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Item 6 - Adoption UPR Costa Rica

On behalf of Defence for Children International (DCI) - Costa Rica

Joint Statement

This statement is delivered by Defence for Children International (DCI Geneva) on behalf of Defence for Children International-Costa Rica, the Working Groupe on Violence, and the COSECODENI and UNIPRIN coalitions.

This statement presents our position on the views of the Government of Costa Rica on the conclusions and/or recommendations of the Report of the Working Group on the Universal Periodic Review. We thank all States Parties that participated in the review.

We welcome Costa Rica's review of the 125 recommendations out of 161, which cover a wide range of complex issues of concern, affecting all populations, children and adolescents, young people, men, women, older persons regardless of their origin, nationality and status.

While the above, we express our concern about the 12 recommendations that have been noted and in the context of the reality of deteriorating living conditions for people living in Costa Rica and in particular for children and adolescents. This is reflected in the diversity of the 24 themes that the recommendations address.

1) (119.73 to 199.86) The largest reduction in public investment in the last decade is presented, showing a direct impact on the deterioration of social investment, affecting actions in favour of vulnerable groups, such as the elderly and minors. By 2025, the budget for social investment will be reduced to the lowest level in a decade, all this amidst a deterioration of the education sector budget, which will reach 4.9% of GDP (2025), lower than the 2024 budget and far from the constitutional 8%, affecting infrastructure, scholarships, transport, the elimination of programmes such as educational informatics (2024) and changes in evaluation systems (2023) **(119. 88 to 199,100),** without consolidating a macro evaluation system that would allow for progress to be made and timely decisions to be taken, in addition to the elimination of the comprehensive sexuality and affectivity programme, which generates uncertainty as to how the issues that have managed to prevent STIs, teenage pregnancies and gender violence will be addressed.

Costa Rica ranks first in child poverty according to the Poverty Index of the Organisation for Economic Co-operation and Development (OECD). Of all children and adolescents, 34% of children, adolescents and young people in Costa Rica live in monetary poverty, of which 12% are in extreme poverty, while 34.4% suffer multidimensional deprivations related to poverty. Education has been significantly affected, affecting its quality.

2) Costa Rica has become a violent country where there are multiple forms of violence that affect all population groups without concrete and effective responses and without preventive actions **(199.118 to 135) (120 to 120.23) (120.39) (120.8 to 120.10).** Extreme concern about the increase in femicides, gender violence and violence against women and children and adolescents that leave children and adolescents orphaned, increase in homicides, increase in discrimination, xenophobia, racism and hate

speech towards diversity and towards migrants, refugees **119.154 to 119.161.** who have serious difficulties in their social integration.

3) (120.11 to 120.31) Raising the age of criminal responsibility is a debt that Costa Rica owes to minors, since the force of criminal repression results in a violent state intervention that, rather at that early age of 12, should focus on an adequate intervention of the protection system, promoting prevention and inter-institutional, interdisciplinary and comprehensive care.

Furthermore, the application of non-custodial measures is essential to avoid the risks, consequences and traumas of prison confinement from an early age, and this requires the effective promotion of alternatives with inter-institutional and family coordination that provide the opportunity to face the process from an approach that builds appropriate options to resolve the conflict and their reintegration process, guiding their progressive life project.

The average age of criminal offences among minors with open cases was established at sixteen years and six months, with the incidence of crime in the first age group (12 to 15) being much lower than in the second age group. However, the collapse of the welfare state, the weakening of schools as an institution, the increase in social violence and the lack of opportunities have been fertile ground for the strengthening of criminal groups, which recruit increasingly younger minors, which has generated social astonishment.

Although the Law on Juvenile Criminal Justice, together with what is regulated by the Law on Restorative Justice, allows the use of diversified forms of penal reaction, such as suspension of probation, comprehensive reparation of damages and conciliation, support networks must be strengthened, so that it is possible to articulate the living forces of society, to ensure the social reintegration of the minor.

The lack of equal opportunities is a limitation that is leaving many adolescents and young people in conditions of precariousness, poverty and in violent contexts and organised crime. **(1201.13 to 120.23) (119.138 to 119.53) (119.69 to 119.72) and (1197.87 to 119.100).**

The enactment of the Law that created the figure of the mentor in the juvenile criminal process is an important step towards the reinsertion of the process, so that the minor can be accompanied during the juvenile criminal process and its execution; however, it is essential to generate agreements between public and private institutions to provide real opportunities for the fulfilment of measures, but mainly for the development of minors.