamientos del principio de la ILO Equal Remuneration Convention de modo de asegurar la igualdad entre hombres y mujeres en el ámbito laboral.

Migrantes, Refugiados y Asilados

- ¿Qué medidas ha tomado San Marino, de conformidad con las recomendaciones efectuadas por el Comité de Derechos Humanos, tendientes a flexibilizar los requisitos previstos para la adquisición de nacionalidad, como así también para asegurar la no discriminación de los hijos nacidos en San Marino, en caso alguno de sus progenitores fuera extranjero?

[Informal translation provided by Argentina]

- What are the steps taken by the State of San Marino in order to ensure that people without financial means have access to professional services of a lawyer to appeal to justice?
- The Committee on Economic, Social and Cultural Rights (CESCR), observed in 2007 that the national legislation regulating the provision of unemployment, discriminated against foreigners in cases of suspension or reduction of duties. Accordingly, the CESCR requested San Marino the provision of mechanisms to allow foreigners to have access to social security. Also, data from the

Committee of Experts of the ILO indicate an increase in the number of foreign workers. Therefore the delegation of Argentina, would like to ask what measures had been taken to allow the inclusion of foreign workers into unemployment services provided by the State of San Marino.

- Moreover, Argentina would like to ask what administrative or judicial decisions have been taken to enforce the law No. 40 of 1981 along the lines of the principle of the ILO Equal Remuneration Convention, so as to ensure equality between men and women in the workplace.
- What steps have been taken, in accordance with recommendations made by the Committee for Human Rights, aimed at relaxing the requirements for the acquisition of nationality, as well as to ensure non-discrimination of children born in San Marino, if one of the parents is a foreigner?

CZECH REPUBLIC

- Does the government consider acceding to the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or degrading treatment or Punishment?
- Does San Marino consider abolishing the rule that for a foreigner to be able to start a civil action before courts they need to present a guarantor?
- Does San Marino consider liberalization of very strict demands for acquiring citizenship?
- How is on national level ensured non-discrimination, how far has proceeded the process of preparation of a new antidiscrimination law?

GERMANY

- Reports by the ILO Committee of Experts on the Application of Conventions and Recommendations have indicated positive developments in the legislation concerning the integration of persons with disabilities into Sammarinese society. Nonetheless in regard of the implementation the need for action such as the facilitation of access to public buildings has not ceased (para. 13 of the OHCHR compilation A/HRC/WG.6/7/SMR/2, referencing doc. No. (ILOLEX) 092009SMR111, para. 3. and CCPR/C/SMR/CO/2, para. 3).Germany would like to know what measures San Marino has taken to realize its commitment to the above mentioned issue?
