

# **COSTA RICA 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The constitution recognizes Roman Catholicism as the state religion; the state is required by law to contribute to its maintenance. The constitution prohibits the state from impeding the free exercise of religions that does not impugn “universal morality or proper behavior” and provides for redress in cases of alleged violations of religious freedom. Efforts by secular groups to remove Catholicism as the state religion and define the country as an explicitly secular state lost momentum, according to an evangelical Protestant leader, although some civil society leaders continued to state that the constitution did not sufficiently address the specific concerns of non-Catholic religious groups. The Constitutional Chamber received four claims against the free exercise of religious freedom at educational institutions. The Constitutional Chamber dismissed two of them, stating there was insufficient evidence. In the other two cases, the chamber ruled in favor of each student: one who requested rescheduling of an exam planned for a Saturday for his observation of the Sabbath, and the other who argued that a school rule violated his constitutional rights by prohibiting him from wearing a kippah skullcap.

Instances of anti-Catholic and anti-Semitic language on social media continued. For example, an article posted on Facebook reporting on the Catholic Church’s position on abortion received several comments with vitriolic language and slurs against the Catholic clergy. A legislative advisor of one of the Christian parties in the National Assembly also reported that he saw frequent insults and derogatory language aimed at Catholic and other Christian groups in response to arguments on social media regarding same-sex marriage and abortion. The Jewish community reported instances of anti-Semitic comments on social media.

Embassy officials met with Christian legislators and discussed issues of free expression of religious beliefs as well as same-sex marriage and abortion issues of concern to religious groups. Embassy representatives met with religious leaders throughout the year, including those representing religious minorities, to discuss their views on religious freedom. The outreach to religious groups included meetings with officials from the Muslim, Jewish, Catholic, Protestant, and other Christian communities in the country. At the embassy’s July 4th event, the Ambassador delivered remarks emphasizing the importance of valuing diversity, including religious diversity. The embassy used social media to send congratulatory messages to religious groups on special religious occasions. A senior U.S. embassy official spoke at the concert of an embassy-sponsored

Klezmer band from the U.S., emphasizing the importance of religious diversity and tolerance.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 4.9 million (July 2017 estimate). According to a March survey by the Center for Investigations and Political Studies of the University of Costa Rica, an estimated 69.7 percent of the population is Catholic (compared with 72.8 percent in a 2013 survey), 15.2 percent Protestant, including evangelical Protestants (compared with 14.8 percent in the 2013 survey), 3.0 percent other religious groups (compared with 3.6 percent in 2013), and 12.0 percent without religious affiliation (compared with 8.4 percent in 2013). The majority of Protestants are Pentecostal, with smaller numbers of Lutherans and Baptists. There are an estimated 60,000 Jehovah's Witnesses, predominantly on the Caribbean coast. The Church of Jesus Christ of Latter-day Saints (Mormons) estimates its membership at 35,000. The Jewish Zionist Center estimates there are between 3,000 and 3,500 Jews in the country. Approximately 1,000 Quakers live near the cloud forest reserve of Monteverde, Puntarenas. Smaller groups include followers of Islam, Taoism, the International Society of Krishna Consciousness, Scientology, Tenrikyo, and the Bahai Faith. Some members of indigenous groups practice animism.

## **Section II. Status of Government Respect for Religious Freedom**

### **Legal Framework**

The constitution establishes Roman Catholicism as the state religion and requires the state to contribute to its maintenance. The constitution prohibits the state from impeding the free exercise of other religions that does not undermine "universal morality or proper behavior." Unlike other religious groups, the Catholic Church is not registered as an association and receives special legal recognition. Its assets and holdings are governed consistent with Catholic canon law.

The constitution recognizes the right to practice the religion of one's choice. By law, a person claiming a violation of religious freedom may file suit with the Constitutional Chamber of the Supreme Court, and may also file a motion before the Constitutional Chamber to have a statute or regulation declared unconstitutional. Additionally, a person claiming a violation of religious freedom may appeal to the Administrative Court to sue the government for alleged

discriminatory acts. Legal protections cover discrimination by private persons and entities.

The Ministry of Foreign Affairs and Religion is responsible for managing the government's relationship with the Catholic Church and other religious groups. According to the law, a group with a minimum of 10 persons may incorporate as an association with judicial status by registering with the public registry of the Ministry of Justice. The government does not require religious groups to register; however, religious groups must register if they choose to engage in any type of fundraising. Registration also entitles them to obtain legal representation and standing to own property.

The constitution forbids Catholic clergy from serving in the capacity of president, vice president, cabinet member, or Supreme Court justice. This prohibition does not apply to non-Catholic clergy.

An executive order provides the legal framework for religious organizations to establish places of worship. Religious organizations must submit applications to the local municipality to establish a place of worship and to comply with safety and noise regulations established by law.

The law establishes that public schools must provide ecumenical religious instruction by a person who is able to promote moral values and tolerance and be respectful of human rights. If a parent on behalf of a child chooses to opt out of religious courses, the parent must make a written request. The Ministry of Public Education provides assistance for religious education to private schools, both Catholic and non-Catholic, including directly hiring teachers and providing teacher salaries and other funds.

The law allows the government to provide land free of charge to the Catholic Church only. Government-to-church land transfers are typically granted through periodic legislation.

Only Catholic priests and public notaries may perform state-recognized marriages. Wedding ceremonies performed by other religious groups must be legalized through a civil union.

Immigration law requires foreign religious workers to belong to a religious group accredited for migration control purposes by the Ministry of Foreign Affairs and Religion and stipulates religious workers may receive permission to stay at least 90

days but not more than two years. The permission is renewable. In order to obtain accreditation, a religious group must present documentation about its organization, including its complete name, the number of followers, bank information, the number of houses of worship, and the names of and information on the group's board of directors. Immigration regulations require religious workers to apply for temporary residency before arrival.

The country is a party to the International Covenant on Civil and Political Rights.

### **Government Practices**

The Constitutional Chamber received four claims against the free exercise of religious freedom at educational institutions. The court dismissed two claims due to lack of evidence proving discrimination. In the other two claims, the chamber ruled in favor of the claimants. In one case, the chamber ordered that a student's exam planned for a Saturday be rescheduled for his observation of the Sabbath. In the other case, the chamber ruled that a Jewish student had the constitutional right to wear the kippah skullcap during classes.

The government included support for the Catholic Church in its annual budget. It earmarked approximately 8.4 million colones (\$14,900) for various projects requested by the Catholic Church during the year, including funds needed to make improvements at churches and cemeteries in different parts of the country. This was the only funding for religious groups included in the national budget for 2017. A semi-autonomous government institution sold lottery tickets and used the proceeds to support social programs, including some run by non-Catholic groups.

Some non-Catholic leaders continued to state the constitution did not sufficiently address the specific concerns of non-Catholic religious groups. Members of Protestant groups registered as secular associations continued to state they preferred a separate registration that would specifically cover church construction and operation, permits to organize events, and pastoral access to hospitals and jails for members of non-Catholic religious groups. In the case of the Catholic Church, the government continued to address such concerns through the special legal recognition afforded the Church under canon law.

According to the director of the Evangelical Alliance, a movement to remove Catholicism as the state religion and define the country as an explicitly secular state lost momentum.

The director of the Evangelical Alliance and the president of the Catholic Conference of Bishops criticized proposed legislation that would revise the law permitting abortion only when the mother's life or health is at risk. Similarly, the Evangelical Alliance director and the president of the Catholic Conference of Bishops criticized the government for supporting draft legislation allowing same-sex civil unions.

### **Section III. Status of Societal Respect for Religious Freedom**

The Jewish community reported instances of anti-Semitic comments on social media, in particular posts that questioned Israel's right to exist.

Arguments over same-sex marriage and abortion on social media networks were occasionally accompanied by insults and remarks disparaging the beliefs of Catholics and other Christians. For example, an article reporting on the Catholic Church's opposition to a change in the law governing access to abortion received several insulting comments with disparaging language toward Catholic leaders. Similarly, an article sharing the views of a leader of a Christian political party garnered comments with slurs and derogatory language.

On December 3, thousands of citizens participated in the "March for Life and Family," sponsored by an association made up of members of the Catholic Church and other Christian groups. Participants carried signs and banners expressing support for prolife measures and traditional gender and family roles. Seven of the country's presidential candidates also attended the event.

### **Section IV. U.S. Government Policy and Engagement**

Embassy officials met with Christian legislators and discussed issues of free expression of religious beliefs as well as same-sex marriage and abortion issues of concern to religious groups. Embassy representatives met throughout the year with a wide range of religious leaders from the Muslim, Jewish, Catholic, and Protestant and other Christian communities to discuss their views on religious freedom in the country, including the free expression of religious beliefs. At the embassy's July 4th event, its largest representational event of the year, the Ambassador delivered remarks emphasizing the importance of valuing diversity, including religious diversity. The embassy used social media to send congratulatory messages to religious groups on special religious occasions. A senior U.S. embassy official spoke at the concert of an embassy-sponsored Klezmer band from the U.S., emphasizing the importance of religious diversity and tolerance.