

COSTA RICA 2022 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution recognizes Roman Catholicism as the state religion; the law requires the state to contribute to the Catholic Church's maintenance. The constitution prohibits the state from impeding the free exercise of religions that does not impugn "universal morality or proper behavior," and it provides for redress in cases of alleged violations of religious freedom.

In March, the Legislative Assembly passed a bill modifying the penal code to mandate 20 to 35 years in prison for conviction of homicide motivated by affiliation with a protected class, including religion. During the year, the Legislative Assembly did not review or act on a bill that would reform the constitution to make the country a secular state. In August, a court condemned and fined the Costa Rican Episcopal Conference, San Jose Archbishop Jose Rafael Quirós Quirós, and Temporalities of the Archdiocese of San Jose for the coverup of sexual abuse by a former Catholic priest, whom a court sentenced early in the year to 20 years in prison for the rape and sexual abuse of a minor. In March, the Legislative Assembly passed a public employment bill with an article on conscientious objection, including based on religious beliefs. Some non-Catholic religious leaders continued to state the constitution did not sufficiently address the specific concerns of their religious groups, particularly regarding registration processes. Following his election in April, President Rodrigo Chaves Robles stated that as a declared Catholic, he believed "the force to govern is fed by the fear of God," and he reiterated his opposition to euthanasia and abortion. Chaves met with representatives from the Costa Rican Episcopal Conference, the Costa Rican Evangelical Alliance Federation (FAEC), and the Israelite Zionist Center to discuss topics of mutual concern.

Instances of anti-Catholic language on social media, reportedly spurred by high-level investigations of priests charged with sexual abuse, continued. Examples included calling priests blatant pedophiles. Jewish community leaders continued to report anti-Israel comments, some of which they considered antisemitic, although not directed at Jews living in country. According to the Israelite Zionist Center, many of the collected comments stemmed from ignorance or an ideological bias against the state of Israel. The Costa Rican Interreligious Forum,

created in 2016 with participants from Catholic, evangelical Christian, Lutheran, Jewish, Buddhist, Baha'i, Muslim, and Indigenous communities, continued to promote dialogue among the country's faith communities.

U.S. embassy representatives met with officials from the Ministry of Foreign Affairs and Worship and the Ministry of Public Education for an update of the situation of religious issues under the new administration of President Chaves. Embassy officials also engaged with representatives of the Israelite Zionist Center, the Catholic Church, and the FAEC during the year. Embassy officials hosted an interfaith roundtable with leaders from the Muslim, Jewish, evangelical Christian, and Catholic communities, as well as with representatives of the Interreligious Forum. The embassy used social media to send congratulatory messages to religious groups on special religious occasions that highlighted tolerance and respect for religious diversity.

Section I. Religious Demography

The U.S. government estimates the total population at 5.2 million (midyear 2022). According to a University of Costa Rica (UCR) study released in 2021, Catholics represent approximately 47 percent of the population (compared with 49 percent in 2019); no religious affiliation, 27 percent (20 percent in 2019); evangelical Christians, 19 percent; other Protestants, 1.0 percent (the 2019 study estimated all Protestants combined at 36 percent); no response, 6 percent, and others, 2.7 percent.

Most Protestants are Pentecostal, with smaller numbers of Lutherans and Baptists. There are an estimated 32,000 Jehovah's Witnesses, predominantly on the Caribbean coast. The Church of Jesus Christ of Latter-day Saints estimates its membership at 50,000. The Israelite 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 Baha'i Faith. There is a small community of Rastafarians in Cahuita. Some members of Indigenous groups practice animism.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution establishes 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 do not undermine “universal morality or proper behavior.” Unlike other religious groups, the Catholic Church receives special legal recognition under a Concordat, and it is not registered as an association. 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 as well as the government.

The Ministry of Foreign Affairs and Worship 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 groups to establish places of worship. They must submit applications to the local municipality to establish a place of worship and comply with safety and noise regulations established by law.

According to the law, public schools must provide nonsectarian Christian religious instruction for all grades 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 (MEP) provides religious education assistance to private schools, both Catholic and non-Catholic, including directly hiring teachers and providing teacher salaries and other funds for all grades.

The law allows the government to provide land free of charge to the Catholic Church only.

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 Worship. It stipulates religious workers may receive permission, which is renewable, to stay at least 90 days, but not more than two years. To obtain accreditation, a religious group must present documentation about its organization, including its complete name, number of followers, bank information, number of houses of worship, and names of and information on the group's board of directors. Immigration regulations require religious workers to apply for temporary residence before arrival.

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

Government Practices

On March 22, the Legislative Assembly unanimously passed a bill addressing hate-motivated homicides. Then President Carlos Alvarado signed the bill into law on March 25. The bill modified the penal code to mandate 20-35-year prison terms for individuals convicted of a homicide motivated by affiliation with a protected class, which includes religion. The Legislative Assembly continued to review a second hate crime bill. Introduced in 2020, the second hate crime bill would also mandate 20-35 years of incarceration for hate-motivated homicide, and additionally, would include three to 10 years of incarceration for torture

motivated by protected class affiliation, including religion, as well as economic status, health condition, or political opinion. The proposed bill added articles to the criminal code to include new kinds of discrimination, such as the spreading of racial discrimination, and penalties of disqualification from holding public office for acts of genocide, torture, and discrimination based on race.

In August, the Second Court of First Civil Instance of the First Judicial Circuit of San Jose condemned and fined the Costa Rican Episcopal Conference, Archbishop Quirós Quirós, and Temporalities of the Archdiocese of San Jose for the coverup of sexual abuse by a former Catholic priest, whom earlier in the year a court sentenced to 20 years in prison for the rape and sexual abuse of a minor. The court ordered the Catholic Church to pay 65 million colones (\$110 million) plus legal costs of approximately 10.6 million colones (\$18 million) to the victim. In October, the Costa Rican Episcopal Conference stated it would appeal the ruling, based on the statute of limitations.

On March 7, the Legislative Assembly approved a public employment bill that included an article on conscientious objection, including objection based on religious beliefs. Some religious groups requested this provision to exempt public employees from participating in government-required lesbian, gay, bisexual, transgender, queer, and intersexual training courses.

During the year, the Legislative Assembly's plenary session did not review or act on two draft bills originally introduced in 2019. One bill would reform the constitution to make the country a secular state. The other draft bill would clarify the legal responsibilities of religious groups in connection with misconduct and illegal acts committed by religious leaders who are affiliated with them. This bill also proposed to amend the criminal code to place religious leaders or organizations that use their activities for illegal acts under a distinct criminal code. According to a legislative advisor, the bills will expire in May 2023 if there is no further legislative action.

Non-Catholic religious groups again stated the constitution did not sufficiently address the specific concerns of their religious groups, particularly regarding registration processes. Members of Protestant groups registered as secular associations continued to state their preference for a separate registration process that would specifically cover church construction and operation, permits

to organize events, and pastoral access to hospitals and prisons for members of non-Catholic religious groups. These groups continued to seek legislative reform to allow these changes through the passage of a religious freedom bill under legislative review since 2018. In October, members of the new Legislative Assembly who assumed office in May extended the October 10 expiration deadline to October 11, 2026, to pass the proposed religious freedom bill. If passed, the bill would address the concerns of non-Catholic groups regarding the registration of religious groups, including through language clarifying the definition of religious groups. According to government officials, in cases where the government denied a religious group's registration, it was often because the group's purpose or main activity did not include worship. 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.

During the year, the Constitutional Chamber received six claims of denial of the free exercise of religion at public institutions because of mandated COVID-19 vaccination, compared with 12 claims in 2021. The Constitutional Chamber dismissed all claims presented during the year due to insufficient evidence proving discrimination or because the chamber found no basis for claiming discrimination.

For the first time in a decade, the government did not include financial support for the Catholic Church and evangelical Christian groups in its annual budget presented on September 1 and approved on November 28. The budget did not include funding for government-to-church land transfers, which were typically granted through periodic legislation. Previous funding to evangelical Christian groups was primarily to renovate places of worship. According to the director of the FAEC, the lack of government funding did not represent a major concern for its member churches because government funding had always been a small part of their church budgets.

In October, a MEP official stated that after in-person schooling recommenced in February, and following the abatement of COVID-19, school administrators permitted the practice of reading a prayer or a meditation before a public school event. According to a determination from MEP's legal department, reading a prayer or meditation before a public school event was an acceptable demonstration of the country's culture and values in accordance with a 2019

decision from the Constitutional Chamber that approved the use of religious images in schools. The decision of the MEP's legal department followed requests from school officials regarding the use of religious images at educational centers and the reciting of prayers before public school events.

According to MEP, the religious education curriculum was a means to promote moral values and respect for human rights, rather than to educate on a specific religious doctrine. MEP officials said that on occasion, a lack of understanding of the purpose and function of religious education was a cause of concern for some parents. According to MEP, this unawareness prompted parents to mistakenly claim that abuses of freedom of conscience or freedom of religion or belief had occurred in schools.

Following his election in April, President Chaves stated that as a declared Catholic, he believed "the force to govern is fed by the fear of God" and that he opposed euthanasia and abortion. During his inauguration ceremony, President Chaves took his oath of office with his right hand on the Bible, a protocol not followed by the two previous administrations. On September 8, the Chaves administration appointed Father Ronald Leon as chaplain for the presidential office, a position left unfilled by the previous two administrations.

Early in his administration, President Chaves met with Costa Rican Episcopal Conference representatives and with the FAEC to discuss topics of education, violence, quality of public services, and general welfare. Chaves also met with members of the Israelite Zionist Center to discuss topics of mutual concern.

On June 24, he participated in a June 24 conference hosted by the Catholic University in which Archbishop Paul Richard Gallagher, the Holy See's Secretary for Relations with States (foreign minister-equivalent), spoke about the secular state and religious freedom. Following the event, Chaves stated it was inappropriate to "open the debate" about reforming the constitution to make the country a secular state, expressing concern that doing so could open a "pandora's box."

Catholic and evangelical Christian leaders said the increased engagement from the Chaves administration was welcome. They also said the Legislative Assembly had stated interest in consulting with them on pending legislation to legalize

recreational marijuana use. Muslim community leaders advocated for a legislative process that would encourage nonobligatory consultations with all religious communities on proposed legislation.

Following Legislative Assembly elections in February and after members took office in May, representatives of the New Republic political party occupied seven of the country's 57 legislative seats. The New Republic political party includes members of evangelical Christian groups. The number of occupied seats constituted a decrease from the 14 seats held by political parties connected to evangelical Christian groups in the previous Legislative Assembly term. According to the Supreme Electoral Tribunal, 38 evangelical Christians continued to serve as representatives in 82 municipal governments. The FAEC again advised pastors to refrain from running for political office but did not advise against engaging in political issues. Catholic leaders continued to defend the right of the Catholic Church to engage in the political process. Of the 30 political parties registered for the February 6 general election, seven stated a Catholic or evangelical Christian religious affiliation.

Citing moral grounds, religious groups and institutions, including the Catholic Church and the FAEC, continued to state their opposition to same-sex relationships and to legislation passed and implemented in 2020 that recognizes same-sex marriages. At an October session of the Legislative Assembly Human Rights Commission, New Republic legislator Gloria Navas read Bible verses during a debate over legislation to ban conversion therapy, stating that for Christians, homosexuality was prohibited.

The Catholic Church and evangelical Christian groups continued to oppose abortion. During the presidential campaign, religious groups asked then presidential candidate Chaves to carry out a review of the 2019 executive order on abortion, should he come to power. The 2019 executive order permitted an abortion when the life or health of a woman was at stake and allowed for health personnel to refuse to perform an abortion on religious grounds. In June, President Chaves announced the creation of a new technical standard commission to review the executive order. By year's end, however, the President had not announced the members of the commission.

In June, the MEP celebrated the annual National Week of Religious Education to promote peaceful coexistence through respect for religious diversity, ecumenism, and interreligious dialogue. Individual schools prepared their own school-sponsored activities in line with these objectives.

In February, the Legislative Assembly commemorated survivors and victims of the Holocaust through an event supported by the Israeli embassy. At the event, then lawmaker Carlos Avendaño stated, “It is our obligation as a society to remember these acts so that these atrocities are not repeated.”

Section III. Status of Societal Respect for Religious Freedom

A June UN study found that hate speech in the country had grown by 71 percent compared with 2021. The investigation analyzed hate speech and social networks in the country from 2021 to 2022. Of the 937,000 messages analyzed, the UN study categorized 53,000, or approximately 6 percent, as having a connection to religion. The study stated most of the negative messages against religion related to political ideology, with the prevailing opinion advocating for separation of religion from politics.

Instances of anti-Catholic language on social media continued after media reports detailed the continued high-level investigations of Catholic priests charged with sexual abuse and members of the church suspected of covering up these abuses. Numerous postings on social media criticized the church following the condemnation and fining of the Costa Rican Episcopal Conference, Archbishop Quirós Quirós, and Temporalities of the Archdiocese of San Jose for the coverup of sexual abuse by a former Catholic priest. One post included calling priests blatant pedophiles. Another post condemned the church for taking legal action to avoid paying the fine. The former Catholic priest was sentenced to 20 years in prison for the rape and sexual abuse of a minor.

Jewish community leaders continued to report anti-Israeli comments appearing on social media, some of which, they said, were antisemitic, although not directed at Jews living in the country and not due to generalized antisemitism at the national level. The Israelite Zionist Center of Costa Rica reported antisemitic comments it detected online through its Antidiscrimination Web Observatory, which compiles antisemitic incidents and messages posted on social networks. Some messages continued to combine negative comments against Jewish persons

with criticism of Israeli actions. For example, a message on the death of the Palestinian-American journalist Shireen Abu Akleh in May generated a wave of comments, some comparing the Israeli state to Nazis. The Zionist Center also reported a few antisemitic comments against Jewish presidential candidate Eliecer Feinzaig during the national elections. Feinzaig joined the Legislative Assembly in May.

While they celebrated the country's societal embrace of religious tolerance, Muslim leaders perceived a lack of societal awareness of Islamic religious practices and traditions. Because of this lack of awareness, said the leaders, some individuals resorted to harmful stereotypes when characterizing members of the Muslim community.

The Costa Rican Interreligious Forum, an association of religious groups to encourage interreligious dialogue among their members, continued to promote dialogue among religious leaders, with participation of representatives from the Catholic, evangelical Christian, Protestant, Lutheran, Jewish, Baha'i, Buddhist, and Indigenous faiths.

Section IV. U.S. Government Policy and Engagement

During the year, U.S. embassy representatives met with officials of the Ministry of Foreign Affairs and Worship to discuss the new administration's policies and priorities regarding religious freedom and respect for religious diversity. From November 29 to December 2, a representative from the Department of State's Office of International Religious Freedom visited the country and met with government officials, religious leaders, and civil society to reinforce the U.S. government's commitment to religious tolerance and diversity.

In October, embassy representatives met with the Israelite Zionist Center to discuss issues of importance to the Jewish community and solicit the organization's perspective on antisemitism in country. Also in October, embassy personnel engaged with a representative from the FAEC to discuss the organization's perspectives on religious freedom in the country, the status of churches within the alliance, and the situation of member churches following the pandemic. In November, embassy officials also met with the Catholic Church's chancellor, the church's chief recordkeeper, to hear the Catholic community's

perspectives on the general situation of religious freedom and discuss topics of importance for the Catholic Church.

In December, embassy officials hosted an interfaith roundtable with leaders from the Interreligious Forum and Muslim, Jewish, evangelical Christian, and Catholic communities to discuss the promotion of religious freedom and efforts to encourage interreligious dialogue. In his remarks, a senior embassy official emphasized the U.S. government's commitment to protecting and promoting religious freedom. According to the official, "Religious liberty is a universal human right and a fundamental U.S. value. The United States is committed to defend and support freedom of religion."

The embassy continued to use social media to send congratulatory messages highlighting tolerance and respect for religious diversity to religious groups on special religious occasions. Examples included the Ambassador's message recognizing the country's reinstatement of the annual pilgrimage to honor the Virgin of the Angels, the country's patron saint, following the lifting of COVID-19 pandemic health restrictions. The Ambassador emphasized the importance of resuming traditions that "unify and fill us with hope."