

San Marino

Criminal Code

(amended by Law No. 57 of 6 May 2016)

**Article 90, paragraph 1, subparagraph 1 (“Aggravating factors in sentencing”)**

1) to commit another crime; to conceal a previous offense or to destroy the evidence; to obtain or insure for oneself or others the product, the profit, the price of another crime or for abject or futile reasons or for purposes of **racial, ethnic, national, religious discrimination, or discrimination related to sexual orientation**.

In this case the offence is prosecuted ex officio.

**Article 179 bis (“Discrimination, hatred or violence for racial, ethnic, national, religious or sexual orientation motives”)**

A person who in any way disseminates ideas based on racial or ethnic superiority or hatred, or incites to commit or commits discriminatory acts on grounds of **race, ethnic or national origin, religion, or connected to sexual orientation**, or incites to commit or commits acts of violence or incites to violence for racial, ethnic, national, religious or sexual orientation related motives, should be punished with second degree imprisonment.