

Background- Costa Rica¹

Costa Rica is a small Central American country (about 4.8 million in 2016) that has a strong human rights record and hosts the Inter-American Court of Human Rights (IACHR). Since independence in 1838, Costa Rica has experienced only two short lived coups, and not only avoided but helped to resolve the civil wars that engulfed much of Central America in the 1970s. Remarkably, it does not have an army, having abolished it in 1948. As a result of its stability, which earned it the nickname of “Switzerland of Central America”, it has faced only three IACHR cases, one for its formerly harsh defamation laws and two for its restrictions on In Vitro Fertilization.

Since its beginnings, Costa Rica has mostly been a peaceful, agricultural country. Although the indigenous population was devastated by Christopher Columbus’ arrival in 1502, the Spanish government largely abandoned the area after realizing it had little precious metal. Most Spanish settlers became small farmers, specializing in coffee, sugar, and bananas and bringing in small numbers of Black Caribbean slaves and Chinese indentured servants to work on the plantations. In 1821, Costa Rica joined the other Central American countries in declaring independence from Spain. Following the collapse of a short-lived attempt to form a united Central America, Costa Rica declared its independence as its own state in 1838, and had minor territorial conflicts with its neighbors throughout the 1800s.

Costa Rica faced two brief coups, one in 1917 and one in 1948. In 1917, General Federico Tinco Granados overthrew a president who had been chosen by the legislature after no candidate won a majority in the elections. However, Granados resigned in 1919 due to local opposition and threatened U.S. intervention. In 1948, a coalition of communists and the Catholic Church attempted to prevent the seating of the president-elect, socialist Otilio Ulate. In response, a large landowner, José Figueres Ferrer, staged a coup with militia he trained on his farm. 2,000 civilians died in the resulting civil war. However, in 1949, Figueres turned power over to Ulate and established a constitution granting women suffrage, abolishing restrictions on Blacks’ citizenship and travel, and centralizing the government. Figueres was subsequently elected to the presidency in 1953 and 1970 and his Partido Liberación Nacional (PLN) became one of Costa Rica’s leading political parties.

In the 1970s and 1980s, Costa Rica struggled with poor economic growth and the political instability of its neighbors. Costa Rica was forced to accept International Monetary Fund and World Bank loans and impose austerity measures after its high government spending, rapid urbanization, and mounting oil prices lead to low wages, high unemployment, and strikes. These economic woes were exacerbated by civil wars in neighboring countries (Guatemala, Nicaragua, Honduras, and El Salvador), which discouraged tourism and foreign investment and flooded Costa

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Rica with refugees, especially from Nicaragua's conflict between the Sandinistas and the Contras. Popular sentiment in Costa Rica initially favored the Sandinistas before moving towards neutrality but, under pressure from the U.S., President Luis Alberto Monge Álvarez allowed Costa Rica to serve as a base for pro-Contra activities. His successor, President Óscar Arias Sánchez, embraced neutrality and was ultimately awarded the Nobel Peace Prize for his efforts to achieve peace in Nicaragua, El Salvador, and Guatemala. Throughout this period, Costa Rica itself remained politically stable and democratic, ratifying the American Convention on Human Rights in 1970 and recognizing the competence of the IACHR in 1980. When the Inter-American Court was created, it offered to host it on its territory, in its capital, San José.

With peace achieved, tourism and foreign investment rebounded and structural reforms began to take effect. Nevertheless, Costa Rica's economic recovery was not complete and the country still struggles with high foreign debt and periodic strikes. Additionally, in recent years, Costa Rica has suffered several corruption scandals and complaints from journalists that Costa Rican officials suppressed efforts to investigate. All three of Costa Rica's presidents in the 1990s were investigated for allegedly accepting improper payments from contractors and one, Rafael Ángel Calderón Fournier, was convicted. Costa Rica's strict criminal anti-defamation laws hampered efforts to investigate corruption. In 1995, the journalist Mauricio Herrera Ulloa and the newspaper *La Nación* were collectively ordered to pay over \$200,000 and publish a retraction for accusing Costa Rica's diplomat to the International Atomic Energy Agency of drug trafficking, tax fraud, and fraudulent bankruptcy. In 2001, the IACHR ordered Costa Rica to nullify the judgment and reform its defamation laws to allow free expression.² In 2010, the IACHR reported that Costa Rica had complied with the judgment and, in 2016, the U.S. Department of State reported that Costa Rica had a free press.³

Finally, Costa Rica has come into repeated conflict with the IACHR over In Vitro Fertilization (IVF), due to the country's strongly pro-life and predominantly Catholic and Evangelical population. In 1995, Costa Rica's Ministry of Health authorized IVF but pro-life activists immediately sued to ban it, alleging IVF violated the embryo's right to life under the American Convention on Human Rights. In 2012, the IACHR rejected this interpretation of the Convention, found that the ban on IVF violated the rights of couples with infertility, and ordered Costa Rica to restore access to IVF.⁴ In 2015, Costa Rica's president signed an executive order legalizing IVF but pro-life activists sued again, persuading domestic courts to strike down the executive order as unconstitutional. In 2016, the Inter-American Commission brought a second case before the

² *Herrera Ulloa v. Costa Rica*, Admissibility Report, Report No. 128/01, Inter-Am. Comm'n H.R., Case No. 12.367 (Dec. 3, 2001), <https://iachr.ils.edu/cases/herrera-ulloa-v-costa-rica>.

³ *Id.*; *Country Reports on Human Rights Practices for 2016: Costa Rica*, U.S. DEPARTMENT OF STATE (2016), <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2016&dliid=265576>.

⁴ *Artavia Murillo et al. ("In Vitro Fertilization") v. Costa Rica*, Preliminary Objections, Merits, Reparations, and Costs, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 257 (Nov. 28, 2012), <https://iachr.ils.edu/cases/artavia-murillo-et-al-%E2%80%9C9C-vitro-fertilization%E2%80%9D-v-costa-rica>.

IACHR on behalf of couples with infertility and, facing IACHR scrutiny, Costa Rica agreed to a friendly settlement restoring access to IVF.⁵

More information

Additional background was provided by the sources below.

For historical background, see the [Encyclopedia Britannica](#) and [BBC Country Profiles](#).

For an overview of the current human rights situation, see the [U.S. Department of State's 2016 Human Rights Report](#).

For information on the history, people, government, economy, geography, communications, transportation, and military, see the [Central Intelligence Agency World Factbook](#).

For information about human rights, including all relevant treaties and legal documents, see [Office of the High Commissioner for Human Rights](#).

⁵ Gómez Murillo et al. v. Costa Rica, Judgment, Inter-Am. Ct. H.R. (ser. C) No. 326 (Nov. 29, 2016), <https://iachr.ils.edu/cases/g%C3%B3mez-murillo-et-al-v-costa-rica>.