

Costa Rica

Country:Costa Rica**Year:**

2016

Freedom Status:

Free

Political Rights:

1

Civil Liberties:

1

Aggregate Score:

90

Freedom Rating:

1.0

Overview:

President Luis Guillermo Solís faced several challenges in 2015, which contributed to declining approval ratings amid legislative gridlock. Crime increased, with homicides reaching a new record high, and the economy continued to be hampered by a large national debt and increases in the cost of living. The country's fiscal deficit was expected to approach 7 percent of gross domestic product in 2016.

The Solís administration drafted a series of reforms intended to address the deficit and inflation, but an existing plan to control public-sector wages led to strikes and protests, and lawmakers from other parties opposed the president's proposed tax reforms.

Political Rights and Civil Liberties:**Political Rights: 37 / 40 [Key]****A. Electoral Process: 12 / 12**

The president of Costa Rica and members of the 57-seat, unicameral Legislative Assembly are elected for four-year terms and can seek a nonconsecutive second term. Presidential candidates must win 40 percent of the vote to avoid a runoff. A special chamber of the Supreme Court appoints the independent national election commission. Reforms to the electoral law ahead of the 2010 elections included revised regulations on political party and campaign financing. In the 2014 elections, Costa Ricans residing abroad were allowed to vote for the first time, and a new quota requiring that 50 percent of the candidates on party lists be women went into effect.

In legislative elections held in February 2014, the National Liberation Party (PLN) won 18 seats, followed by the Citizens' Action Party (PAC) with 13, the Broad Front (FA) with 9, and the Social Christian Unity Party (PUSC) with 8; five smaller parties won the remaining 9 seats. International observers highlighted Costa Rica's commitment to democracy in the elections.

In May 2014, the PAC's Luis Guillermo Solís was elected president following a second round of voting. Solís, who led the first round with about 31 percent of the vote in a field of 13 candidates, faced the PLN's Johnny Araya in the runoff. Araya ceased campaign activities amid low poll numbers during the runoff campaign, and Solís proceeded to win 78 percent of the vote. The PLN subsequently banned Araya from the party for four years for withdrawing from the race, a decision that was upheld by the country's electoral tribunal in March 2015.

The PAC lost control of the legislature in April 2015 following elections for the chamber's directorate, which gave the opposition five of six seats. As a result, the Solís administration faced difficulty passing legislation.

B. Political Pluralism and Participation: 15 / 16

Beginning in 1949, power in Costa Rica long alternated between the PLN and the PUSC. However, dissatisfaction with party politics and political scandals resulted in defections from the PLN in the early 2000s. The newly formed PAC became a rising force in Costa Rican politics, while the PUSC has withered under the weight of various scandals. By the 2014 elections, it appeared that Costa Rica's traditional two-party system had collapsed, as nine parties won representation in the legislature.

In June 2015, the assembly passed a constitutional amendment declaring Costa Rica to be "multiethnic and plurinational." The amendment was signed by the president in August. However, indigenous rights have not traditionally been a government priority.

Citizens' political choices are generally free from domination by unelected elites, foreign powers, and other such forces, though the Roman Catholic Church can be influential on some issues.

C. Functioning of Government: 10 / 12

Costa Rica's freely elected government and lawmakers set and implement state policy without interference. However, nearly every president since 1990 has been accused of corruption after leaving office, with the exception of Óscar Arias, who served from 2006 to 2010. The administration of President Laura Chinchilla (2010–14) was plagued by corruption scandals, though Chinchilla herself faced no charges. Some senior figures in President Solís's party were implicated in a scandal over excessive payments in 2014. In July 2015, the French telecommunications company Alcatel-Lucent paid \$10 million to the Costa Rican Electricity Institute as part of its settlement of a civil case on corruption dating to the administration of President Miguel Ángel Rodríguez (1998–2002). Criminal convictions against Rodríguez and several other defendants were overturned for a second time on appeal in December 2015.

Though not free of corruption, the government is accountable to the electorate, and citizens generally have access to government information. Costa Rica was ranked 40 out of 168 countries and territories surveyed in Transparency International's 2015 Corruption Perceptions Index.

Civil Liberties: 53 / 60

D. Freedom of Expression and Belief: 16 / 16

The media are generally free from state interference. Attacks against journalists are rare, and imprisonment was removed as a punishment for defamation in 2010. In 2014, the Supreme Court chastised authorities for monitoring a *Diario Extra* journalist's telephone calls in an attempt to identify a suspected government whistle-blower. There are six privately owned daily newspapers. Both public and commercial broadcast outlets are available, including at least four private television stations and more than 100 private radio stations. Internet access is unrestricted. In April 2015, Solís fired the minister and vice minister of science, technology, and telecommunications after the ministry introduced a draft media bill that would have allowed regulators to close broadcast outlets if they repeatedly aired "lies" or violated "moral standards." Critics had denounced the proposal as a threat to media freedom.

The government upholds freedom of religion in practice. Academic freedom is respected, and private discussion is generally free.

E. Associational and Organizational Rights: 11 / 12

The constitution provides for freedoms of assembly and association, and the government upholds them in practice. Numerous nongovernmental organizations (NGOs) are active. Although labor unions organize and mount frequent protests with minimal governmental interference, employers often ignore minimum wage and social security laws, and the resulting fines are insignificant. In 2015, discussion of a bill that would curb public-sector wages and bonuses resulted in strikes by public employees, including teachers and health workers. Members of electrical workers' unions protested a separate bill that would increase privatization of the country's energy sector.

F. Rule of Law: 13 / 16

The judicial branch is independent, with Supreme Court judges elected by a supermajority of the legislature. However, there are often substantial delays in the judicial process, resulting in lengthy pretrial detention. There have been complaints of police brutality, and organized criminal networks are suspected of having infiltrated law enforcement institutions. Despite modest efforts by the government to improve prison conditions, overcrowding and violence remain serious problems.

The country's Pacific coast serves as a major drug transshipment route. Analysts have noted that several Mexican drug cartels maintain a presence in Costa Rica. The Ministry of Public Security has reported that most homicides in Costa Rica are related to organized crime and drug trafficking. The number of homicides increased 10 percent in 2015 to a record rate of 11.4 per 100,000 residents, though this remained far below the homicide rates in some other Central American countries.

Indigenous peoples, who make up 3 percent of the population, still face discrimination, particularly with regard to land rights and access to basic services. The government continued to resist pressure to pass the Indigenous Autonomy Bill, despite orders from the Inter-American Commission on Human Rights to protect groups in the Salitre Indigenous Reserve. A July 2015 report by the UN Committee on the Elimination of Racial Discrimination underscored the problem of land seizures and the displacement of indigenous people. Costa Ricans of African descent have also faced economic discrimination.

A 2014 government survey revealed persistent discriminatory attitudes and practices among law enforcement officials toward LGBT (lesbian, gay, bisexual, and transgender) people. However, a 2014 law extended medical benefits to same-sex couples. In June 2015, the Supreme Court denied an appeal by a transgender woman seeking compensation from the country's health system for gender reassignment surgery conducted outside the country on the grounds that lack of access to the procedure in Costa Rica violated her rights.

G. Personal Autonomy and Individual Rights: 13 / 16

Costa Ricans enjoy freedom of movement, as well as relative freedom in choice of residence and employment. Property rights are generally protected, though the dispossession of indigenous land undermines such rights. Individuals are free to establish businesses, and the business and investment climate is generally open.

Women face discrimination in the economic realm, and despite the existence of domestic violence legislation, violence against women and children remains a problem. Costa Rica is one of a number of countries that has criminalized "femicide," but the penalties apply only when the murder is committed by an intimate partner. The number of reported femicides has declined in recent years.

In September 2015, a 15-year ban on in vitro fertilization was lifted by presidential decree, bringing the country into compliance with a 2012 ruling by the Inter-American Court of Human Rights. Costa Rica had been the only country in the world with a complete ban on the procedure. Numerous challenges to the decree were rejected by the Supreme Court.

A court decision in June 2015 granted common-law marital status to a same-sex couple for the first time, though the legislature has not fully legalized same-sex marriage.

Household workers are subject to exploitation and lack legal protections. Sex trafficking, forced labor, and child sex tourism are serious problems. A law that took effect in 2013 established penalties for human trafficking and organ trafficking as well as a fund for victims and prevention efforts. However, the U.S. State Department's 2015 *Trafficking in Persons Report* found that government antitrafficking efforts were inadequate, noting that there were no trafficking convictions during the reporting period and that none of the more than \$3 million dedicated to fund antitrafficking efforts had been disbursed.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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