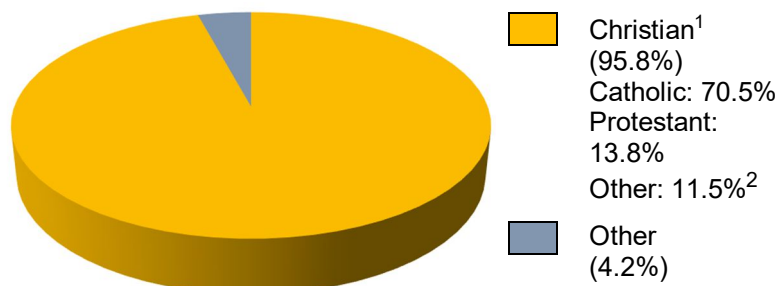


COSTA RICA



Area³: 51,100 km ²	Population⁴: 4.8 million	Political system: Democracy ⁵	Major Language(s): Spanish
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Legal framework on freedom of religion and actual application

In its preamble, the constitution states that it is granted invoking the name of God and reaffirming faith in democracy. It states that no one may be persecuted for expressing his or her views. Members of the clergy cannot engage in political propaganda invoking religious motives or beliefs.

One chapter of the constitution dedicated to “religion” states that the rights and benefits described therein are inalienable and that their enumeration does not exclude others based on the Christian principle of social justice, and as indicated in the law for the purpose of developing a lasting policy of national solidarity. It asserts that Roman Catholicism is the state religion, which does not preclude the free practice in the Republic of other faiths, as long as they are not opposed to universal morality or good habits.

With respect to the oath that civil servants must take, the formula goes as follows: “Do you swear before God and pledge to the Fatherland to observe and defend the constitution and laws of the Republic and faithfully fulfil the duties of your post?”⁶

Incidents

In September 2014, the Catholic Church in Costa Rica expressed its disagreement with the draft Law on Religious Equality promoted by the Government of Luis Guillermo Solís, since this bill would remove Catholicism as the official religion of the nation and would require the Government to support other religions.⁷

In January 2016, the Inter-American Commission on Human Rights, in Resolution 3/2016, issued Precautionary Measures Injunction No. 617-15 ordering the State of Costa Rica to make in vitro fertilisation (IVF) immediately available to six plaintiff couples. In February 2016, Costa Rica’s Constitutional Court, by a majority decision, annulled the IVF Decree signed by the President of Costa Rica because it violated the principle of the supremacy of the rule of law, arguing that compliance with a judgment of the Inter-American Court requires a formal law, in accordance with article 2 of the American Convention on Human Rights. In the same ruling, the constitutional Court decreed that the State of Costa Rica must comply with the ruling of the Inter-American Court of Human Rights in accordance with constitutional procedures designed for such purpose. After this, the Inter-American Court gave the Costa Rican government seven days to annul the ruling of the

Constitutional Court and allow the implementation of the Presidential Decree authorising IVF in that country.⁸

In February 2016, as part of the United Nations World Interfaith Harmony Week, the Ombudsman's Office of Costa Rica met with representatives of different religious groups to promote respect for freedom of worship in the country.⁹

Prospects for freedom of religion

Research did not reveal any cases of intolerance or discrimination in the period 2014-2016. The most significant fact was the draft proposal to drop Catholicism as the country's official religion. Such a proposal has led to a discussion about secularism and the role of the State in relation to religious organisations. This is a challenge in terms of recognising more broadly – and safeguarding – the latter's rights.

¹http://thearda.com/internationalData/countries/Country_60_1.asp accessed on 18 March 2016.

² Evangelical

³ <http://www.bbc.com/news/world-latin-america-19414068> accessed on 6 May 2016.

⁴ <http://www.bbc.com/news/world-latin-america-19414068> accessed on 6 May 2016.

⁵ Costa Rica is a republic with a democratic, free, independent, popular, representative, participatory, alternative and responsible government;

http://www.asamblea.go.cr/Centro_de_Informacion/biblioteca/Paginas/Constituci%C3%B3n%20Pol%C3%ADtica%20de%20Costa%20Rica.aspx accessed on 1 March 2016.

⁶http://www.asamblea.go.cr/Centro_de_Informacion/biblioteca/Paginas/Constituci%C3%B3n%20Pol%C3%ADtica%20de%20Costa%20Rica.aspx accessed on 1 March 2016.

⁷[http://www.cbn.com/mundocristiano/latinoamerica/2014/september/costa-rica-iglesia-catolica\)-rechaza-proyecto-de-igualdad-religiosa/](http://www.cbn.com/mundocristiano/latinoamerica/2014/september/costa-rica-iglesia-catolica)-rechaza-proyecto-de-igualdad-religiosa/) accessed on 5 March 2016.

⁸ <http://observatoriointernacional.com/?p=2392> accessed on 3 March 2016.

⁹<http://www.cbn.com/mundocristiano/Latinoamerica/2016/February/Gobierno-de-Costa-Rica-promueve-la-libertad-de-culto/> accessed on 4 March 2016.