

# **COSTA RICA 2015 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

Roman Catholicism is the constitutionally mandated state religion, and the state is required to contribute to its maintenance. The constitution recognizes the right to practice the religion of one's choice and prohibits the state from impeding the free exercise of religions that do not impugn "universal morality or proper behavior." It also provides opportunity for redress in the case of an alleged violation of a citizen's religious freedom. Some non-Catholic leaders stated the constitution did not sufficiently address the specific concerns of non-Catholic religious groups. Protestants said they were registered as a secular association, but preferred a separate registration specifically covering church construction and operations, permits to organize events, and pastoral access to hospitals and jails for non-Catholic religious groups. There were no reports of significant societal actions affecting religious freedom.

The U.S. Ambassador hosted a dinner during the Jewish festival of Sukkot to promote religious freedom and mutual respect. Jews, Muslims, evangelicals, Catholics, government representatives, and others participated.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 4.8 million (July 2015 estimate). According to an August 2013 opinion poll by the Center for Investigations and Political Studies of the University of Costa Rica, an estimated 72.8 percent of the population is Roman Catholic, 14.8 percent Protestant, including evangelicals, 3.6 percent other religious denominations, and 8.4 percent no religious affiliation. The majority of Protestants are Pentecostal, with smaller numbers of Baptists and others. The Church of Jesus Christ of Latter-day Saints (Mormons) estimates its membership at 35,000. The Lutheran Church estimates it has more than 1,500 members. The Jewish Zionist Center estimates that there are between 3,000 and 3,500 Jews. Approximately 1,000 Quakers live in the cloud forest reserve of Monteverde, Puntarenas. Jehovah's Witnesses represent 1.3 percent of the population and have a strong presence on the Caribbean coast. Groups that together constitute less than 5 percent of the population include followers of Islam, Taoism, the International Society of Krishna Consciousness (Hare Krishnas), Scientology, Tenrikyo, and the Bahai Faith. Some indigenous people practice animism.

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### 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 is not registered as an association and receives special legal recognition. Its assets and holdings are governed consistent with Roman 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 juridical status by registering with the public registry of the Ministry of Justice. The government does not require religious groups to register, nor does it inhibit the establishment of religious groups through taxation or special licensing requirements. Religious groups, however, must register if they choose to engage in any type of fundraising activity and to obtain legal representation and standing.

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 the safety and noise regulations established by law

The law establishes public schools must provide religious instruction given by a person able to promote moral values, tolerance, and be respectful of human rights. If a parent, on behalf of a child, chooses to opt out of religious courses, the parent needs to make a written request. The government allows non-Catholic religion

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courses in public schools in accordance with a Supreme Court ruling annulling a regulation limiting public school religious instruction to Catholic courses. The Ministry of Public Education provides assistance to private schools, both Catholic and non-Catholic, including directly hiring teachers, providing teacher salaries, and assisting with monetary support.

The law allows the government to provide land to the Catholic Church without charge. 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. .

The constitution forbids Catholic clergy from serving as president, vice president, a cabinet member, or a Supreme Court justice. This prohibition does not apply to non-Catholic clergy based on a decades old ruling by the Supreme Elections Tribunal later confirmed by a Constitutional Chamber decision. The minister to the presidency, a Lutheran bishop who prevailed against a civil challenge to his 2014 appointment, resigned in April due to considerations unrelated to his faith.

Immigration law requires foreign religious workers to belong to a religious group accredited 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. Immigration regulations require religious workers to apply for temporary residency before arrival.

### **Government Practices**

On appeal, the Constitutional Chamber ruled in favor of a police officer who requested his supervisors accommodate his religious belief of not working on Saturdays. The court ruled in his favor and required his supervisors to refrain from scheduling him on Saturdays.

The government did not earmark funding for construction or improvement projects of Catholic churches around the country in the ordinary budget but in the extraordinary budget 6,221,962 colones (\$11,700) was allocated for that purpose. Some evangelical leaders protested to legislators and government officials that it was unfair for the government to provide land and tax exemptions exclusively to

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the Catholic Church, stating that no church should receive government funding and that the Catholic Church should be funded by its own members.

Some non-Catholic leaders stated the constitution did not sufficiently address the specific concerns of non-Catholic religious groups. Protestants said they were registered as a secular association, but preferred a separate registration that would specifically cover church construction and operation, permits to organize events, and pastoral access to hospitals and jails for 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.

The government denied permission to Christian groups to conduct a demonstration in support of peace for the country. The demonstrations took place without the required permit. According to the Evangelical Alliance, 800,000 Christians participated.

Members of the Evangelical Alliance criticized the government for supporting minority groups whose values ran contrary to their Christian beliefs and the relationship between the government and Christian groups become almost confrontation.

Observers stated that since President Luis Guillermo Solis assumed office in May 2014, the relationship among the Catholic Church, Christian groups, and the government had changed. They cite as example his decision not participate in the annual Catholic pilgrimage to the country's principal church, as all former presidents had. He did, however, participate in the next day's Mass in honor of the Patron Virgin. President Solis did not allow Catholic bishops to speak during the inauguration day ceremony or the Independence Day celebrations.

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

There were no reports of significant societal actions affecting religious freedom.

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

The U.S. Ambassador hosted a dinner during the Jewish festival of Sukkot to promote religious freedom and mutual respect. Jews, Muslims, evangelicals, Catholics, government representatives, and others participated. During the year

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U.S. embassy representatives met with Muslims, Jews, evangelicals, and others to discuss religious freedom issues.