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Statement on death penalty in the OSCE area  
by the Representative  
of the Republic of San Marino to the OSCE

H.E. Dr. Elena Molaroni Berguido  
Ambassador, Deputy Head of Delegation

Mr. Chairman,

San Marino was founded in AD 301. We abolished death penalty in the year 1865. The last execution was performed in 1468.

Although, the Grand Duché of Tuscany abolished the death penalty in 1786, we can consider ourselves the first still existing country in Europe having abolished it.

The San Marino legislation has placed human life above the State punishing authority excluding the death penalty from the criminal code. The San Marino criminal law does not contemplate life imprisonment either, as it deprives the person of all hopes for freedom and for re-integration into social life. Therefore, it is contrary to the re-educative purpose of jailing as contemplated in Art.15 of the Declaration of human rights.

Human rights represent for the OSCE an important commitment. The right to life constitutes the first right an international organization dealing with protection and security should cherish.

San Marino – since it is member of the United Nations - has been among the co-sponsors of the General Assembly resolutions against death penalty. We are deeply concerned about the continued use of this barbaric instrument and we appeal these countries to reconsider their policies and completely abolish it.