



General Assembly

Distr.: General
30 August 2024
English
Original: English/Spanish

Human Rights Council
Working Group on the Universal Periodic Review
Forty-seventh session
Geneva, 4–15 November 2024

Summary of stakeholders' submissions on Costa Rica*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review and the outcome of the previous review.¹ It is a summary of 26 stakeholders' submissions² for the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles.

II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles

2. The Ombudsman's Office (DHR) recommended that Costa Rica ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and sign the 1984 Cartagena Declaration on Refugees.³

3. DHR provided evidence that income poverty affected approximately 20 per cent of the population and multidimensional poverty 30 per cent, with a risk that both will increase owing to lower public social spending and the lack of a long-term public policy, among other reasons. It added that more than 38 per cent of children were living in poverty.⁴

4. DHR pointed out that food security in the country was in doubt and recommended that Costa Rica promote a general act on food security and a new national food security and nutrition policy.⁵

5. DHR acknowledged the public security crisis in the country and recommended the development of an action plan for the "Costa Rica – Segura Plus" National Policy on Public Security 2023–2030 and the allocation of an adequate budget to the Ministry of Public Security.⁶

6. DHR noted the lack of data on the implementation of the technical guidelines for therapeutic abortion and recommended increasing the training of public health personnel on

* The present document is being issued without formal editing.



current standards. It also recommended proceeding with the enactment of bill No. 23493 on sexual and reproductive health rights.⁷

7. DHR noted that the public education budget was shrinking and recommended that Costa Rica devote financial, human and technological resources to reduce school drop-out rate, improve educational infrastructure and close technology gaps.⁸

8. DHR recommended the formulation of a public policy on employment, incorporating gender, age and regional perspectives. It noted that, despite existing legislation, the gender wage gap persisted and that Costa Rica did not have a national methodology for its measurement.⁹

9. DHR recommended the adoption of regulations prohibiting the excessive use of pesticides highly hazardous to health and the environment.¹⁰

10. DHR recommended that Costa Rica assign sufficient resources to implement the National Policy for Addressing and Preventing Violence against Women of All Ages.¹¹ It also recommended ensuring the implementation of Act No. 9406, strengthening legal protection for girls and adolescent women in situations of gender-based violence associated with abusive relationships.¹²

11. DHR highlighted the inaction of Costa Rica in ensuring access to land for Afrodescendent and Indigenous tribal peoples, and persistent violations of their right to consultation, ways of life and world-view. It recommended that Costa Rica guarantee the rights to life and physical integrity of Indigenous human rights defenders and ensure prompt and effective justice in cases of human rights violations.¹³

12. DHR recommended that Costa Rica adopt implementing regulations for Act No. 10120 on Affirmative Action for People of African Descent and implement the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance.¹⁴

13. DHR noted the lack of a general act on LGTBIQ+ rights and recommended that Costa Rica fully recognize the right to self-perceived gender identity.¹⁵

14. DHR indicated that barriers to full compliance with Act No. 7600 on Equal Opportunities for Persons with Disabilities remained and recommended the promotion of effective mechanisms for its enforcement.¹⁶

III. Information provided by other stakeholders

A. Scope of international obligations and cooperation with human rights mechanisms

15. Broken Chalk (Broken Chalk) recommended that Costa Rica ratify the International Convention on the Protection of the Rights of Migrant Workers and Members of their Families.¹⁷

16. Four submissions recommended that Costa Rica ratify the Regional Agreement on Access to Information, Public Participation, and Justice in Environmental Matters in Latin America and the Caribbean (the “Escazú Agreement”).¹⁸

17. The Center for Global Nonkilling (CGNK) noted that Costa Rica had ratified all major arms control conventions.¹⁹

B. National human rights framework

Institutional infrastructure and policy measures

18. Four submissions regretted that the Government had abolished the positions of Presidential Commissioner for Afrodescendent Affairs and Presidential Commissioner for

LGTBIQ+ Affairs, creating in their place the single figure of the Commissioner for Social Inclusion.²⁰

C. Promotion and protection of human rights

1. Implementation of international human rights obligations, taking into account applicable international humanitarian law

Equality and non-discrimination

19. Joint submission 8 (JS8) noted that Costa Rica had a National Policy for a Society Free from Racism, Racial Discrimination and Xenophobia and a National Policy for Effective Equality between Women and Men. However, it highlighted the increase in discrimination and hate speech against minority groups, especially on social networks, and recommended the establishment of complaint and victim support centres.²¹

20. Broken Chalk recommended that Costa Rica enhance measures to protect indigenous groups, people of African descent, and other minority groups against discrimination.²² Two submissions expressed concern over increasing discrimination, xenophobia, and violence towards migrants, which had also been aggravated by the discourse of the current government.²³

21. The Asociación MULABI – Espacio Latinoamericano de Sexualidades y Derechos (Latin American Space for Sexualities and Rights) (AMULABI) recommended that Costa Rica punish all forms of violence related to discrimination, including hate speech.²⁴

Right to life, liberty and security of person, and freedom from torture

22. JS9 noted that Costa Rica was facing the most difficult public security situation in its history, as evidenced by a surge in homicides.²⁵ CGNK encouraged Costa Rica to adopt more solid prevention measures to reduce the homicide rate.²⁶

23. The Foro de Mujeres Políticas de Costa Rica (Forum of Women Politicians) recommended that Costa Rica ensure medical care, prevent overcrowding and guarantee access to basic health products in prisons. It also recommended that Costa Rica ensure the health of pregnant women deprived of their liberty.²⁷

Administration of justice, including impunity, and the rule of law

24. JS5 observed that, owing to political discretion and a lack of regulation, the selection by the Legislative Assembly of members of the Supreme Court ensured neither their merit nor their professional capacity. It added that the Supreme Court also managed administrative and disciplinary aspects and the appointment of judges, which distracted it from its primary function of rendering justice, limited the effectiveness of internal oversight and undermined internal judicial independence.²⁸

25. JS5 noted that although women accounted for the majority of judges, their presence in senior positions was shrinking. It recommended that Costa Rica revise the Judicial Service Act so that appointments of judges were decided on the basis of aptitude and gender parity.²⁹

26. The Mesa Nacional Indígena de Costa Rica (National Indigenous Committee) (MNICR) noted that neither Act No. 9593 on Access to Justice for Indigenous Peoples nor the Supreme Court guidelines on the subject were adequately implemented and recommended that Costa Rica provide ongoing training to justice officials on the rights of Indigenous Peoples.³⁰

27. The Red Feminista contra la Violencia hacia las Mujeres Costa Rica (Feminist Network against Violence against Women) (REDFEMVIO) recommended that Costa Rica introduce the Latin American Model Protocol for the Investigation of Gender-related Killings of Women in all branches of the Public Prosecution Service and not only in special prosecutors' offices for gender issues.³¹

Fundamental freedoms and the right to participate in public and political life

28. JS1 noted a considerable increase in violations of freedom of expression and disinformation campaigns on social networks.³² Two submissions reported that Costa Rica had slipped in the global indexes of freedom of expression and press freedom and that, in 2023, the Constitutional Chamber of the Supreme Court had ruled that the President of the Republic had violated the freedom of the press by launching repeated verbal attacks on the media.³³

29. JS1 noted an increase in online attacks against women, especially Indigenous activists involved in proceedings to recover Indigenous territories, women in politics and journalists, and the lack of a clear strategy for the online protection of female human rights defenders and women in general. It recommended that Costa Rica amend the Violence against Women Act to include digital violence, develop a national strategy against online gender-based violence and introduce a national protocol for responding to victims of gender-based violence on the Internet.³⁴

30. JS1 highlighted the adoption in 2022 of Act No. 10235 to Prevent, Address, Punish and Eradicate Violence against Women in Politics. However, it noted an increase in attacks on women in public office during the current Administration. It recommended further progress in implementation of the Act and the introduction of a national strategy to address the problem.³⁵ The Foro de Mujeres recommended that the Legislative Assembly adopt bill No. 23.443, which would extend to social organizations the obligations contained in Act No. 10235.³⁶

31. JS6 noted that the security situation of Indigenous defenders had not improved and highlighted impunity in respect of the murders of two leaders, Sergio Rojas and Jehry Rivera, and attacks and threats against other Indigenous defenders. It recommended that Costa Rica introduce a programme of reparations for Indigenous peoples affected by human rights violations and ensure that those responsible for the murders of Sergio Rojas and Jehry Rivera did not go unpunished.³⁷

32. JS1 noted that there were still connectivity gaps between rural and urban areas, mainly affecting Indigenous territories and female heads of household, and recommended that Costa Rica step up digital inclusion efforts.³⁸ AfroLeaders considered it essential to improve connectivity, especially in rural areas inhabited by communities of African descent.³⁹

33. JS1 noted that, despite the constitutional recognition of the right of access to public information, Costa Rica lacked legislation establishing that government data were open by default; it recommended the adoption of a law on transparency and access to public information that included the designation of a national body with competence in this area.⁴⁰

Right to privacy

34. JS1 noted that the failure to update personal data protection legislation had led to multiple cases in which State institutions had been responsible for data breaches; it recommended updating the Personal Data Protection Act (No. 8968).⁴¹

Prohibition of all forms of slavery, including trafficking in persons

35. JS8 indicated that Costa Rica had taken various steps to eradicate human trafficking and sexual exploitation, including the enactment of laws, the establishment of specialized police units and the adoption of victim protection programmes. However, it noted that these efforts lacked adequate funding, that fewer trafficking cases were being investigated and that, for the second year in a row, no labour traffickers had been prosecuted or convicted.⁴²

36. The European Centre for Law and Justice (ECLJ) recommended that Costa Rica improve efforts to protect victims of human trafficking and sexual exploitation. It noted that women were exploited for forced prostitution due to the country's large market for sex tourism and recommended that Costa Rica aggressively prosecute those trafficking women and exploiting them in prostitution.⁴³

Right to work and to just and favourable conditions of work

37. JS9 noted that the national unemployment rate stood at 7.2 per cent at the end of 2023, with 37.8 per cent of workers in informal employment, while unemployment among persons aged 15 to 24 years was three times the national rate.⁴⁴ JS8 recommended that Costa Rica adopt plans to increase youth employment opportunities and training programmes for young people without higher education.⁴⁵

38. Broken Chalk reported that, despite being more likely to obtain better education, women in Costa Rica were less likely to be employed than men. It also noted that women in Costa Rica earned about 68 per cent of their male counterparts.⁴⁶

39. AfroLeaders noted a lack of decent employment for people of African descent and the ineffectiveness of affirmative action programmes in employment. It recommended that Costa Rica review its policies to identify how systemic racism hindered access to good quality employment opportunities.⁴⁷

40. AMULABI recommended that Costa Rica promote the employment of trans persons and conduct studies on complaints of workplace discrimination on the grounds of gender identity.⁴⁸

41. JS3 noted that the lack of migratory documentation and work permits made it impossible for migrants and people in need of international protection to integrate into the labour force under adequate conditions and that discrimination against certain nationalities affected the job search.⁴⁹ It also highlighted the insufficient number of inspectors of the Ministry of Labour to address labour exploitation of migrants and the lack of legal authority to act immediately, as cases had to be referred to the ordinary justice system.⁵⁰

Right to social security

42. JS7 highlighted the weakening and the threat of privatization of universal social security due to the non-payment of the State debt to the Costa Rican Social Insurance Fund and misinformation about this institution.⁵¹

Right to an adequate standard of living

43. JS9 noted that, in 2023, 21.8 per cent of households in Costa Rica were poor and that children were hardest hit, with poverty affecting 38 per cent of them.⁵² It recommended the immediate reversal of funding cuts to financial support programmes for vulnerable populations.⁵³

44. The Foro de Mujeres noted that, in recent years, there had been a crisis of access to drinking water, particularly in poor neighbourhoods, which had led to protests that had been repressed by the State.⁵⁴

Right to health

45. Two submissions reported that abortion was a criminal offence in Costa Rica except in cases of therapeutic abortion to protect the life or the health of the pregnant person.⁵⁵ JS7 recommended that access to abortion should be regulated other than under criminal laws, following the guidelines of the World Health Organization.⁵⁶ JS11 recommended decriminalizing abortion in cases of rape, incest, when the pregnant person is a minor and when there is a malformation that makes life outside the womb impossible.⁵⁷ ECLJ defended Costa Rica's abortion legislation.⁵⁸

46. The Center for Reproductive Rights pointed out that Executive Decree No. 42113-S of 2019, which formalized the technical guidelines for therapeutic abortion, created several barriers to access to therapeutic abortion, including the scope for discretion in identifying danger, the requirement to consult three doctors to authorize the procedure and the lack of mechanisms for appeal if the procedure is denied.⁵⁹ JS4 added that the technical guidelines provided for conscientious objection without setting clear limits.⁶⁰

47. Two submissions noted that the dispensation of emergency oral contraceptives in public health centres and their over-the-counter sale in pharmacies had been authorized by Executive Decree No. 41722 of 2019. Nevertheless, they pointed out the persistence of

obstacles such as conscientious objection, the lack of supply and the stigmatization of users by private pharmacies.⁶¹ Three submissions recommended ensuring access to contraceptive methods and comprehensive sexual and reproductive health services.⁶² JS7 recommended recognizing by law the right of access to emergency contraception.⁶³

48. JS4 highlighted an increase in mental health risks for minors, including self-harm and suicidal thoughts. It recommended updating the National Policy on Mental Health and creating a national plan for the early detection and treatment of life-threatening conditions in children.⁶⁴ Two submissions recommended that Costa Rica step up awareness campaigns for children and adolescents on the harms of drug use.⁶⁵

49. JS4 recommended that Costa Rica sensitize health personnel and improve existing protocols and other regulations to ensure non-discrimination against LGBTIQ+ persons.⁶⁶

50. AMULABI underscored that bill No. 20.970 to prohibit “conversion therapies” and punish those responsible for them had been before the Legislative Assembly since 2018, its passage having been hindered by the opposition of mostly Christian, evangelical and conservative deputies.⁶⁷ It recommended that Costa Rica ensure that intersex persons are not subjected to surgery without their free, prior and informed consent.⁶⁸

51. JS2 recommended that migrants be guaranteed access to free health care regardless of their status.⁶⁹

Right to education

52. Broken Chalk stated that the education system in Costa Rica was considered the best in Latin America.⁷⁰ JS8 noted that Costa Rica had policies for free access to primary and secondary education, but that problems remained unaddressed, especially among vulnerable and migrant populations and in some rural and remote areas.⁷¹

53. JS7 highlighted that the education system in Costa Rica was facing a severe crisis and that the public education budget for 2024, at 5.2 per cent of GDP, would be at its lowest level for a decade.⁷² JS8 recommended that Costa Rica adopt a financing plan for the improvement of public education.⁷³

54. Broken Chalk noted that, despite efforts made by the Ministry of Education, drop-out rates remained a challenge. Completion rates in lower secondary education were 90 per cent for wealthier students and 50 per cent for financially disadvantaged ones, with higher drop-out rates in rural areas and among boys. It recommended that Costa Rica adopt additional measures to address inequality in education and drop-out rates.⁷⁴

55. Broken Chalk stated that Costa Rica was unprepared for the severe impact of the COVID-19 outbreak, and that the sudden change from in-person teaching to online alternatives highlighted the significant digital divide in the country.⁷⁵ ADF stated that homeschooling was not fully realized in Costa Rica.⁷⁶

56. AfroLeaders noted that, despite the existence of a law on affirmative action for people of African descent, such action was not being taken in the education sphere, and it recommended that institutions such as the National Training Institute and the University College of Limón deliver specialized learning and training programmes.⁷⁷

57. JS2 recommended that Costa Rica ensure access to education for applicants for international protection, especially by recognizing foreign academic qualifications and grades.⁷⁸

Development, the environment, and business and human rights

58. Just Atonement Inc. (JAI) commended Costa Rica for its climate leadership and launching the National Decarbonization Plan in 2019, which directed reforms in transportation, energy, and waste and land use. It also welcomed the extension of the moratorium on oil exploration until 2050 and the use of 98 per cent renewable energy for its national energy consumption.⁷⁹

59. JAI noted the ambition of Costa Rica to increase forest cover to 60 per cent, and underlined that deforestation, habitat fragmentation, climate change, and hunting and

poaching practices continued to pose major threats to biodiversity. It also highlighted the negative impacts of the pineapple industry on access to water and the environment.⁸⁰

60. JAI indicated that vulnerability to the effects of climate change was particularly pronounced for certain populations in Costa Rica, namely those living in Puerto Limón, Jaco and Puntarenas, and that indigenous peoples were particularly vulnerable.⁸¹

2. Rights of specific persons or groups

Women

61. JS7 noted that there was a rift between the National Institute for Women and women's and feminist groups owing to the absence of participation mechanisms for organizations and groups that challenged the actions of the State.⁸²

62. JS7 noted that, while laws and policies had been adopted to tackle violence against women, there was a significant gap between legislation and its effective application, with the highest rates of violence reported in coastal provinces and peripheral areas, especially among women with little schooling and women in a situation of economic dependence.⁸³ It recommended that data on violence be disaggregated so as to give visibility to women victims of trafficking, Indigenous women, women with disabilities, women of African descent and LBQ+ women.⁸⁴

63. JS7 observed that services for victims of violence were limited and concentrated in San José and that there were no protocols for the care of women that recognized their diversity or aspects of intersectionality such as age and disability.⁸⁵

64. REDFEMVIO recommended that Costa Rica ensure implementation of the National Policy for Preventing and Addressing Violence against Women of All Ages 2017–2032, including by assigning the necessary budget, and that it immediately enforce the Act on Comprehensive Reparation for Survivors of Femicide.⁸⁶

65. JS9 recommended that Costa Rica implement support programmes for victims of sexual violence that included access to justice and financial and psychological support during and after the judicial proceedings.⁸⁷

66. Three submissions noted that Costa Rica had an inter-institutional protocol for the comprehensive care of rape victims, which included access to emergency contraception within 72 hours.⁸⁸ However, JS4 noted that it was not mandatory for health centres to follow the protocol.⁸⁹ REDFEMVIO noted that a bill to incorporate the protocol into law had been blocked by evangelical lawmakers.⁹⁰

67. JS10 noted that, while sex work was not an offence in Costa Rica, the failure to recognize it as a form of employment forced sex workers to operate without defined schedules in unsanitary and economically disadvantageous conditions.⁹¹ It added that stigma and discrimination against sex workers contributed to serious violations of their human rights, including physical, psychological and sexual violence, unlawful and arbitrary detention and de facto barriers to access to justice.⁹²

Children

68. JS9 noted that the National Policy on Childhood and Adolescence had ended in 2021 and recommended that Costa Rica adopt a new policy for the period 2024–2036 with an annual budget for its implementation.⁹³

69. JS8 noted that Indigenous children, children of African descent and children with disabilities were the groups of children most affected by discrimination.⁹⁴

70. JS4 noted that Costa Rica had criminalized improper relationships and child marriage and eliminated the possibility of marriage before the age of 18 years. However, it indicated that greater efforts were needed to enforce the Improper Relationships Act, especially to address cultural factors ingrained in the population.⁹⁵

71. JS9 noted that, despite Costa Rica having one of the lowest rates of child labour in Latin America, child labour persisted, particularly in the informal sector. It recommended

increasing support for poor families, developing awareness campaigns and strengthening monitoring mechanisms, including by allocating more resources to the National Directorate of Labour Inspection and granting it additional powers, such as the power to impose on-the-spot penalties.⁹⁶

72. JS9 expressed concern about the conditions of children and adolescents removed from their biological families and placed in the care of the National Child Welfare Agency. It noted that subsidies for non-governmental organizations and foster care programmes had been reduced without expert analysis and recommended that Costa Rica update care protocols, increase funding and make progress towards deinstitutionalization.⁹⁷

73. JS9 noted that progress in prohibiting the corporal punishment and humiliating treatment of children was threatened by the school of thought that not using such practices fostered disrespect for adults.⁹⁸

74. JS9 recognized the efforts of Costa Rica to ensure positive virtual environments for children, including the national strategy to prevent and respond to online sexual exploitation and abuse 2021–2027, although it highlighted that the strategy lacked funding. It recommended that Costa Rica strengthen the National Online Safety Commission; update the Criminal Code in relation to child pornography; and include or improve the definitions of criminal offences such as sexting, sextortion and grooming.⁹⁹ Defence for Children International recommended that Costa Rica conduct awareness campaigns on cyberbullying in schools and on social networks.¹⁰⁰

Older persons

75. JS4 noted regulatory progress on the protection of older persons in Costa Rica but pointed out that the National Policy on Ageing and Old Age 2023–2033 did not provide for the comprehensive protection of sexual and reproductive health. It recommended that Costa Rica generate statistical data in this area and that it mainstream the dimensions of age and sexuality in health regulations and programmes.¹⁰¹

Persons with disabilities

76. JS4 observed that 63.3 per cent of women with disabilities had experienced at least one form of violence.¹⁰²

77. JS7 noted that the vast majority of public policies on disability did not have a gender perspective, while public policies on gender did not incorporate a disability approach.¹⁰³

Indigenous Peoples and minorities

78. JAI stressed that Indigenous Peoples in Costa Rica had disproportionately low access to education, healthcare, electricity, and drinking water and faced higher levels of unemployment and lacked access to credit.¹⁰⁴

79. Two submissions noted that Indigenous Development Associations, which are State bodies subordinate to the executive branch, acted as the legal representatives of Indigenous territories.¹⁰⁵ MNICR recommended that Costa Rica recognize diversity in territorial governance, involving traditional authorities and community organizations.¹⁰⁶ JS6 recommended amending Decree No. 8487 of 1978, which had imposed Indigenous Development Associations as the sole representative structures of Indigenous Peoples, so that such representation was optional and not mandatory for each territory.¹⁰⁷

80. JAI emphasized that political and legal obstacles had significantly impeded the enforcement of the 1977 Indigenous Law, which had designated indigenous lands as inalienable and exclusively for indigenous communities.¹⁰⁸ MNICR noted that between 38 per cent and 97 per cent of the 24 Indigenous territories was estimated to be occupied by non-Indigenous persons, which had led to conflicts.¹⁰⁹

81. JS6 pointed out that the illegal occupation of Indigenous territories had been exacerbated by the State's refusal to expel non-Indigenous illegal settlers who had occupied the territories "in bad faith" (in other words, after the 1977 Indigenous Act) and its prioritization of the National Plan for the Recovery of Indigenous Territories, under which it

sought funding to expropriate land from “good faith” illegal settlers (who had occupied the territories before the Indigenous Act), who represented less than 10 per cent of illegal settlers.¹¹⁰ JS6 recommended that Costa Rica design and implement a plan for the restitution of land in the possession of “bad faith” settlers, with an emphasis on land prioritized by Indigenous defenders.¹¹¹

82. MNICR noted that, faced with the State’s failure to take action, Indigenous leaders had recovered some lands, and consequently had been subjected to physical attacks and criminal prosecution. It recommended that Costa Rica investigate discrimination and repression against Indigenous persons and enforce the law.¹¹²

83. JAI indicated that a significant amount of Indigenous land currently lied within state-protected areas, which prevented Indigenous Peoples from accessing their ancestral lands.¹¹³

84. MNICR noted that Costa Rica had formulated policies with Indigenous participation. However, it pointed out that various public institutions had failed to apply Executive Decree No. 40932-MP-MJP, which established the general mechanism for consultation with Indigenous Peoples. It also mentioned the lack of procedures for the Legislative Assembly to consult Indigenous Peoples on legislative matters.¹¹⁴ It recommended that Costa Rica implement Executive Decree No. 40932-MP-MJP by allocating funding for Indigenous consultations; that it amend the rules of procedure of the Legislative Assembly to include a provision on consultation on bills; and that it draft a law, with Indigenous participation, on the consultation of Indigenous Peoples.¹¹⁵

85. AfroLeaders recognized that Executive Decree No. 43191-MP-MCJ of 2021 represented an important step in recognizing the contribution of the Afro-Costa Rican population to the country’s cultural identity and had established a working group for the recognition of Afro-Costa Rican tribal peoples.¹¹⁶ Two submissions recognized the adoption, in 2022, of Law 10120 on affirmative actions in favour of people of African descent. However, they noted that no such measures had been yet implemented.¹¹⁷ FPTAC requested that Costa Rica extend the initial 10-year period of application of the legislation.¹¹⁸

86. AfroLeaders recommended that Costa Rica promote the economic development and financial autonomy of communities of African descent through tax incentives, financial support programmes and social and educational policies with the direct collaboration of communities.¹¹⁹ It also recommended that Costa Rica create a reparatory justice plan to correct the historical and systemic injustices experienced by communities of African descent.¹²⁰

87. FPTAC highlighted that Afro-descendant communities in Costa Rica had their property rights systematically denied due to dispossession of their ancestral lands by the State to create national parks and protected areas. It recommended that Costa Rica establish a consultation mechanism to seek remedial actions; compensate for historic land seizures; prevent further expulsions; and enable community participation in managing and preserving protected areas.¹²¹

Lesbian, gay, bisexual, transgender, and intersex persons

88. AMULABI noted that legislative progress in the fight against discrimination and violence against LGTBIQ persons had stalled since the change of government in 2022.¹²² JS4 noted the lack of adequate measures for the effective inclusion of such persons and that, during the current Administration, speeches contrary to their rights had been given.¹²³

89. JS4 noted that LGTBIQ+ people faced situations of violence, exclusion and discrimination that went unreported.¹²⁴

Migrants, refugees and asylum-seekers

90. JS2 noted that, as a result of the sociopolitical crisis in a neighbouring country, the number of refugees and asylum-seekers in Costa Rica had soared.¹²⁵ JS3 noted that, in 2023, 11 per cent of the country’s total population were migrants and persons needing international protection.¹²⁶

91. JS3 noted that in Costa Rica the narratives surrounding migration tended to be stigmatizing, discriminatory and criminalizing. It noted with concern that attitudes of discrimination, xenophobia and violence towards the migrant population had escalated over the years and that the situation had also been aggravated by the positioning of the current government.¹²⁷ Two submissions raised concern about Executive Decree No. 43810 of 2022, which had amended several articles of the Regulations on Refugees.¹²⁸

92. JS2 denounced multiple border push-backs and deportations of migrants and noted that there were insufficient appointments for the filing of applications for refugee status, so that more than 5,000 people were excluded every month, in addition to the 170,000 pending files.¹²⁹ JS7 recommended extending application deadlines and streamlining asylum procedures.¹³⁰ Similar recommendations were made in two other submissions.¹³¹

93. JS3 noted that, due to de facto and de jure barriers, migrants, and people in need of international protection were unable to exercise a series of economic, social and cultural rights, particularly the rights to health, work and food.¹³²

Notes

¹ [A/HRC/42/12](#), [A/HRC/42/12/Add.1](#) and [A/HRC/42/2](#).

² The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org (one asterisk denotes a national human rights institution with A status).

Civil society

Individual submissions:

| | |
|-----------------|--|
| ADF | ADF International (Switzerland); |
| AfroLeaders | AfroLeaders Costa Rica (Costa Rica); |
| AMULABI | Asociación Mulabi – Espacio Latinoamericano de Sexualidades y Derechos (Costa Rica); |
| Broken Chalk | Broken Chalk (The Netherlands); |
| CDA | Colegio de abogados y abogadas de Costa Rica (Costa Rica); |
| CDR | Centro de Derechos Reproductivos (Switzerland); |
| CGNK | Center for Global Nonkilling (Switzerland); |
| DNI | Defensa de Niños y Niñas Internacional (Costa Rica); |
| ECLJ | The European Centre for Law and Justice (France); |
| Foro de Mujeres | Foro de Mujeres Políticas de Costa Rica (Costa Rica); |
| FPTAC | Foro de Pueblos Tribales Afrodescendientes (Costa Rica); |
| JAI | Just Atonement Inc. (United States of America); |
| MNICR | Mesa Nacional Indígena de Costa Rica (Costa Rica); |
| REDFEMVIO | Red Feminista contra la Violencia hacia las Mujeres Costa Rica (Costa Rica). |

Joint submissions:

| | |
|-----|--|
| JS1 | Joint submission 1 submitted by: Asociación para el Progreso de las Comunicaciones (South África); Cooperativa Sulá Batsú (Costa Rica); |
| JS2 | Joint submission 2 submitted by: Aula Abierta (Venezuela); Asociación Intercultural de Derechos Humanos (Costa Rica); Red Internacional de Derechos Humanos Europa (Bélgica); Asociación Nacional para la Defensa de los Derechos de los Inmigrantes y Refugiados en Costa Rica (Costa Rica); Fundación Libertad (Nicaragua); Asociación Coordinadora Universitaria por la Democracia y la Justicia (Costa Rica); [Foundation for Development and Social Innovation (United States of America); |
| JS3 | Joint submission 3 submitted by: Asociación Centro de Derechos Laborales sin Fronteras de Costa Rica (Costa Rica); Centro Claretiano de Atención al Migrante, Costa Rica – CECAMCR (Costa Rica); Centro de Derechos Sociales de la Persona Migrante – CENDEROS (Costa Rica); Centro de Investigación en Cultura y Desarrollo – CICDE - de la Universidad Estatal a Distancia – UNED (Costa Rica); Center for Justice and International Law – CEJIL (Costa Rica); |

- Human Rights Collective for the Historical Memory of Nicaragua - Colectivo Nicaragua Nunca Más (Costa Rica); HIAS Costa Rica (Costa Rica); Institute on Migration and LGBTIQ Refuge for Central America IRCA CASABIERTA (Costa Rica); Jesuit Migrant Service Costa Rica (Costa Rica);
- JS4** **Joint submission 4 submitted by:** Centro de Investigación y Promoción para América Central de Derechos Humanos – CIPAC (Costa Rica); Asociación gerontológica Costarricense – Ageco (Costa Rica); Centro Feminista de Información y Acción – Cefemina (Costa Rica); Colectiva por el Derecho a Decidir, Centro de Derechos Sociales de la Persona Migrante – CENDEROS (Costa Rica); Fundación PANIAMOR (Costa Rica); World Vision Costa Rica (Costa Rica); Alianza Latinoamericana de Mujeres con Discapacidad – Alamud (Costa Rica); Sexual Rights Initiative (Switzerland);
- JS5** **Joint submission 5 submitted by:** Centro por la Justicia y el Derecho Internacional – CEJIL (Costa Rica); Asociación Americana de Juristas rama Costa Rica (Costa Rica); Asociación Costarricense de la Judicatura – ACOJUD (Costa Rica); Asociación Costa Rica Integra – CRI (Costa Rica); Catedra Unesco de Derechos Humanos de la Universidad La Salle; Programa Estado de la Nación – PEN-CONARE (Costa Rica);
- JS6** **Joint submission 6 submitted by:** Forest Peoples Programme (United Kingdom of Great Britain and Northern Ireland); Consejo de Mayores Broran (Costa Rica); Concejo Ditso Iriria Ajkonuk Wakpa – CODIAW (Costa Rica);
- JS7** **Joint submission 7 submitted by:** Alianza de Mujeres Costarricenses (Costa Rica); Alianza Latinoamericana de Mujeres con Discapacidad – Alamud (Costa Rica); Asociación Ciudadana ACCEDER (Costa Rica); Agenda Política de Mujeres con Discapacidad (Costa Rica); Asociación por la Democracia y los Derechos Humanos – ASDEDH (Costa Rica); Asociación Ixacavaa de desarrollo e información Indígena (Costa Rica); Casa Rara (Costa Rica); Centro de Investigación y Promoción para América Central de Derechos Humanos – CIPAC (Costa Rica); Mujeres Unidas en Salud y Desarrollo – MUSADE (Costa Rica); Mulabi – Espacio Latinoamericano de Sexualidades y Derechos (Costa Rica); Museo de las mujeres de Costa Rica - MMCR (Costa Rica); Red de Mujeres Nicaragüenses en Costa Rica (Costa Rica); Red de Mujeres en Incidencia Social y Desarrollo – CR REMISOD (Costa Rica);
- JS8** **Joint submission 8 submitted by:** Instituto Internazionale Maria Ausiliatrice – IIMA (Switzerland); International Volunteerism Organization for Women, Education, Development – VIDES International (Italy); Fundación Marista por la Solidaridad Internacional – FMSI (Italy); Fundación Marista – FUNDAMAR (Guatemala); Instituto de las Hijas de Maria Auxiliadora – Provincia Nuestra Señora de los Ángeles (Costa Rica);
- JS9** **Joint submission 9 submitted by:** Fundación PANIAMOR Costa Rica; Aldeas Infantiles SOS (Costa Rica); World Vision Costa Rica (Costa Rica); Asociación Soy Niña (Costa Rica); Instituto de Investigaciones Psicológicas de la Universidad de Costa Rica (Costa Rica); Programa Interdisciplinario de Estudios y Acción Social de los Derechos de la Niñez y la Adolescencia de la Universidad de Costa Rica (Costa Rica); Colegio de Profesionales en Psicología de Costa Rica – CPPCR (Costa Rica); Colegio de Trabajadores Sociales de Costa Rica – COLTRAS (Costa Rica); Colegios de Profesionales en Orientación (Costa Rica);

JS10

Joint submission 10 submitted by: Red Latinoamericana y del Caribe de Trabajadoras Sexuales – RedTraSex (Costa Rica); Asociación La Sala (Costa Rica); Sexual Rights Initiative – SRI (Switzerland);

JS11

Joint submission 11 submitted by: Asociación Ciudadana ACCEDER (Costa Rica); Sexual Rights Initiative – SRI (Switzerland).

National human rights institution:

DHR

Defensoría de los Habitantes (Costa Rica).

- ³ DHR, p. 6.
- ⁴ DHR, pp. 2 and 6.
- ⁵ DHR, p. 5.
- ⁶ DHR, pp. 5–6.
- ⁷ DHR, p. 3.
- ⁸ DHR, p. 2.
- ⁹ DHR, pp. 4 and 5.
- ¹⁰ DHR, p. 9.
- ¹¹ DHR, p. 3.
- ¹² DHR, p. 2.
- ¹³ DHR, p. 7. See also CDA, pp. 1–2.
- ¹⁴ DHR, p. 7.
- ¹⁵ DHR, p. 8.
- ¹⁶ DHR, p. 7.
- ¹⁷ Broken Chalk, p. 9.
- ¹⁸ JS1, p. 13; JS6, p. 12; JS7, p. 7; and JAI, p. 6.
- ¹⁹ GCNK. P. 4.
- ²⁰ JS7, pp. 3–4; AfroLeaders, pp. 8–9; FPTAC, p. 6, and AMULABI, p. 1.
- ²¹ JS8, pp. 11–12.
- ²² Broken Chalk, p. 9.
- ²³ JS2, p. 2–3, and JS3, pp. 13–14.
- ²⁴ AMULABI, p. 3. See also JS1, p. 7.
- ²⁵ JS9, p. 2. See also DNI, p. 2.
- ²⁶ CGNK, p. 3.
- ²⁷ Foro de Mujeres, p. 4.
- ²⁸ JS5, pp. 2–3, and 8–11.
- ²⁹ JS5, pp. 5 and 12.
- ³⁰ MNICR, pp. 2, and 4–5.
- ³¹ REDFEMVIO, p. 7.
- ³² JS1, p. 2.
- ³³ JS1, pp. 2 and 8; and JS7, p. 4 and 5.
- ³⁴ JS1, pp. 3–4, 6–7, 9–10 and 13–14. See also JS7, p. 5.
- ³⁵ JS1, pp. 3, 5, 6 and 14. See also REDFEMVIO, p. 3; and Foro de Mujeres, pp. 5–6.
- ³⁶ Foro de Mujeres, pp. 5–6.
- ³⁷ JS6, pp. 6–8, and 12–13. See also JS7, p. 6.
- ³⁸ JS1, pp. 2, 12 and 14.
- ³⁹ AfroLeaders, p. 4.
- ⁴⁰ JS1, pp. 11–12 and 14.
- ⁴¹ JS1, pp. 10–11, and 14.
- ⁴² JS8, p. 13. See also ECLJ, p. 6.
- ⁴³ ECLJ, pp. 5, 6 and 7.
- ⁴⁴ JS9, p. 6. See also JS8, p. 10.
- ⁴⁵ JS8, p. 11. See also JS9, p. 4.
- ⁴⁶ Broken Chalk, pp. 5 and 6.
- ⁴⁷ AfroLeaders, pp. 5–6.
- ⁴⁸ AMULABI, p. 6.
- ⁴⁹ JS3, p. 7.
- ⁵⁰ JS3, p. 10.
- ⁵¹ JS7, p. 6.
- ⁵² JS9, p. 2. See also DNI, p. 4.
- ⁵³ JS9, p. 4.
- ⁵⁴ Foro de Mujeres, pp. 6–7. See also JS7, p. 6.
- ⁵⁵ JS11, p. 0; and CDR, p. 2.

- ⁵⁶ JS7, p. 11. See also CDR, p. 6.
- ⁵⁷ ECLJ, pp. 3–4.
- ⁵⁸ ECLJ, pp. 3–4.
- ⁵⁹ CDR, pp. 2–3. See also JS11, pp. 1–3; and JS4, p. 11–13.
- ⁶⁰ JS4, p. 12.
- ⁶¹ JS4, pp. 9 and 10; and JS11, pp. 6–8.
- ⁶² JS11, p. 5; JS9, p. 10; and CDR, p. 6. See also JS4, p. 7.
- ⁶³ JS7, p. 13. See also JS4, pp. 9 and 10; and JS11, p. 9.
- ⁶⁴ JS4, p. 8. See also JS8, pp. 8 and 9; and DNI, p. 1.
- ⁶⁵ JS8, p. 9; and DNI, p. 2.
- ⁶⁶ JS4, p. 5.
- ⁶⁷ AMULABI, p. 2.
- ⁶⁸ MULABI, p. 5.
- ⁶⁹ JS2, p. 10.
- ⁷⁰ Broken Chalk, p. 3. See also JS8, p. 4.
- ⁷¹ JS8, pp. 4 and 10.
- ⁷² JS7, p. 4. See also JS8, p. 4; JS9, p. 3; and DNI, p. 5.
- ⁷³ JS8, p. 6.
- ⁷⁴ Broken Chalk, pp. 7–9. See also JS8, pp. 6 and 15.
- ⁷⁵ Broken Chalk, p. 6. See also JS8, p. 5; and ADF International, p. 2.
- ⁷⁶ ADF International, p. 2.
- ⁷⁷ AfroLeaders, pp. 3–4.
- ⁷⁸ JS2, p. 10. See also Broken Chalk, p. 6.
- ⁷⁹ JAI, pp. 1–2. See also JS8, p. 15.
- ⁸⁰ JAI, pp. 2–5.
- ⁸¹ JAI, p. 4.
- ⁸² JS7, pp. 4–5. See also REDFEMVIO, p. 4.
- ⁸³ JS7, pp. 7–8. See also REDFEMVIO, pp. 1, 2–3.
- ⁸⁴ JS7, pp. 10 and 19.
- ⁸⁵ JS7, p. 8.
- ⁸⁶ REDFEMVIO, pp. 6–7.
- ⁸⁷ JS9, p. 10.
- ⁸⁸ REDFEMVIO, p. 6; JS4, pp. 9 and 10; and JS11, p. 6.
- ⁸⁹ JS4, pp. 9 and 10.
- ⁹⁰ REDFEMVIO, p. 6.
- ⁹¹ JS10, p. 2.
- ⁹² JS10, pp. 2–6.
- ⁹³ JS9, p. 5. See also JS4, p. 6.
- ⁹⁴ JS8, p. 12.
- ⁹⁵ JS4, pp. 6–7.
- ⁹⁶ JS9, pp. 10–12. See also Broken Chalk, p. 9.
- ⁹⁷ JS9, pp. 9 and 10.
- ⁹⁸ JS9, p. 10. See also DNI, p. 1.
- ⁹⁹ JS9, pp. 11–12 and 13.
- ¹⁰⁰ DNI, p. 3.
- ¹⁰¹ JS4, pp. 2–3.
- ¹⁰² JS4, p. 13. See also JS7, pp. 13–14.
- ¹⁰³ JS7, p. 13.
- ¹⁰⁴ JAI, p. 4.
- ¹⁰⁵ JS6, p. 9; and MNICR, p. 4.
- ¹⁰⁶ MNICR, p. 4.
- ¹⁰⁷ JS6, pp. 9 and 12.
- ¹⁰⁸ JAI, p. 5.
- ¹⁰⁹ MNICR, pp. 1, 2, and 3.
- ¹¹⁰ JS6, pp. 4–5.
- ¹¹¹ JS6, p. 11. See also MNICR, p. 3.
- ¹¹² MNICR, pp. 2 and 3.
- ¹¹³ JAI, p. 5.
- ¹¹⁴ MNICR, p. 6.
- ¹¹⁵ MNICR, pp. 5 and 6–7. See also JAI, p. 5.
- ¹¹⁶ AfroLeaders, p. 6.
- ¹¹⁷ AfroLeaders, pp. 7 and 8. See also FPTAC, p. 5.

- ¹¹⁸ FPTAC, p. 5.
¹¹⁹ AfroLeaders, pp. 4 and 5
¹²⁰ AfroLeaders, pp. 9–11.
¹²¹ FPTAC, pp 1. See also AfroLeaders, pp. 6 and 7
¹²² AMULABI, p. 1.
¹²³ JS4, p. 4.
¹²⁴ JS4, pp. 4 and 5. See also JS1, p. 7.
¹²⁵ JS2, p. 1.
¹²⁶ JS3, p. 1.
¹²⁷ JS3, pp. 13–14.
¹²⁸ JS2, p. 5; and JS3, pp. 5–6. See also JS7, pp. 17–18.
¹²⁹ JS2, pp. 1–3.
¹³⁰ JS7, p. 18.
¹³¹ JS2, p. 9; and JS3, pp. 4–6.
¹³² JS3, p. 7.
-