

Excerpt: Constitution of The Republic of Costa Rica 1949

Title IV: Individual Rights and Guarantees

Article 20. All men are free within the Republic; no one under the protection of its laws can be a slave.

Article 21. Human life is inviolable.

Article 22. Every Costa Rican may move about and stay anywhere within the Republic or abroad, provided he is free from any liability, and return whenever it may be convenient to him. No requirements can be demanded to Costa Ricans in order to prevent their entrance into the country.

Article 23. The domicile and any other private premises of the inhabitants of the Republic are inviolable. However, they may be searched with a written warrant issued by a competent Judge, either to prevent the commission of crimes or their impunity, or to prevent serious damages to persons or property, subject to the appropriate provisions of law.

Article 24. The right to intimacy, freedom and secret of communications is guaranteed....

Article 25. The inhabitants of the Republic have the right of association for lawful purposes. No one may be compelled to form a part of any association whatsoever.

Article 26. Everyone has the right to meet peacefully and unarmed, whether it is for private business or to discuss political affairs and examine the public conduct of officials....

Article 27. The right to petition any public official or State entity, either individually or collectively and the right to obtain prompt resolution are guaranteed.

Article 28. No one may be disturbed or persecuted for the expression of his opinions or for any act which does not infringe the law....

Article 29. Every person may communicate his thoughts verbally or in writing and publish them without previous censorship; but he shall be liable for any abuses committed in the exercise of this right, in such cases and in the manner established by law.

Article 31. The territory of Costa Rica shall be a shelter for all those persecuted for political reasons. If their expulsion is decreed on legal grounds, they can never be sent back to the country where they were persecuted....

Article 32. No Costa Rican may be compelled to abandon the national territory.

Article 33. All persons are equal before the law and there shall be no discrimination against human dignity. (As amended by Law No. 4123, May 31, 1968.)...

Article 35. No one may be tried by a commission, a court or a judge specially appointed for the case, but exclusively by the courts established in accordance with this Constitution....

Article 37. No one may be detained without substantiated evidence of having committed an offense or without a writ- ten order issued by the judge or the authority in charge of maintaining public order, unless the person concerned is a fugitive from justice or is caught in the act; but in all cases, he shall be placed at the disposition of a competent judge within a peremptory period of twenty-four hours....

Article 39. No one shall be made to suffer a penalty except for crime, unintentional tort or misdemeanor punishable by previous law, and in virtue of final judgment entered by competent authority, after opportunity has been given to the defendant to plead his defense, and upon the necessary proof of guilt....

Article 40. No one may be subjected to cruel or degrading treatment or to life imprisonment, or to the penalty of confiscation. Any statement obtained by violent means shall be null and void....

Article 45. Property is inviolable; no one may be deprived of his property except for legally proven public interest upon prior compensation in accordance with the law....

Article 46. Private monopolies, as well as any act, even if originated by virtue of law, which may threaten or restrict freedom of trade, agriculture or industry, are prohibited....Consumers and users are entitled to the protection of their health, environment, safety and financial interests, to receive adequate and truthful information, to freedom of elec- tion and to equal treatment....(As amended by Law No. 7607, May 29, 1996.)

Article 47. Every author, inventor, producer, or merchant shall temporarily enjoy exclusive ownership of his work, invention, trademark or trade name, in accordance with the law.

Article 48. Every person has the right to present writs of habeas corpus to guarantee his freedom and personal integrity and writs of amparo to maintain or reestablish the enjoyment of other rights conferred by this Constitution as well as those of fundamental nature established in international instruments on human rights, enforceable in the Republic. (As amended by Law No. 7128 of August 18, 1989)....

Title V: Social Rights and Guarantees

Article 50. The State shall procure the greatest welfare of all inhabitants of the country, organizing and promoting production and the most adequate distribution of wealth. Every person has the right to a healthy and ecologically bal- anced environment, being therefore entitled to

denounce any acts that may infringe said right and claim redress for the damage caused....(As amended by Article 1°, Law No. 7412, June 3, 1994.)

Article 51. The family, as a natural element and foundation of society, is entitled to State protection. Mothers, children, the elderly and the destitute infirm are also entitled to such protection.

Article 52. Marriage is the essential basis of the family and rests on equality of the rights of spouses....

Article 56. Labor is a right of the individual and an obligation to society. The State shall strive to see that everyone has lawful and useful employment, duly compensated, and prevent the establishment on that account of conditions which may in any way curtail human freedom or dignity or degrade his labor to the status of mere merchandise. The State guarantees the right to free choice of work....

Article 59. All workers shall be entitled to one day of rest after six consecutive days of work and to annual paid vacations, the duration and time of which shall be regulated by law, but which shall not be in any case less than two weeks for every fifty weeks of continuous service, all without prejudice to well-defined exceptions established by law.

Article 60. Both employers and workers may organize freely, for the exclusive purpose of obtaining and preserving economic, social or professional benefits....

Article 64. The State shall promote the creation of cooperatives as a means to provide better living conditions for workers.

Article 65. The State shall promote the construction of low-cost housing and create a family homestead for workers....

Article 73. Social security is established for the benefit of manual and intellectual workers, regulated by a system of compulsory contributions by the State, employers and workers, to protect them against the risks of illness, disability, maternity, old age, death and other contingencies as determined by law....(As amended by Law No. 2737, May 12, 1961.)...

Title VI: Religion

Article 75. The Roman Catholic and Apostolic Religion is the religion of the State, which contributes to its maintenance, without preventing the free exercise in the Republic of other forms of worship that are not opposed to universal morality or good customs. (As amended with regard to its number by Article 1, Law No. 5703, June 6, 1975)....

Title VII: Education and Culture

Article 78. Preschool education and general basic education are compulsory. These levels and the diversified education level are, in the public system, free and supported by the Nation....

Title VIII: Political Rights and Duties

Article 93. Suffrage is a primary and compulsory civic function and is exercised before Election Boards through direct and secret vote by the citizens registered in the Civil Registry. (As amended by Law No. 2345, May 20, 1959.)...

Article 98. All citizens have the right to organize themselves in parties in order to participate in national politics, provided that such parties are committed in their platforms to respect the constitutional order of the Republic....