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FOR CIVIL SOCIETY

Enabling Environment Snapshot

Costa Rica

March 2026

Context

Period covered by the report: October 2025 – March 2026

The outgoing government led by President Rodrigo Chaves, who took office in May 2022 and will hand over power on 8 May 2026, has been characterised as having authoritarian undertones. Throughout it's time, the administration remained in constant conflict with some the media, Congress, the Judiciary, and oversight bodies such as the Public Prosecutor's Office and the Comptroller General of the Republic. Relations with civil society also deteriorated, with journalists, non-governmental organisations (NGOs), and LGBTQ+ advocates facing stigmatization and reduced institutional support.

In February 2026 general elections, Costa Ricans elected Laura Fernández as their next president. Fernández campaigned on continuing many of Chaves's policy priorities, especially on public security, and has been described by observers as a right-wing populist and a political successor to Chaves's agenda. While some critics have raised concerns that her presidency may reinforce elements of the confrontational style seen under the outgoing administration, Fernández's first public addresses as president-elect have emphasised national dialogue, respect for democratic liberties, and cooperation with other institutions, signalling a potential effort to moderate the tone of governance.

During the campaign, Fernández urged voters to secure 40 seats in the Legislative Assembly to advance far-reaching structural reforms. In her first speech after winning the election, she framed her project as the beginning of a "Third Republic." However, her bloc ultimately won 31 seats, falling short of the 38 votes required to convene a Constituent Assembly. As a result, the new administration may be able to pass significant reforms, but it lacks the supermajority needed for deep constitutional change.

1. Respect and protection of fundamental freedoms

The right to freedom of association, assembly, petition, expression, and free access to public interest information are constitutionally protected by Articles 25-30 of the Political Constitution of the Republic of Costa Rica.

Freedom of expression and the press have been deteriorating. For instance, while the country ranked 8th in the World Press Freedom Index in 2022, by 2025 it had fallen to 36th place out of 180, reflecting an accumulated decline over the past four years linked to a sustained increase in reported violations of freedom of expression, many attributed to actions by the executive branch. As an institutional counterbalance, in July 2025, the Constitutional Chamber (Sala Constitucional) upheld constitutional writs (recursos de amparo) against two state entities for withdrawing advertising from a television programme after a satirical segment, classifying it as indirect censorship—a precedent that the Inter American Press Association (IAPA/SIP) considered significant for the defence of press freedom. On 3 February 2026, the Legislative Assembly approved of the elimination of prison sentences for journalists convicted of libel and slander, a decision that represents a significant step forward in protecting freedom of the press and expression in the country.

Regarding freedom of assembly and protest, restrictions stemming from the so-called "Anti-Strike Law" remain in force, and initiatives have been promoted that could tighten the punitive framework. On 2 November 2025, the Legislative Assembly's Legal Affairs Committee

approved a bill to increase penalties for certain protest-related conduct—such as covering one's face and damaging property. The proposal would increase by one-third the current sanctions for these offences and would also raise penalties for repeat offences from 30 to 120 days of imprisonment. This could expand the criminalisation of protest and disproportionately affect those who rely on anonymity to avoid reprisals.

Reported incidents during mobilisations reinforce these concerns. On 11 November 2025, the temporary detention of organiser Roy Fallas was reported during a farmers protest outside the Presidential House, however the Constitutional Chamber later dismissed the habeas corpus petition and found that the apprehension by police authorities had been justified. In the same context, two journalists reported police assaults while covering the protest. On 12 November, the College of Journalists and Communication Professionals (COLPER) condemned the attacks and rejected all forms of violence, intimidation, or censorship against journalists in the exercise of their profession.

Media pluralism was placed at risk when the Executive Branch promoted a radio and television frequency auction aimed at updating the fees paid for the use of the spectrum. However, after initially ordering its temporary suspension on 26 November 2025, the Constitutional Chamber ultimately upheld the constitutional challenge and annulled the auction, finding that the process gave decisive weight to the economic criterion while failing to adequately safeguard media and content pluralism, thereby creating risks for media diversity and potential concentration. Following the ruling, the Executive Branch was given three months to correct the flaws and launch a new process consistent with constitutional standards. In January 2026, more concerns emerged about possible stigmatisation of voices critical of the government following a complaint filed by the Directorate of Intelligence and Nacional Security (DIS) against activist Stella Chinchilla over an alleged plot—accusations she denies. This prompted a public statement of support from civil society organisations calling for respect for due process and the presumption of innocence.

To sum up, the latest CIVICUS Monitor released in December 2025 categorises Costa Rica's civic space as "Narrowed". It has documented episodes that strain fundamental freedoms, such as the judicial harassment denounced by environmental activist Juan Bautista Alfaro as a way to restrict his activism (July 2025); and the heightened risk faced by Indigenous leader Pablo Sibar following alleged police inaction in a territorial dispute (10–11 August 2025). In addition, Brörán Indigenous leader Pablo Sibar reported an alleged arson attack on the San Andrés farm (a recovered territory) in February 2026, stating that the incident adds to a broader pattern of harassment and violence against him.

2. Supportive legal framework for the work of civil society actors

In Costa Rica, the legal framework recognises two legal entities for civil society organisations (CSOs): associations, which can be established for any lawful purpose that does not have a predominantly economic nature, and foundations, which are defined as private entities of public utility and non-profit in nature. To operate legally, these organisations must register their statutes, directors, and legal representatives with the Registry of Legal Entities, a department of the National Registry under the Ministry of Justice and Peace. The administrative oversight of associations falls under this Registry, while foundations are supervised by the Office of the Comptroller General of the Republic when they receive public funds.

In general, CSOs enjoy a relatively favourable environment, with the freedom to organise, receive funding, and operate without excessive government restrictions. However, in 2024, the country implemented stricter regulations through the Central Bank of Costa Rica's Transparency and Ultimate Beneficiaries Registry (RTBF). These have raised concerns about their impact on CSOs as they impose new obligations that increase administrative burden and compliance costs. The requirement to disclose donors, beneficiaries, and financial statements may have a disproportionate impact, especially for small or community-based organisations with limited resources, as the enhanced due diligence and financial compliance obligations imposed on CSOs can adversely affect their ability to operate effectively. In addition, penalties for non-compliance and the lack of institutional support could hinder their operations and discourage organised civic participation. These obligations continued into 2025, with the annual reporting period and the strengthening of compliance requirements. New procedural changes such as the exclusion of special powers of attorney for filing, allowing only the legal representative or an exceptional registered general attorney to file the declaration -have created additional practical obstacles for CSOs with limited resources.

On the other hand, a current Bill No. 25,129 proposes amending Law No. 7786 to strengthen compliance with FATF standards. The initiative adopts a risk-based, proportionate, and non-discriminatory approach. The bill is an opportunity for improvement as it recognises that civil society organisations should not be treated as a homogeneous or inherently risky sector, and that supervisory measures should be tailored according to the type of organisation, its size, its activities, and its actual exposure to risk.

Despite these changes, Costa Rica continues to provide significant protection against state interference in civil society operations. There are no recent cases of arbitrary governmental attempts to dissolve organisations, and no pending legislative proposals pose a threat to the existing legal framework.

3. Accessible and sustainable resources

One of the main challenges faced by CSOs is the difficulty in obtaining funding for their projects, as Costa Rica is regarded as a democratic and high-income country. This limits their possibilities for non-reimbursable cooperation because it is not a priority for international donors. Although their work is of vital importance, many CSOs are forced to continuously struggle to obtain the necessary resources to carry out their missions.

Access to funding for CSOs varies depending on their nature and objectives. CSOs can receive resources through private donations, which are tax-deductible if they have been declared of public utility by the Ministry of Justice and Peace. This applies, as long as their purpose is social welfare.

However, accessing government funding can be challenging due administrative requirements such as obtaining a suitability declaration to manage public funds each public entity. This process lacks a single, standardised procedure, as each institution defines its own requirements, forcing organisations to adapt their documentation to multiple formats and demands, increasing the administrative burden. Requirements often include audited financial statements, tax and employment certifications, current legal documentation, and proven experience, which can be especially difficult for small or community-based CSOs with limited resources. Furthermore, many institutions do not establish defined deadlines for issuing a response, which can delay the process of obtaining funds by several months.

In cases where the funds come from the Social Development and Family Allowance Fund (FODESAF), a social welfare declaration issued by Mixed Institute for Social Assistance(IMAS) is also required. Added to this is the competition for increasingly scarce funds and the obligation to submit to the oversight of the Comptroller General of the Republic, which makes the management of these resources even more rigorous.

Despite these challenges, some CSOs have successfully established strategic alliances with the private sector, the state, and local governments to strengthen their operational capacity and ensure the execution of social and environmental impact projects, albeit with very limited sustainability.

4. State openness and responsiveness

Administrative transparency is recognised in jurisprudence as an implicit constitutional principle derived from Article 30 of the Political Constitution. Since 2015, Costa Rica has produced the Public Sector Transparency Index, created by The Office of the Defender of the Inhabitants, as an evaluation tool. It was relaunched in version 2.0 through a pilot plan in November and December 2025. The Index is important to government transparency because it shows how well public institutions provide clear, accessible, and timely information to citizens. By evaluating and comparing institutions, it encourages them to improve openness, strengthen accountability, and adopt better transparency practices. It also helps citizens, journalists, and civil society monitor government actions, which supports public trust and helps prevent corruption.

The foregoing, given that the Framework Law on Access to Public Information came into force at the end of 2024. This law guarantees every person's right to access public information proactively, promptly, completely, and in an accessible manner. It strengthens administrative transparency in public functions, reinforces accountability from authorities, and ensures the proper publicity of governmental actions. The law applies to both public entities and private organisations that manage information of public interest. However, its impact has been moderate so far. Although it represents an important step toward strengthening transparency and access to information, its implementation remains partial. In particular, the Executive Branch has yet to issue the law's regulations, which are essential to define procedures and ensure its uniform application across public institutions.

Regarding citizen participation, although Article 9 of the Constitution establishes that Costa Rica is a participatory democracy, there is no general law that promotes participation beyond voting mechanisms. While the Constitution and other laws provide instruments for participation, such as referendums and public assemblies, these mechanisms have serious design flaws that hinder their effective implementation. Additionally, setbacks have been recorded in the constitutional guarantee of public participation, either due to rulings by the Constitutional Court or the refusal of political authorities to ratify the Escazú Agreement, which, among other things, protects human rights defenders in environmental matters.

At the municipal level, although there are valuable experiences such as the formulation of Municipal Local Human Development Plans, citizen audits, and participatory budgets, the application of these mechanisms is limited. In many cases, Municipal Councils have not issued the necessary regulations to facilitate public consultations, despite their legal mandate. Furthermore, when practices such as participatory budgeting are implemented, participation is

often restricted to digital media or consultations without real guarantees of influencing decision-making.

At the national level, some public policies—such as minimum wage regulation and salary adjustments—are defined through consultation with organised sectors of workers and employers. Similarly, when new laws are enacted or existing ones are reformed, legislative committees routinely hear from organised representatives of the affected sectors. However, these good practices have not been consolidated as a systematic standard of participatory governance.

Social dialogue is also minimum, as the current government decided not to promote the decree that had created the Economic and Social Advisory Council, in which civil society had representation, thereby disregarding a valuable tool that emerged from social dialogue tables in 2020.

Accountability is usually limited to annual reports presented by some public authorities, but not all obligated entities comply with this duty. Furthermore, these reports are often delivered in written form, with little public dissemination and few opportunities for citizen participation, which authorities tend to avoid. The recently approved Bill No. 24,943 now requires magistrates of the Judiciary and the Supreme Electoral Tribunal (TSE) to submit an annual management report. This gives CSOs and the public more information to monitor institutional performance, assess decisions, and participate more effectively in public debate. Although it does not create a direct participation mechanism, it improves transparency and makes oversight of decision-making more possible.

5. Political culture and public discourses on civil society

Costa Rica traditionally upholds sovereignty and freedom for CSOs, but tensions between the government and certain groups such as LGBTQ+ activists, women´s collectives, and unions have intensified.

There is an ongoing pattern of contested regulatory decisions affecting LGBTIQ+ expression, with some decisions from earlier 2025 still having effect. For instance, in June 2025, the organisation Orgullo Costa Rica denounced what it considers an act of institutional censorship after the Commission for the Control and Classification of Public Performances (CCEP) revoked—just days before the 2025 Diversity March—the “suitable for all audiences” rating of the closing show. The organisation argued that the decision was arbitrary, lacked a technical basis, involved possible notification irregularities, and reflected a discriminatory approach-leading to it filing a constitutional injunction (*recurso de amparo*). Subsequently, the Constitutional Chamber dismissed the injunction and upheld the reclassification as “suitable only for adults,” stating that the measure sought to protect the best interests of minors and did not constitute prior censorship. These actions contribute to a growing discourse against the LGBTQ+ community, which may also encourage negative narratives and hostility towards LGBTQ+ groups and organisations in the country.

Though there have been legal reforms to guarantee both vertical and horizontal gender parity in elected positions, significant challenges still persist. Some groups consider the President’s discourse to be misogynistic and violent due to his inaction in addressing the rise in gender-based violence and femicides. Additionally, the elimination of comprehensive affectivity and sexuality education programs in the educational system could worsen the situation by

depriving younger generations of tools to prevent violent relationships, unwanted pregnancies, and sexually transmitted infections. This issue is further compounded by the introduction of a bill to increase penalties for abortion. In October 2025, President Rodrigo Chaves repealed the technical regulation on therapeutic abortion that had been in force since 2019, aiming to restrict the scope of therapeutic abortion, a decision linked to political commitments made to religious groups and conservative political parties. These conditions have created an uncomfortable environment for civil society actors working on gender and reproductive rights in the country, with risk of encouraging negative narratives and hostility towards them.

A positive development is that in October 2025, the public universities, the Office of the Ombudsperson (Defensoría de los Habitantes), and CONARE awarded the 2025 "Contributions to Improving Quality of Life" Prize, which publicly recognised civil society initiatives. The award in that category was jointly granted to "Fundación CEPIA" and "Fundación Amy Alas Abiertas", highlighted for their work on inclusion and support for vulnerable populations. In addition, the Ombudsperson granted special distinctions to several projects, including BAC's "Yo me uno" program, for strengthening the management of NGOs dedicated to social development.

Social movements represent another vital form of participation, actively participating in hundreds of marches and protests each year. However, opinion polls and regional comparisons show uneven or limited participation in institutionalised channels.. This suggests that, despite a legal framework and positive experiences, a more determined effort to foster active and meaningful civic participation is still needed.

6. Access to a secure digital environment

Access to telecommunications and the internet in Costa Rica is a fundamental right which was added to article 24 of the Constitution in 2023. It is worth noting that Costa Rica ranks fifth in the region in terms of the highest percentage of internet users, according to the International Telecommunication Union, with more than 92,6% of its population having access to the Internet.

Additionally, Costa Rica has a Law on the Protection of Individuals Regarding the Processing of Their Data, which guarantees the right to informational self-determination concerning the automated processing of personal data.

In October 2025, various academic, social, and media-sector actors in Costa Rica promoted a National Agreement against disinformation and hate speech ahead of the 2026 elections, with the aim of advancing commitments and tools to curb the spread of misleading content and hateful messages on social media and to protect democratic coexistence. This effort becomes even more significant in light of the United Nations report on hate speech and discrimination (2025), which documents the scale of the phenomenon in the country and highlights a hostile digital environment. According to the report, these attacks not only the groups directly targeted, but also the organisations that support them and defend their rights, who become targets of stigmatisation and harassment campaigns. Taken together, both references support the argument that online disinformation and hate speech create a chilling effect that encourages self-censorship, reducing public participation by individuals and organisations.

No reports have been identified from civil society actors indicating that they are being spied on in the digital environment or that they have suffered attacks on the Internet. This includes any

attacks on their websites, social media, or applications by public authorities, whether police or administrative entities.

Challenges and Opportunities

Challenges

Domestically, persists an unfavorable political climate for the approval of the Escazú Agreement, which would protect human rights defenders in environmental matters, due to opposition from business sectors. This is limiting space for promotion of the approval, and there is need for more coordinated calls by civil society actors for reopening public debate on this matter.

Likewise, given the legislative majority obtained after the February 2026 elections by the ruling party's candidate, who represents continuity with President Rodrigo Chaves's government, expectations to civil society are likely double-barrelled. On one hand, a national consensus agenda on key country issues will be promoted which will create a favourable environment for civil society. On the other hand, there is fear that if there is no consensus agenda, the new government will use its legislative majority to try to impose public policies on its own. This could even lead - if pushed by the opposition in Congress - to the calling of a joint referendum to approve several bills backed by the ruling party, an electoral process that would further reignite political polarisation rather than foster national unity – thereby creating a disabling environment for civil society.

Opportunities

The approval of the Framework Law on Access to Public Information, after decades of delay, creates an important opportunity to reinforce civic oversight, demand greater transparency in public decision-making, and foster a stronger culture of accountability. However, that opportunity remains only partially realized: public awareness and dissemination of the law are still limited, and the regulation needed for its effective implementation remains pending, even though the Executive was legally required to issue it within six months of the law's publication. With adequate resources, civil society could play a key role not only in promoting knowledge and use of the law, but also in monitoring its regulation and ensuring its effective implementation in practice.

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