



Religion

Population

Area

- Christians : **95.5%**
- Agnostics : **3.0%**
- Others : **1.5%**

4,857,000

51,100 Km²

Legal framework on freedom of religion and actual application

The name of God is invoked in the preamble of the constitution.^[1]

Articles 25 and 26 of the constitution state grant citizens the right to associate for lawful purposes and to assemble peacefully. Nobody can be forced to belong to any association: “No one may be disturbed or persecuted for the expression of their opinions ...” According to Article 28, members of the clergy cannot engage in political propaganda based on religion.

The constitution recognises Roman Catholicism as the state religion but does not object to the free exercise of other beliefs provided they do not contravene universal moral standards and customs. Article 75 states that Costa Rica’s status as the only confessional state in Spanish-speaking America does not in any way impede other religious expressions, provided they are within the law.

In order to be president or vice-president candidates must, according to article 131, be secular in status.

Public officials must take an oath, as stipulated in article 194: “Do you swear to God and promise to the Fatherland, to observe and defend the constitution and the laws of the republic?”

Law No. 6062 grants the Catholic Bishops’ Conference of Costa Rica and each of the dioceses both official legal status and full legal rights.^[2]

Education Law No. 2160 establishes that the school system should pursue, among other things, the development of ethical and religious values in accordance with Christian traditions. One goal of primary education is to nurture spiritual, moral and religious development. All students are to be granted access to private tuition irrespective of religious

differences.^[3]

The Labour Code (Article 90, b) bans children under the age of 15 from working, except for activities related to religious worship. The code goes on to establish that people belonging to religions other than Catholicism may ask for time off work to fulfil religious obligations. These must be previously registered with the Ministry of Foreign Affairs and Worship.^[4]

Marriages celebrated by the Catholic Church in conformity with the Family Code are recognised as civil matrimonial contracts. Article 25 states: "Celebrating ministers [...] shall be considered public officials."^[5]

Incidents

In January 2018, pictures were posted on Facebook apparently depicting Jesus at the Last Supper. The bishops' conference described it as a "disrespectful act towards the Most Holy Eucharist."^[6]

As of 20th January 2018, the Supreme Electoral Tribunal (SET) received 31 complaints relating to religion in connection with the political campaign leading up to the presidential election of 4th February^[7]

In February 2018, the Jewish group Bnai Brith Costa Rica called for respect and tolerance in opposition to verbal violence, discrimination and anti-religious attacks during the second round of voting^[8]

On 6th March 2018, the SET ruled that a joint declaration by the Catholic Church and the Evangelical Alliance Federation constituted a threat to the free exercise of the franchise and ordered them to abstain from this type of action!^[9] The case refers to a statement issued at a day of prayer held by both organisations before the elections. The ruling states that "freedom must be protected against any religious influence". Consequently, "it is not appropriate, under the protection of such roles [of bishops and pastors] to use their influence to sway the free decision of voters who share their ideology."^[10]

The drafting of the proposed Law on Freedom of Religion and Worship is still pending. The bill, which was introduced in April 2014, seeks to guarantee the specific rights to be granted with respect to the exercise of freedom of religion. It envisages, among other things, measures intended to regulate religious organisations, their autonomy and worship^[11]

Prospects for freedom of religion

The period reviewed includes several episodes symptomatic of tensions between the authorities and religious organisations. Of note in this context are the rulings of the Inter-American Court and the sentence by the Supreme Electoral Tribunal against the Catholic Church and the Evangelical Alliance Federation. The prospects for freedom of religion are poor to the extent that the right to religious expression in the public sphere is being eroded.

Endnotes / Sources

[1] Costa Rica's Constitution of 1949 with Amendments through 2011, [constituteproject.org](https://www.constituteproject.org/constitution/Costa_Rica_2011.pdf?lang=en), https://www.constituteproject.org/constitution/Costa_Rica_2011.pdf?lang=en, (accessed 15th May 2018).

[2] Ley N°6062, República de Costa Rica, article 1, http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm_texto_completo.aspx?param1=NRTC&nValor1=1&nValor2=1174 (accessed 7th March 2018).

[3] Ley Fundamental de Educación N° 2160, República de Costa Rica,, articles. 3,13,36, http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm_texto_completo.aspx?param1=NRTC&nValor1=1&nValor2=3142 (accessed 7th March 2018).

- [4] Código del Trabajo, República de Costa Rica, articles 90, 148, http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm_texto_completo.aspx?nValor1=1&nValor2=8045, (accessed 7th March 2018).
- [5] Código de Familia(República de Costa Rica), article 23, <http://www.tse.go.cr/pdf/normativa/codigodefamilia.pdf>, (accessed 7th March 2018).
- [6] G. Granados, 'Iglesia reprocha afiche de Piza en la Santa Cena', La Prensa Libre, 8th January 2018, <https://www.laprensalibre.cr/Noticias/detalle/129123/iglesia-reprocha-afiche-de-piza-en-la-santa-cena>, (accessed 6th March 2018).
- [7] S. Jiménez, '31 denuncias por usar religión en campaña', Diario Extra, 20th January 2018, <http://www.diarioextra.com/Noticia/detalle/351195/31-denuncias-por-usar-religion-en-campana>, (accessed 6th March 2018).
- [8] Bnai Brith Costa Rica, 'Una campaña sin odio y sin discriminación', La Nación, 28th February (2018?), <https://www.nacion.com/opinion/foros/una-campana-sin-odio-y-sin-discriminacion/4UWHUT25MNB2TIZXIMVB5EHUQE/story/>, (accessed 15th March 2018).
- [9] A. Sequeira, 'TSE: Manifiesto de iglesias católica y evangélicas amenazó libre ejercicio del voto', La Nación, 6th March 2018, <https://www.nacion.com/el-pais/politica/tse-manifiesto-de-iglesias-catolica-y-evangelicas/JGKSIAIYXNESLDQZAG4BIFO2NQ/story/>, (accessed 6th March 2018).
- [10] G. Granados, 'Urgente: TSE condena a iglesias por usar religión con fines políticos', La Prensa Libre, 6th March 2018, <https://www.laprensalibre.cr/Noticias/detalle/131522/urgente:-tse-condena-a-iglesias-por-usar-religion-con-fines-politicos->, (accessed 6th March 2018).
- [11] 'Proyecto de Ley 19099', Asamblea Legislativa República de Costa Rica, http://www.asamblea.go.cr/Centro_de_Informacion/Consultas_SIL/Pginas/Detalle{205e30cafce628a4751a22837988810acf46531 (accessed 16th March 2018).