

COSTA RICA 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and other laws and policies protect religious freedom and, in practice, the government respected religious freedom. The trend in the government's respect for religious freedom did not change significantly during the year. An executive decree provided small Christian churches additional time to comply with new regulations for churches and places of worship.

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice, and prominent societal leaders took positive steps to promote religious freedom.

The U.S. embassy met with religious leaders throughout the year to assess the status of religious freedom and supported dialogue among religious groups through invitations to religious leaders to participate in embassy events.

Section I. Religious Demography

The population is 4.6 million, according to a U.S. government source. A 2011 University of Costa Rica survey estimates that 47 percent identify themselves as practicing Roman Catholics, 23 percent as non-practicing Catholics, 16 percent as evangelical Protestants, 6 percent as belonging to other religions, and 8 percent as having no religious affiliation.

Approximately 92 percent of Protestants are Pentecostal and 8 percent are Baptist. The Church of Jesus Christ of Latter-day Saints (Mormons) estimates its membership at 35,000. The Lutheran Church estimates it has 5,500 members. The Jewish Zionist Center estimates that there are 2,800 Jews. Approximately 1,000 Quakers live in the cloud forest reserve of Monteverde, Puntarenas, and an additional 1,000 persons attend Quaker meetings as nonmembers throughout the country. Although they represent less than one percent of the population, Jehovah's Witnesses have a strong presence on the Caribbean coast. Seventh-day Adventists operate a university that attracts students from throughout the Caribbean Basin. The Unification Church has its headquarters for Latin America in San Jose. Other religious groups include followers of Islam, Taoism, Krishna Consciousness, Scientology, Tenrikyo, and the Bahai Faith. Indigenous peoples are more likely than non-indigenous peoples to practice animism.

COSTA RICA

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and other laws and policies protect religious freedom. 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 for permission to sue the government for alleged discriminatory acts. Legal protections cover discrimination by private persons and entities.

The constitution establishes Catholicism as the state religion and requires that the state contribute to its maintenance. The constitution also prohibits the state from impeding the free exercise of other religions that do not impugn "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 temporal, or canon, law.

The Ministry of Foreign Affairs and Religion is responsible for managing the government's relationship with the Catholic Church and other religious groups. The ministry's budget includes funding for maintenance and repairs of some Catholic churches. The Catholic Church receives exemptions from income and real estate taxes.

The law allows the government to provide land to the Catholic Church, a practice established, in part, to restore land the government seized from the church during the 19th century. Government-to-church land transfers are typically granted through periodic legislation. The government earmarks funding for construction or improvement projects of Catholic churches around the country.

Only Catholic Church officials and public notaries can perform state-recognized marriages. Wedding ceremonies performed by other religious groups must be legalized through a civil union. Couples may also choose to have a civil ceremony only.

COSTA RICA

The constitution forbids Catholic clergy from serving as president, vice president, cabinet members, or supreme court justices. The Supreme Elections Tribunal has ruled that this prohibition does not apply to non-Catholic clergy.

The government does not require religious groups to register, nor does it inhibit the establishment of religious groups through taxation or special licensing requirements. According to the Law of Associations, a group with a minimum of 10 persons may incorporate as an association with juridical status by registering with the public registry of the Ministry of Justice. Like other groups, religious groups must register to engage in any type of fundraising activity.

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 comply with safety and noise regulations as established by the General Health Law. A revision of the executive order modifies the allowable distance between places of worship and their surroundings, but provides a two-year extension for places of worship to achieve compliance with Ministry of Health regulations.

Immigration law requires foreign religious workers to belong to a religious group the Ministry of Foreign Affairs and Religion accredits, and stipulates that religious workers may receive permission to stay at least 90 days but not more than two years. Immigration regulations require religious workers to apply for temporary residency before arrival.

The Ministry of Public Education provides subsidies to private schools, both Catholic and non-Catholic, including either directly placing teachers or providing their salaries, as well as other monetary support.

Public schools provide Catholic religious instruction. A student may obtain an exemption with parental permission, but the school director, parents, and teacher must agree on an alternative course of instruction. Catholic Church and school authorities share responsibility to select and dismiss public school religion teachers. Private schools are not required to offer religious instruction. Parents do not have the option to home school their children.

The government observes the following religious holidays as national holidays: Holy Thursday, Good Friday, Our Lady of the Angels Day (August 2), and Christmas. The labor code allows for the observance of other religious holidays upon the employer's approval.

COSTA RICA

Government Practices

There were no reports of abuses of religious freedom, although some religious leaders expressed concerns about the effects of government policies. The government generally applied and enforced laws in a rigorous and nondiscriminatory fashion.

Some non-Catholic leaders stated that the law did not sufficiently address the specific concerns of non-Catholic religious groups. They expressed a preference for a separate registration for non-Catholic religious groups that would specifically facilitate church construction and operation, permits to organize events, and pastoral access to hospitals and jails. In the case of the Catholic Church, the government addresses these issues through the special legal recognition it affords the Church under temporal law. An example of this is the special protection given to Catholic Church assets through a decree in 2005.

Representatives of various religious groups reported that hospital and prison security personnel occasionally denied them pastoral access to their members in public hospitals and prisons.

Some non-Catholic leaders complained that exemptions from religious instruction in schools sometimes required a letter from the child's pastor if the religious teacher doubted whether the parents actually signed the permission slip. Students occasionally were required to remain in the classroom while Catholic doctrine was taught.

The Ministry of Education (MEP) approved a new secondary-level sex education curriculum and plans to implement it in 2013. The Catholic Church and many evangelical groups opposed the curriculum on the grounds that sex education should be addressed within the family. In August the constitutional chamber ruled that students wishing to receive sex education at school required parental permission. MEP instituted a pilot program in 11 schools where the majority of students had parental approval.

In October the director of a high school denied a Jewish employee's request for leave to celebrate a Jewish holiday. After she presented her case before the constitutional chamber, she received permission to observe the holiday. Additionally, the chamber mandated that the school director must allow the observance of all religious holidays.

COSTA RICA

Some evangelical leaders stated that it was unfair for the government to provide land and tax exemptions exclusively to the Catholic Church. Despite the advantages afforded to the Catholic Church, other churches occasionally received government support. An Adventist Church in Limon received funding to support a construction project.

Section III. Status of Societal Respect for Religious Freedom

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice.

The Catholic Church met periodically with other religious groups through the Ecumenical Affairs Committee of the Catholic Conference of Bishops. Other organizations promoting religious understanding included the Jewish-Christian Fraternity and the Costa Rican-Jewish Cultural Institute.

Section IV. U.S. Government Policy

U.S. embassy representatives met with religious leaders throughout the year to assess the level of religious freedom in the country. The ambassador used social media to send congratulatory messages to religious groups on special religious occasions. As part of a campaign to counter gender-based violence, the embassy invited religious leaders to participate in events aimed at increasing civic leaders' awareness of the harm caused by gender-based violence, and encouraging religious and civic leaders to work together to combat it.