



Convention on the Rights of the Child

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Committee on the Rights of the Child

Concluding observations on the combined fifth and sixth periodic reports of Costa Rica*

I. Introduction

1. The Committee considered the combined fifth and sixth periodic reports of Costa Rica (CRC/C/CRI/5-6) at its 2434th and 2435th meetings (see CRC/C/SR.2434 and 2435), held on 21 and 22 January 2020, and adopted the present concluding observations at its 2460th meeting, held on 7 February 2020.

2. The Committee welcomes the submission of the combined fifth and sixth periodic reports of the State party and the written replies to the list of issues (CRC/C/CRI/RQ/5-6), which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses appreciation for the constructive dialogue held with the delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the ratification of or accession to the following instruments:

(a) The Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, on 23 September 2014;

(b) The Optional Protocol to the Convention on the Rights of the Child on a communications procedure, on 14 January 2014;

(c) The International Convention for the Protection of All Persons from Enforced Disappearance, on 16 February 2012.

4. The Committee notes with appreciation the legislative, institutional and policy measures adopted to implement the Convention, in particular:

(a) Act No. 9633 introducing measures to ensure participation of children in cantonal and communal sports and recreation committees, in 2019;

(b) Act No. 9404 on measures to prevent and combat bullying in school environment, in 2016;

(c) The national violence against women and domestic violence prevention policy covering the period 2017–2032.

* Adopted by the Committee at its eighty-third session (20 January–7 February 2020).



III. Main areas of concern and recommendations

5. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: dissemination, awareness-raising and training (para. 15); non-discrimination (para. 17); right to life, survival and development (para. 20); violence against children, particularly abuse and neglect (para. 27); gender-based violence and sexual abuse (para. 29); and children deprived of a family environment (para. 33).

6. The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography throughout the process of implementing the 2030 Agenda for Sustainable Development. It also urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.

A. General measures of implementation (arts. 4, 42 and 44 (6))

Legislation

7. While welcoming the adoption of legislation relating to children's rights, the Committee notes the insufficient implementation of the legislative framework and of a children's rights perspective in general legislation. Recalling its previous concluding observations (CRC/C/CRI/CO/4, para. 10), the Committee recommends that the State party, in particular the National Council of Childhood and Adolescence, strengthen its efforts, and human, technical and financial resources for the implementation of legislation providing for children's rights throughout all regions, provinces, cantons and municipalities. It also recommends that the State party ensure harmonization of existing general cross-sectoral legislation with the Convention.

Comprehensive policy and strategy

8. Noting the adoption of the National Policy for Children and Adolescents (2009–2021) and the National Agenda for Children and Adolescents (2015–2021), and with reference to its general comment No. 5 (2003) on general measures of implementation of the Convention, the Committee recommends that the State party:

(a) Ensure sufficient and appropriate human, technical and financial resources for the systematic implementation of public policies and programmes providing for children's rights, particularly at the municipal level;

(b) Develop periodic follow-up and assessment of public policy implementation, taking into consideration children's views of implementation processes.

Coordination

9. While noting the efforts of the National Child Welfare Agency in strengthening the role of child and adolescent protection boards throughout cantons, the Committee recommends that the State party:

(a) Review its institutional framework for implementing the Convention and strengthen the authority of the National Child Welfare Agency, and its cross-sectoral coordination, at the national, regional, cantonal and municipal levels, and its advocacy role before the National Committee for Childhood and Adolescence;

(b) Introduce accountability mechanisms throughout entities responsible for implementing children's rights, and ensure their compliance with the principles of the Convention while discharging their work;

(c) Strengthen the liaison and collaboration among the Government, the National Assembly and the judiciary regarding the fulfilment of children's rights and the State party's obligations under the Convention.

Allocation of resources

10. Noting the Constitutional Court rule requiring the fulfilment of the 7 per cent annual budget allocation to the National Child Welfare Agency, and with reference to its general comment No. 19 (2016) on public budgeting for the realization of children's rights, the Committee recommends that the State party:

(a) Take measures to safeguard earmarked budget transfers as provided for in the Constitution for the realization of children's rights, and amend Act No. 9635 of December 2018 to avoid reduction in budget transfers for children in the context of the fiscal crisis;

(b) Increase resource allocation at the municipal level to fulfil children's rights and ensure a specific budget to address the rights of children in vulnerable and marginalized situations;

(c) Adopt a budgeting process that identifies allocations to children across all sectors and levels, including indicators and a tracking system to monitor distribution of resources by the National Council of Childhood and Adolescence, the National Child Welfare Agency and municipalities.

Data collection

11. Noting progress in data collection, such as the Survey on Children, Women and Adolescents, and the Social Map Viewer on Children and Adolescents (*Infogramas*), the Committee recommends that the State party:

(a) Ensure that its data are disaggregated by age, sex, disability, ethnicity, country of origin, or migrant, refugee or asylum-seeking status;

(b) Reinstate the child and adolescent observatory in cooperation with civil society, academics and the private sector;

(c) Adopt indicators aimed at identifying and addressing situations of multiple and intersecting discrimination against children.

Independent monitoring

12. Recalling its previous concluding observations (CRC/C/CRI/CO/4, para. 15), the Committee recommends that the State party:

(a) Strengthen the advocacy role of the Ombudsperson Office concerning legislation, policies and awareness-raising activities related to children's rights, including through necessary legal reforms and technical resources;

(b) Establish independent monitoring systems for children's rights, including follow-up to the implementation of the Code for Children and Adolescents, in line with the Convention.

Cooperation with civil society

13. The Committee notes the engagement of civil society organizations promoting children's rights in public policy mechanisms, such as the National Integral Child Protection System. Recalling its previous concluding observations (CRC/C/CRI/CO/4, para. 24), the Committee recommends that the State party facilitate the involvement of children and adolescent organizations, including organizations of children with disabilities, and indigenous and lesbian, gay, bisexual, transgender and intersex children, in the formulation, implementation and monitoring of public policies and programmes concerning their rights. This should include the allocation of necessary resources to such organizations and the building of their capacities to engage in social dialogue at the community and national levels, including the Legislative Assembly.

Dissemination, awareness-raising and training

14. The Committee is concerned about:

(a) The paternalistic and adult-centred societal approaches prevailing in the State party in relation to children's rights and patterns of the subordination of children in society that is hindering their autonomy, in areas such as education and health;

(b) Reports indicating limited awareness of the Convention, the Optional Protocols to the Convention and the Committee's general comments among public officials, parents, families and teachers, resulting in a lack of priority given to children's rights;

(c) The lack of visibility and social awareness about the actual situation and challenges affecting children.

15. The Committee, recalling its previous concluding observations (CRC/C/CRI/CO/4, para. 21) recommends that the State party:

(a) **Strengthen its efforts by adopting a comprehensive awareness-raising strategy, including public campaigns for the promotion of children's rights and bring about social change in attitudes towards children, in particular targeting community and religious leaders, teachers, social workers and other professionals working with children, in particular in the area of education and health, emphasizing the status of the child as a holder of human rights;**

(b) **Strengthen capacity-building programmes about children's rights among government officials, deputies of the Legislative Assembly and members of the judiciary, and increase their awareness of the Convention, the Optional Protocols thereto and the Committee's general comments;**

(c) **Promote public dialogue, including by launching round tables and forums across all regions in relation to children's rights and encourage understanding of children in connection to their age, sex, geographical location and family situation, involving children's organizations, parents and family groups, and faith groups in these dialogues.**

B. General principles (arts. 2, 3, 6 and 12)**Non-discrimination**

16. The Committee, while noting the 2015 constitutional reform recognizing the State party as a multi-ethnic and pluralistic society, and the adoption of the national policy for a society free from racism, racial discrimination and xenophobia for the period 2014–2025, is concerned about:

(a) Persisting gender stereotypes against girls, which heighten the risks of sexual violence and exploitation, early pregnancies and the imposition of barriers in access to education and sexual and reproductive health;

(b) Multiple and intersectional discrimination against indigenous and Afrodescendent children and children with disabilities;

(c) Information about hate speech mainly affecting children in situations of migration, as well as refugee and asylum-seeking children, and lesbian, gay, bisexual, transgender and intersex children.

17. With reference to targets 5.1 and 10.3 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) **Strengthen its efforts to eliminate gender stereotypes and remove patriarchal ideologies in education, and in the family, including through awareness-raising campaigns, and strengthen its measures, including temporary special measures, and budgetary, human and administrative resources to ensure equal access of girls to education and health;**

(b) **Expedite the adoption of legislation to sanction and address all forms of violence related to racism, xenophobia and discrimination, including sanctions for perpetrators of hate speech, and adopt a comprehensive national strategy and action**

plan to eliminate discrimination, racism, sexism and all forms of discrimination against children, addressing multiple and intersectional discrimination against them;

(c) **Strengthen campaigns to counter hate speech, harassment, bullying and negative portrayal affecting migrant, asylum-seeking and refugee children, and lesbian, gay, bisexual, transgender and intersex children.**

Best interests of the child

18. **The Committee recalls its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration and its previous concluding observations (CRC/C/CRI/CO/4, para. 32), and recommends that the State party:**

(a) **Ensure that the principle of the best interests of the child is incorporated and consistently applied in administrative and judicial proceedings, including in relation to migration and refugee status;**

(b) **Adopt criteria and establish compulsory processes to ensure that the best interests of the child are properly assessed and taken into consideration with regard to children from vulnerable and marginalized groups, such as children with disabilities, as well as in procedures related to the liberty of children.**

Right to life, survival and development

19. **The Committee, while welcoming the adoption of the Early Childhood National Policy 2015–2021, is concerned about:**

(a) **The child mortality rate of indigenous and Afrodescendent children, in particular the rate in Limón Province, which is higher than the national average;**

(b) **The fact that homicides and femicides of children have increased during the reporting period with information indicating that 15 per cent of femicides registered between 2004 and 2014 affected adolescent girls, and the limited information about remedies and reparations provided;**

(c) **The lack of information on measures to protect the integrity and right to life of children living in psychiatric hospitals and detention centres.**

20. **With reference to target 3.2 of the Sustainable Development Goals on ending preventable deaths of children under 5 years of age, the Committee urges the State party to:**

(a) **Implement a comprehensive time-bound strategy to tackle child mortality in Limón Province and other regions where it persists, including measures to eliminate neonatal mortality and deaths of children under 1 year of age, ensuring that measures in the framework of the early childhood policy prioritize indigenous and Afrodescendent children, their well-being and access to basic services;**

(b) **Adopt a strategy and measures to investigate cases of, and prosecute and sanction perpetrators responsible for, deaths of children, including femicides;**

(c) **Ensure reparations for survivors, including compensation, and psychosocial redress;**

(d) **Adopt measures to protect the integrity and life of children in custody, including in care and mental health-care institutions.**

Respect for the views of the child

21. **The Committee observes the paternalistic approach in society restricting the expression of children's views in the family and in public forums, and preventing their meaningful participation in public decision-making processes. With reference to its general comment No. 12 (2009) on the right of the child to be heard, the Committee reiterates its previous concluding observations (CRC/C/CRI/CO/4, para. 34), and recommends that the State party:**

(a) **Reinforce the implementation of the right of the child to be heard without discrimination due to age, disability, situation of poverty, migrant, asylum-**

seeking or refugee status, or any other circumstance, in administrative and judicial proceedings;

(b) Ensure the functioning and provision of human, technical and financial resources to the child and adolescent participatory councils at the local and national levels, ensuring meaningful participation of children and adolescents in protection boards for the protection of children and adolescents, the National Adolescent Network and the Committees to Safeguard the Rights of the Child;

(c) Take measures to ensure accessibility to information, communication, physical environment by children with disabilities throughout consultations and administrative or judicial proceedings, and that linguistic requirements of indigenous, migrant, refugee and asylum-seeking children are addressed.

C. Civil rights and freedoms (arts. 7, 8 and 13–17)

Birth registration

22. Taking note of target 16.9 of the Sustainable Development Goals on providing legal identity for all, including birth registration, the Committee recommends that the State party:

(a) Implement a strategy to ensure that all indigenous, Afrodescendent and migrant children, as well as children with disabilities, are registered at birth and provided with personal identification documents;

(b) Develop such strategy in consultation with indigenous peoples and Afrodescendent groups in coastal and rural areas, seeking partnerships to ensure universal birth registration.

Access to appropriate information

23. With reference to its general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, the Committee recommends that the State party enact legislation and public policies to improve children's access to the digital environment, including access to appropriate information, to the Internet and digital technologies in education, including children with disabilities and those living in rural and coastal areas. The State party should also strengthen measures to protect children from harmful information and products and online risks.

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Torture and other cruel, inhuman or degrading treatment or punishment

24. Recalling the Committee's previous concluding observations (CRC/C/CRI/CO/4, para. 44), the Committee recommends that the State party:

(a) Adopt measures to ensure the identification of instances of ill-treatment of children by the police, and strengthen existing measures to promptly investigate and prosecute perpetrators;

(b) Adopt measures to improve infrastructure and conditions of detention in Zurquí and Ofelia Vicenzi juvenile centres, and take measures to ensure effective reintegration of children back into the community;

(c) Ensure enforcement of legislation prohibiting corporal punishment, collective sanctions and isolation, and prevent practices of prohibition of family visits to children deprived of liberty;

(d) Reinforce independent child-sensitive complaint mechanisms, as well as the availability of reparations and redress in cases of violence against children in detention centres;

(e) Strengthen the monitoring of places of detention of children, ensuring periodicity of visits by the national preventive mechanism, and effective safeguards to protect the integrity of victims and witnesses of violence, taking into account the

recommendations issued by the Subcommittee on the Prevention of Torture relating to the national preventive mechanism during its visit to Costa Rica undertaken from 3 to 14 March 2019 (CAT/OP/CRI/RONPM/1).

Corporal punishment

25. The Committee observes with concern that corporal punishment is still a predominant practice in society, despite its legal prohibition. With reference to its general comment No. 8 (2006) on the right of the child to protection from corporal punishment and other cruel or degrading forms of punishment, the Committee recommends that the State party:

(a) **Ensure continuity, human, technical and financial resources, and national implementation of programmes to promote positive parenting;**

(b) **Reinforce the application of Act No. 8654 (2008) ensuring that perpetrators of corporal punishment are being held criminally responsible.**

Violence against children, particularly abuse and neglect

26. The Committee is deeply concerned about:

(a) The prevalence of different forms of violence against children, such as psychological, physical and sexual violence, including through the Internet, and the limited coverage of early intervention centres to address the rights of children facing all forms of violence;

(b) Harassment and bullying experienced by children in schools and the community on the basis of their sex orientation or gender identity;

(c) The absence of a comprehensive data-collection system on violence against children and uneven criteria in existing monitoring systems;

(d) The limited information about the type of reparations, including compensation for children victims of all forms of violence, including psychological violence.

27. With reference to its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence, and taking note of target 16.2 of the Sustainable Development Goals on ending all forms of violence against children, the Committee urges the State party to:

(a) **Strengthen coordination among State party authorities to implement policies for the prevention of violence against children, and adopt indicators to monitor progress achieved in the prevention of violence and in combating factors underpinning violence against children at home, in school and in society;**

(b) **Revitalize and strengthen the Parenting Academy initiative concerning positive parenting and the prevention of violence, and ensure that early intervention centres are locally accessible across all regions and municipalities, and that they have the capacity to implement and provide children with comprehensive support;**

(c) **Launch nationwide communication strategies to promote respect for children's rights, including their right to be free of violence;**

(d) **Strengthen its efforts to combat cyberbullying and harassment against lesbian, gay, bisexual, transgender and intersex children and ensure child-friendly accessible complaint mechanisms in schools, or through electronic platforms safeguarding the privacy of child victims;**

(e) **Ensure unified data collection concerning violence against children, disaggregated by age, sex, disability, geographical location, sexual orientation and gender identity, ethnic and national origin, and socioeconomic background, and use such data as the basis of public policies;**

(f) **Ensure that children facing violence are provided with appropriate remedies and redress, responsive to their age, gender and cultural background, including psychosocial counselling, and prevent the institutionalization of children**

victims of violence, ensuring that shelters are of a temporary character and conducive to a prompt recovery and reintegration of children.

Gender-based violence and sexual abuse

28. The Committee is seriously concerned about:

(a) The legislation on gender-based violence against women (Act No. 8589 of 2007) and its amendments, applicable only to girls over 15 years of age;

(b) The vulnerability of children to sexual abuse and exploitation, particularly in the light of a significant number of boys being affected, as well as adolescents, children with disabilities, and girls belonging to indigenous peoples;

(c) The prevalence of sexual violence against adolescent girls in relationships with adults and the fact that the age of sexual consent is 13 years.

29. **Noting target 5.2 of the Sustainable Development Goals, the Committee urges the State party to:**

(a) **Adopt, as a matter of priority, legislation addressing all forms of gender-based violence against girls, including those 15 years of age and under, ensuring prosecution and sanctions on perpetrators, and age-sensitive reparations to girls;**

(b) **Ensure that there are policies to prevent and combat violence against women, set up indicators and actions to address gender-based violence against girls and ensure that the National Institute for Women and the National Child Welfare Agency strengthen cooperation in implementing such policies;**

(c) **Ensure that systems of reporting, investigating and prosecuting sexual abuse against children are child-friendly and employ a multisectoral approach with the aim of avoiding the re-traumatization of the child victim, and ensure appropriate treatment and compensation for child victims;**

(d) **Take measures to effectively implement the legislation on improper relationships (Act No. 9406 (2017)), and recognize abusive relationships in situations involving an age difference of less than five years;**

(e) **Increase the minimum age for sexual consent from the current level of 13 years.**

Gang violence

30. **The Committee observes with concern the reports of violence against children, in connection with activities of gangs and drug traffickers. It recommends that the State party:**

(a) **Strengthen measures to prevent and combat gang violence, ensuring that such programmes respect children's rights;**

(b) **Establish child-friendly early-warning mechanisms for children who seek protection against the violence of gangs and drug traffickers;**

(c) **Adopt programmes providing children in gangs with assistance and protection to leave gangs and be reintegrated into society.**

Harmful practices

31. **While welcoming the enactment of Act No. 9406 prohibiting marriage under 18 years of age, and with reference to joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, the Committee recommends that the State party:**

(a) **Strengthen its efforts to combat machismo and sexism in society, and raise awareness on the harmful effects of the practice of cohabitation between girls and adult men;**

(b) Strengthen its efforts to enforce Act No. 9406, including through capacity-building to judges, enforcement officers and social workers, and reinforce technical capacity of the National Child Welfare Agency to promote implementation of such legislation at the local level.

E. Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))

Children deprived of a family environment

32. The Committee welcomes measures taken by the State party to support foster families. However, it is concerned about:

(a) The high and increasing number of children institutionalized (from 7,542 children in 2016 to 10,588 children in 2018);

(b) The persistence of institutionalization affecting children in situations of vulnerability, including children with disabilities, indigenous children, and those in situations of poverty;

(c) Prejudices in society and among public authorities and service providers underpinning institutionalization, and limited technical resources and absence of transition programmes, which prevent the deinstitutionalization of children.

33. Recalling its previous concluding observations (CRC/C/CRI/CO/4, para. 50), the Committee recommends that the State party:

(a) Prioritize measures to strengthen support and facilitate family-based care for children and its system of foster care for children who cannot stay with their families;

(b) Phase out institutionalization and adopt a strategy and a concrete plan of action for deinstitutionalization, including systemic transformation of the childcare, welfare and protection systems, and ensure that budgets are redirected to prevent the separation of children from their parents and to support care for children in family environments;

(c) Allocate adequate human, technical and financial resources for deinstitutionalization, set up a time frame, benchmarks, targets and monitoring indicators, and seek the involvement of children's organizations and technical assistance from the United Nations and other international cooperation agencies when required;

(d) Undertake public campaigns, train and build the capacity of public authorities and civil society, including service providers, with the aim of addressing prejudices and attitudinal barriers preventing deinstitutionalization, and promote the right of children to grow up in a family environment.

Adoption

34. The Committee, recalling its previous concluding observations (CRC/C/CRI/CO/4, para. 52), recommends that the State party eradicate direct adoptions and effectively implement legislation regulating adoptions and monitoring mechanisms by the judiciary. The State party should strengthen reviews of adoption procedures and mechanisms to monitor and restrict international adoptions, in line with article 21 of the Convention.

F. Children with disabilities (art. 23)

35. Noting the measures taken by the State party to implement inclusive education, including the development of resource centres and universal design in education teaching methods, and with reference to its general comment No. 9 (2006) on the rights of children with disabilities, the Committee recommends that the State party:

- (a) Ensure that legislation on children's rights and gender-equality legislation and public policies are responsive to and include the rights of children with disabilities, and promote participation of children with disabilities in public decision-making;
- (b) Reinforce measures to identify instances of violence, abuse and neglect of children with disabilities, including those in care centres and psychiatric hospitals, and establish accessible and child-friendly reporting channels for affected children;
- (c) Ensure that all cases of violence, including sexual violence, against children with disabilities, are systematically registered by the authorities, and provide children with adequate access to redress, including psychosocial counselling, and support services;
- (d) Continue to phase out the institutionalization of children with disabilities in psychiatric institutions;
- (e) Strengthen measures to promote inclusion of children with disabilities in the community, including through personal assistance, and ensure their equal access to all services in the community, including education, health, cultural sites, leisure and recreation, and tourism;
- (f) Take measures to improve accessible health-care services for children with disabilities, including sexual and reproductive health, allocate financial resources to reinforce accessibility to medical infrastructure, and require private service providers to implement universal design of equipment and accessible information to children with disabilities in the health system.

G. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)

Health and health services

36. With reference to its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health and taking note of target 3.8 of the Sustainable Development Goals on achieving universal health coverage, the Committee recommends that the State party:

- (a) Intensify its efforts to ensure access to health services by indigenous and Afrodescendent children living in rural and coastal areas, ensuring appropriate and continuous provision of primary and specialized health care, medicine and medical supplies, infrastructure and equipment;
- (b) Ensure sufficient budget allocation for universal coverage of health care, including by establishing and strengthening partnerships with local governments.

Adolescent health

37. With reference to its general comment No. 4 (2003) on adolescent health and development in the context of the Convention and general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, the Committee recommends that the State party:

- (a) Take measures to combat early pregnancies, paying attention in particular to the situation of girls who are pregnant by adult men, and raise awareness about the harmful effects of early pregnancies and their repercussions on the physical and mental health of girls;
- (b) Decriminalize abortion in all circumstances and ensure access to safe abortion and post-abortion care services for adolescent girls, ensuring that their views are always heard and given due consideration as part of the decision-making process;
- (c) Accelerate the implementation of Executive Decree No. 42113-S (2019) concerning health procedures for therapeutic abortion, and prevent the stigmatization of adolescent girls seeking an abortion;

(d) Strengthen measures to provide adolescent girls with information and access to modern forms of contraception and ensure their access to safe and affordable contraception, including in rural and coastal areas;

(e) Ensure that children are included in public policies and plans carried out by the Institute for Alcoholism and Pharmacological Dependency, by allocating human, technical and financial resources to implement policies and guidelines for preventing drug consumption in all levels of the educational system, and also ensure that children are provided with rehabilitation services according to their age and cultural background.

Mental health

38. Noting with concern information about the high rates of suicide among adolescents, and taking note of target 3.4 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Strengthen the work and coverage of the interdisciplinary mental health teams working at the local level, and allocate human, technical and financial resources to reach out to children and adolescents, identifying situations of risk;

(b) Adopt a strategy focused on the prevention of suicide, addressing individual, community and social factors causing suicide, and ensure that psychological and psychiatric services and health personnel are adequately trained and available to respond to different levels of risk.

Standard of living

39. The Committee notes with concern that, according to National Household Survey 2018 of the National Institute of Statistics and Censuses, 34 per cent of children are living in a situation of poverty and 12 per cent in extreme poverty. The Committee also notes with concern the deprivation suffered by children with disabilities, living in rural, coastal and border areas, and migrant children. It draws attention to target 1.3 of the Sustainable Development Goals on implementing nationally appropriate social protection systems and measures for all, and recommends that the State party:

(a) Strengthen its efforts to ensure that national strategies, such as Bridge to Development and programmes to combat poverty, tackle causes and situations of deprivation and poverty among children in marginalized and vulnerable groups, and ensure that monitoring includes the actual situation of these groups;

(b) Increase funds and coverage of financial subsidies for children and families with children, addressing disparities of income and conditions including age, sex, gender, geographic location, place of residence, and migrant or refugee status;

(c) Hold targeted and periodic consultations with families, children and organizations working in the field of children's rights on the issue of child poverty.

H. Education, leisure and cultural activities (arts. 28–31)

Education, including vocational training and guidance

40. Taking note of targets 4.1, 4.2, 4.3, 4.5, 4.A and 4.C of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Strengthen its measures to address gaps in school enrolment of children in rural and coastal areas, indigenous and Afrodescendent children, children with disabilities, and migrant children, and to combat school dropout;

(b) Ensure that school curricula and teaching methodologies adapt to the requirements of pupils, regardless of their sex or their cultural, ethnic or disability background;

(c) Expedite measures to implement recommendations issued by the Committee on the Elimination of Discrimination against Women

(CEDAW/C/CRI/CO/7, paras. 27 (a) and (b)) aimed at improving the enrolment of girls, developing culturally appropriate bilingual education, eliminating stigmatization of pregnant adolescent girls in education and facilitating re-entry to school for young mothers;

(d) Strengthen efforts to implement inclusive education and facilitate the enrolment of all children with disabilities in mainstream schools, regardless of the type of impairment, age or place of residence, ensuring the provision of accessibility measures and individualized supports;

(e) Implement a monitoring and evaluation system of teacher performance, and introduce accreditation procedures for teachers and other staff working in the education system;

(f) Ensure that school curricula promote democratic coexistence, tolerance and respect for diversity, non-violent conflict resolution, safe use of the Internet, and skills to combat bullying and raise awareness of its harmful effects.

Early childhood development

41. The Committee, noting with concern that early childhood care is yet to be universal, affecting in particular children in vulnerable and marginalized situations, and taking note of target 4.2 of the Sustainable Development Goals, recommends that the State party:

(a) Allocate human, technical and financial resources to ensure universal coverage of early childhood care and development services, and set up targets to progressively reach out to children in rural areas and coastal zones;

(b) Take measures to ensure quality requirements and an accreditation and monitoring system of caregivers and service providers.

Rest, leisure, recreation, and cultural and artistic activities

42. With reference to its general comment No. 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, the Committee recommends that the State party ensure sufficient and sustainable resources to develop play and recreational activities for children, ensuring that leisure spaces, such as open playgrounds and sports centres are safe, accessible, inclusive and smoke-free for all children.

I. Special protection measures (arts. 22, 30, 32, 33, 35, 36, 37 (b)–(d) and 38–40)

Asylum-seeking, refugee and migrant children

43. The Committee commends the State party's adoption of the Comprehensive Migration Policy for the period 2020–2023 and its protocols providing for the identification and protection of migrant children. With reference to joint general comments No. 3 and No. 4 (2017) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 (2017) of the Committee on the Rights of the Child on the human rights of children in the context of international migration, the Committee recommends that the State party:

(a) Ensure that public authorities in charge of asylum procedures comply with the right of the child to have his or her best interests taken as a primary consideration in all decisions related to the transfer of any asylum-seeking or refugee children from the State party;

(b) Ensure comprehensive referral and case management frameworks for services to children, including with regard to education, health, the police and the justice sector, including the provision of free legal aid, for unaccompanied and separated children, and appropriate conditions in referral centres, including in temporary care centres for migrants;

(c) Ensure that the private and public schools and universities facilitate access to education for asylum-seeking, refugee and migrant children, in line with legislation, and that lack of documents is not an obstacle or cause of rejection at school;

(d) Expedite all procedures involving unaccompanied, asylum-seeking and refugee children, and ensure that these procedures fully comply with the Convention.

Children belonging to indigenous and Afrodescendent peoples

44. With reference to its general comment No. 11 (2009) on indigenous children and their rights under the Convention, the Committee recommends that the State party:

(a) Ensure that social services in the State party are responsive and cover the situation of Ngobe-Bugle indigenous children and Afrodescendent children throughout the country;

(b) Develop and implement strategies at the municipal and local levels aimed at combating poverty among indigenous and Afrodescendent peoples;

(c) Strengthen human, technical and financial resources to ensure the full implementation of intercultural bilingual education and reinforce consultations with indigenous and Afrodescendent children in this regard;

(d) Expedite measures to implement Presidential Decree No. 40932-MP-MJP of March 2018, and ensure that indigenous and Afrodescendent children are included in processes to seek free, prior and informed consent of indigenous and Afrodescendent peoples, in connection with measures affecting their lives, and ensure that development projects, hydroelectric projects, business activities, and the implementation of legislative or administrative measures, such as the establishment of protected areas, are subject to consultations and adhere to the United Nations Declaration on the Rights of Indigenous Peoples.

Economic exploitation, including child labour

45. The Committee, noting with concern information about the worst forms of child labour, in particular of girls in domestic work and adolescent children in the informal sector, and taking note of target 8.7 of the Sustainable Development Goals, recommends that the State party strengthen its measures to identify and prevent child labour, through continuous labour inspections, mechanisms of complaint by children, and awareness-raising campaigns against domestic work of adolescent girls.

Administration of child justice

46. While noting the State party's legislation concerning a restorative justice system applicable to child justice proceedings, and with reference to its general comment No. 24 (2019) on children's rights in the child justice system, the Committee recommends that the State party:

(a) Bring its child justice system fully into line with the Convention and other relevant standards, increase the minimum age of criminal responsibility to at least 14 years, and amend Act No. 7576 to ensure a non-discriminatory full application of the child justice system to all persons below the age of 18 years at the time of the offence;

(b) Discontinue preventive detention of children;

(c) Ensure that detention is used as a measure of last resort and for the shortest possible period, and that it is reviewed on a regular basis with a view to its withdrawal;

(d) Continue to promote and ensure the implementation of non-judicial measures, such as diversion, mediation and counselling, for children accused of criminal offences and, wherever possible, the use of non-custodial sentences for children, such as probation or community service;

(e) Ensure the allocation of appropriate human, technical and financial resources to programmes for non-judicial measures and non-custodial sanctions, and

adopt measures to promote and develop support networks in the community and at local levels and quality programmes adapted to adolescents and their situation;

(f) Ensure the due process of law in all cases in the child justice system, conduct a review of cases of children committed to the national psychiatric hospital and apply non-custodial measures.

J. Follow-up to the Committee's previous concluding observations and recommendations concerning the implementation of the Optional Protocols to the Convention

Optional Protocol on the sale of children, child prostitution and child pornography

47. While noting with appreciation the State party's efforts to implement the Committee's recommendations from 2007 on the State party's report under the Optional Protocol on the sale of children, child prostitution and child pornography (CRC/C/OPSC/CRI/CO/1), the Committee recommends that the State party:

(a) Expedite the adoption of the national plan for combating commercial sexual exploitation, strengthen the work of the coordination mechanisms, in particular the National Commission against Commercial Sexual Exploitation, and strengthen efforts to dismantle criminal networks associated with sexual exploitation in the context of tourism;

(b) Take measures to ensure early identification of child victims of sexual commercial exploitation, improve the accessibility and availability of shelters for children, and adopt measures to address specific sex and gender aspects of child victims;

(c) Ensure appropriate human, technical and financial resources and coordination among authorities working on the protection of child victims of trafficking, in particular the Public Prosecution Service's Office for Crime Victims, the Immediate Response Team and local authorities;

(d) Disseminate information about complaint and protection mechanisms among children;

(e) Adopt measures to ensure that risk-assessed adult sex offenders do not have contact with children through employment, and strengthen bilateral and multilateral agreements to identify situations of risk and prevent occurrence of sexual offences.

Optional Protocol on the involvement of children in armed conflict

48. Recalling the Committee's recommendations from 2007 on the State party's report under the Optional Protocol on the involvement of children in armed conflict (CRC/C/OPAC/CRI/CO/1), the Committee recommends that the State party:

(a) Establish extraterritorial jurisdiction for recruitment and involvement of children in hostilities, including by non-State armed groups, organized crime groups, including drug traffickers, and armed gang violence, when they are committed by or against a person who is a citizen of or has other links with the State party;

(b) Strengthen its efforts, including through bilateral and regional agreements, to promote a culture of peace, prevent the involvement or recruitment of children in any type of organized violence, including non-international armed conflicts and armed gang violence, and promote peacebuilding initiatives;

(c) Develop systematic awareness-raising education and training on the provisions of the Optional Protocol for all relevant professional groups, including those working with asylum-seeking, refugee and migrant children coming from countries affected by armed conflict and violence perpetrated by non-State armed groups;

(d) Identify, at the earliest possible stage, refugee, asylum-seeking and migrant children entering the State party's territory who may have been recruited or used in hostilities contrary to the Protocol, and provide such children with assistance for their physical and psychological recovery and their social reintegration in accordance with article 6 (3) of the Protocol.

K. Ratification of international human rights instruments

49. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which it is not yet a party.

L. Cooperation with regional bodies

50. The Committee recommends that the State party cooperate with the Organization of American States (OAS) on the implementation of the Convention and other human rights instruments, both in the State party and in other OAS member States.

IV. Implementation and reporting

A. Follow-up and dissemination

51. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country, including indigenous languages, Costa Rican Sign Language and in accessible formats, particularly Easy Read.

B. National mechanism for reporting and follow-up

52. The Committee recommends that the State party ensure adequate support and dedicated staff to the Inter-institutional Commission on Human Rights, strengthening its capacity to consult systematically with the national human rights institution, civil society, including children and youth organizations.

C. Next report

53. The Committee invites the State party to submit its combined seventh and eighth reports by 19 September 2025 and to include therein information on the follow-up to the present concluding observations. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines adopted on 31 January 2014 (CRC/C/58/Rev.3) and should not exceed 21,200 words (General Assembly resolution 68/268, para. 16). In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report in accordance with the above-mentioned resolution. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the treaty body cannot be guaranteed.