

Freedom of Expression in Costa Rica: A Look into the 2022 Electoral Process



University for Peace



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EXECUTIVE SUMMARY

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During 2022, the team of the Office of Free Legal Assistance for Journalists in Costa Rica (ALP for its name in Spanish) conducted media monitoring to identify situations that could endanger the exercise of freedom of expression in the country during the general elections and after the conclusion of the electoral process.

This monitoring considered the digital platforms of national and regional media in the country, and the findings pose various risks, which, if not positively overcome, will impact the exercise of this right in 2023, particularly the municipal elections of 2024. Among the most relevant facts are:

1. Problems accessing public information that is only disseminated through Internet platforms.
2. Problems accessing public resources that guarantee political parties' access to the necessary funds to disseminate their ideas.
3. Lack of regulations that provide all political parties with equal access to the main traditional media outlets.

4. Use of discriminatory discourse to discredit journalists and the media by political actors and members of society.
5. Increase in verbal, physical and judicial attacks against journalists and the media.

Although some of these situations require changes in the current regulatory frameworks, such as the distribution of public resources, there are other situations that can be considered and modified immediately, such as the dissemination of public information through television, radio, or press media, as well as the use of discourse that promotes tolerance and respect for freedom of expression.

Each of the four sections included in this report considers the aforementioned problems in detail, provides specific cases, and finishes by listing a series of recommendations for state representatives, political parties, and the academic sector for counteracting the negative effects of the attacks registered during 2022.



INTRODUCTION

INTRODUCTION

CÉSAR PORRAS AND
MARIATERESA GARRIDO V.

During the Costa Rican electoral process that took place in 2022, the 49th President of the Republic of Costa Rica and those who will constitute the Legislative Assembly – the Costa Rican Congress – during the 2022-2026 period were elected. The process began with the call for general elections and culminated with the election of the President. During this period, the Office of Free Legal Assistance for Journalists (ALP for its name in Spanish) monitored the news related to the exercise of freedom of the press and presents the results in this report. However, before delving into the subject, we will provide a brief description of the electoral process.

The Constitution of the Republic of Costa Rica and the Electoral Code constitute the main regulations in electoral matters, with the Supreme Electoral Tribunal (TSE) serving as the body in charge of ensuring their compliance. The law establishes that two rounds of elections may be held. During the first round, those who will occupy a seat in the Legislative Assembly are elected, and in the event that a presidential candidate

obtains more than 40% of the votes, that candidate is elected President. In the case that no candidate obtains the aforementioned percentage, the two who occupy the first two places will go on to a second electoral voting round.

On February 6, 2022, the first round was held, with candidate José María Figueres receiving 27.3% of the votes (497,966) and Rodrigo Chaves receiving 16.7% of the votes (305,157) (TSE, 2022). These results led to a second round, which was held on April 3, 2022, in which Rodrigo Chaves was elected with a total of 52.8% of the votes (1,018,454) over José María Figueres, who received 47.2% of the votes (908,816). Out of 3,541,908 voters registered for this election, it is relevant to note that there were 50,960 null and blank votes (2.6%) during the second round, for a total of 1,978,230 votes casted during the second round (TSE, 2022).

Costa Rican democracy is one of the most stable ones in the region. For the first time in the country's history, 25 candidates ran for the presidency of the Republic¹; in the case of representatives, several provinces registered a large number of political parties, such as San José, with 29 parties competing for 19 seats (TSE, 2022).

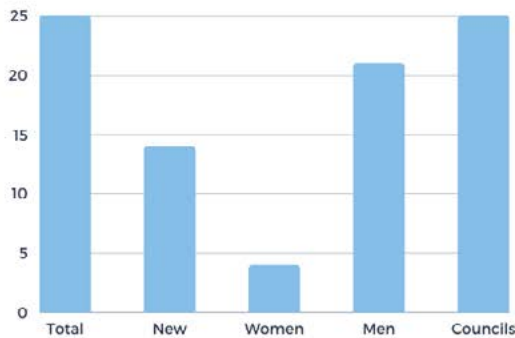
1 These were: Citizen Action Party (Welmer Ramos González), New Republic Party (Fabricio Alvarado Muñoz), Liberal Union Party (Federico Malavasi Calvo), Costa Rican Social Justice Party (Carmen Quesada Santamaría), National Force Party (Greivin Moya Carpio), United People Party (Martin Chinchilla Castro), Social Christian Unity Party (Lineth Saborio Chaverri), Social Christian Republican Party (Rodolfo Hernández Gómez), Libertarian Movement Party (Luis Alberto Cordero Arias), National Restoration Party (Eduardo Cruickshank Smith), Social Democratic Progress Party (Rodrigo Chaves Robles), Liberal Progressive Party (Eliecer Feinzaig Mintz), Christian Democratic Alliance Party (Christian Rivera Paniagua), Costa Rican Democratic Union Party (Maricela Morales Mora), Costa Rican Social Democratic Movement Party (Roulán Jiménez Chavarría), New Generation Party (Sergio Mena Díaz), Fair Costa Rica Party (Rolando Araya Monge), Accessibility Without Exclusion Party (Oscar López Arias), United We Can Party (Natalia Díaz Quintana), National Liberation Party (José María Figueres Olsen), National Encounter Party (Oscar Campos Chavarría), National Integration Party (Walter Muños Cespedes), Our People Party (Rodolfo Piza De Rocafort), Workers' Party (Jhonn Vega Masis), and Broad Front Party (José María Villalta Florez Estrada). (TSE, 2021).

It is worth noting that, of the 25 presidential candidates, there were only five female candidates, while in the case of the representatives, only four parties put women at the head of four of the seven provinces (Citizen Action, Broad Front, Democratic Social Progress, and Our Party). This inequality caused a gender imbalance in the com-

position of the current representatives within the Legislative Assembly, with 26 women holding the 57 available congressional seats (Arrieta, 2022). Therefore, despite the fact that there exists a certain reduction in gender stratification, there is still a long way to go to achieve true gender equality in political representation (TSE, 2022). It is worth

Political Parties

COSTA RICAN NATIONAL ELECTIONS 2022



FORMATION OF POLITICAL PARTIES

For the 2022 electoral process, a total of 25 political parties were registered before the TSE, 14 of them newly constituted, and all 25 presented candidates for popular representatives. Out of the pool of presidential candidates, 4 were women and 21 were men.

ELECTORAL ABSTENTIONISM

For the 2022 election, 40.65% of registered voters abstained, the largest abstentionism rate during a first electoral round in Costa Rican history.

VOTER INDECISION

According to UCR-CIEP polls, the percentage of undecided voters was 48% in October, 42% in December and 32% the week before election day.



4

There were only four female candidates for the presidency

40%

Historical abstentionism rate

53%

Of registered political parties were new

noting that, of the 25 presidential candidates, there were only five female candidates, while in the case of the representatives, only four parties put women at the head of four of the seven provinces (Citizen Action, Broad Front, Democratic Social Progress, and Our Party). This inequality caused a gender imbalance in the composition of the current representatives within the Legislative Assembly, with 26 women holding the 57 available congressional seats (Arrieta, 2022). Therefore, despite the fact that there exists a certain reduction in gender stratification, there is still a long way to go to achieve true gender equality in political representation (TSE, 2022).

The electoral process was marked by a variety of social problems that should be highlighted, among which are the existence of a high fiscal deficit of 5.18% of the GDP, an unemployment rate of 14.4% (Madrigal, 2022), negotiations with international monetary organizations such as the International Monetary Fund (IMF), and legislative discussions around the approval of new taxes, the legalization and medical use of cannabis, therapeutic abortion and the approval of the secular state, among other issues.

It is noteworthy that discussions about corruption in the public sector occupied an important place in the electoral process. In 2021, cases such as the “Diamond Case” and the “Cochinilla Case” were exposed. The former involved several municipalities and began with six cases of corruption, which increased as the facts were further investigated (Arrieta, 2021). On the other hand, the “Cochinilla Case” uncovered acts of corruption related to road infrastructure construction by awarding bids for public works to private companies (Porrás, 2022, p. 46).

These discussions were fundamental in the preparation of governance plans and the proposals developed by the presidential and

congressional candidates of the participating political parties, and they undoubtedly influenced the public debate (Porrás, 2022, p. 46). Similarly, these cases contributed to an environment of public rejection of the governing party (Citizen Action Party), which resulted in its presidential candidate receiving an insignificant percentage of the votes and its failure to elect a single representative to the Costa Rican Legislative Assembly for the current presidential period (Informa Tico, 2022).

To exemplify the importance of the discussions around corruption, we point to current President Rodrigo Chaves’ governance plan – presented during his campaign – which included proposals related to the elimination of tax exemptions, the reduction of interest on public debt, increased sanctions for corruption, the promotion of STEM education, and improving the targeting of social spending, among others (Social Democratic Progress Party, 2022). Similarly, the governance plan of presidential candidate José María Figueres focused on poverty and inclusion, education, economic growth, social economy, human rights, environment, health, and citizen security, among other axes, through a series of proposals (National Liberation Party, 2022).

Despite the high number of participating political parties, studies conducted by the Research Center for Political Studies of the University of Costa Rica (CIEP-UCR) showed that party affiliation was at its lowest since 1993, with a mere 13% of those surveyed mentioning their sympathy for any political group prior to the electoral process (Murillo, 2021). Additionally, the percentage of undecided voters went from 48% in October 2021 to 42% in December 2021 and finally to 32% the week before the first electoral round (January 31 to February 5). Indecision influenced abstention-

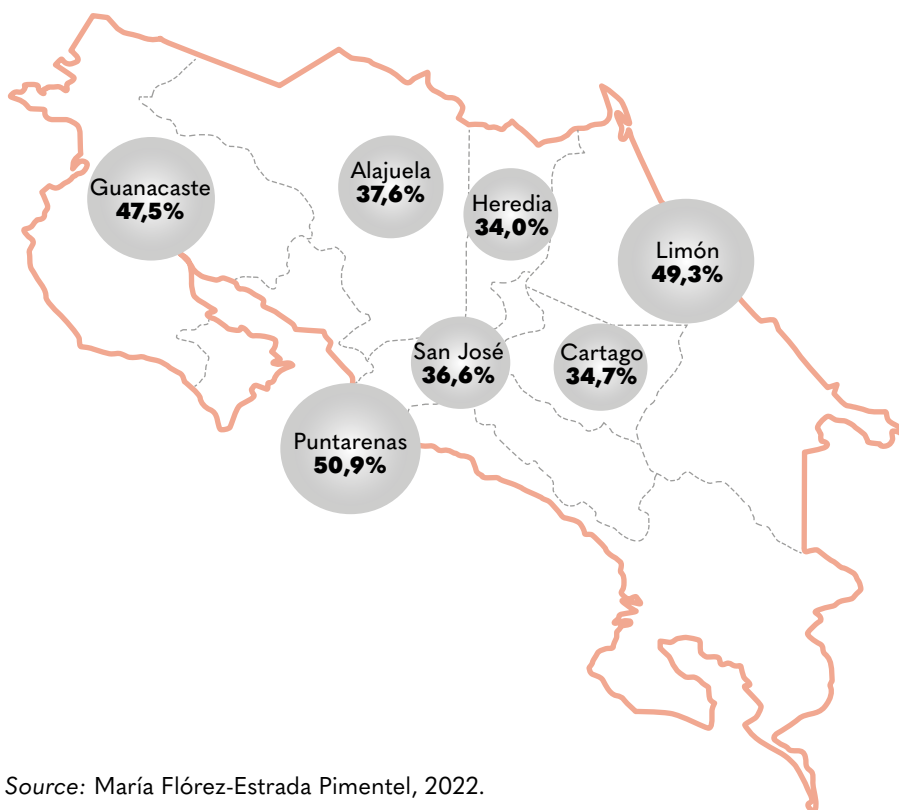
ism, which came in at 40.65% during the first electoral round and 43.24% for the second electoral round (TSE, 2022).

One of the reasons that explains the levels of participation and partisan support was the population's lack of information. Despite the availability of governance plans in digital format, there was a lack of knowledge regarding the proposals offered by the political parties, their positions on issues of national reality, their political ideologies, the candidates' personal and professional background, and even the parties' financing mechanisms and sources. According to the Superintendencia of Telecommunications (Sutel), the fixed Internet penetration rate in Costa Rica is 88%; however, this statistic does not reflect the differences in access in different parts of the country. For example, penetration rates do not reach 10% in cantons such as Los

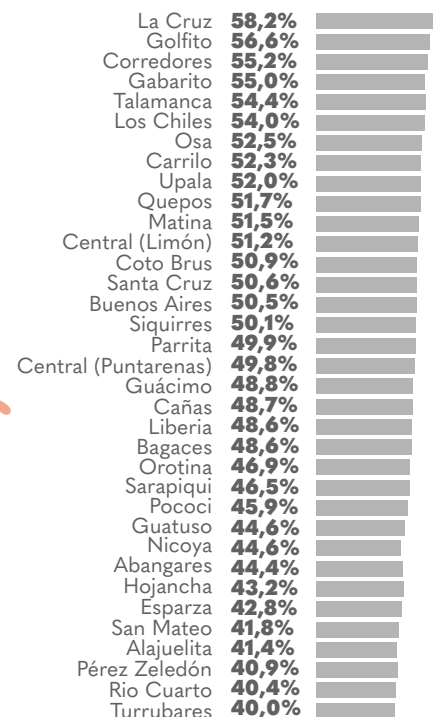
Chiles, Alajuela (4.5%), Guanacaste (6.4%) and Talamanca, Limón (7%); low penetration rates prevent access to information disseminated through digital platforms (Molina, 2022).

In fact, Puntarenas (50.9%), Limón (49.3%) and Guanacaste (47.5%) were the provinces with the highest levels of abstentionism, while the cantons of La Cruz (58.2%), Golfito (56.6%) and Corredores (55.2%) – all located within the Guanacaste province – led with the highest abstentionism rates on a national scale (TSE, 2022). This report does not put forth the hypothesis that the lack of internet access served as the driving force behind the high levels of abstentionism reported during the 2022 elections; however, it does suggest the importance of considering this factor in order to better guaranteeing access to electoral information for the 2024 municipal elections.

Municipal Elections

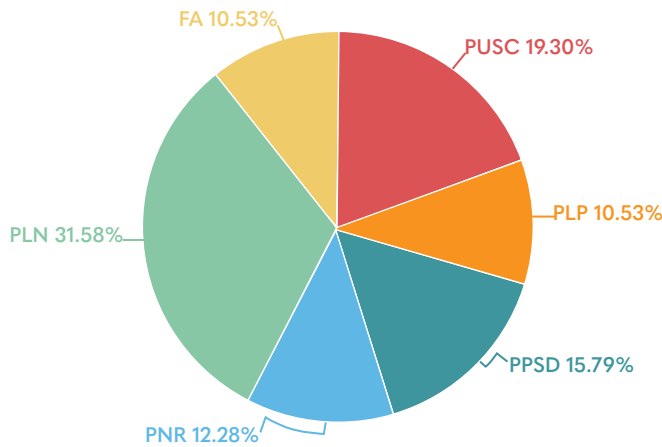


Cantones con más abstencionismo



Source: María Flórez-Estrada Pimentel, 2022.

In addition, the distribution of public resources to political parties demonstrated the existence of great inequalities in terms of financing and, consequently, in the use of various mechanisms for disseminating information to reach the country's most disconnected areas.



All these situations directly influenced the exercise of freedom of expression in Costa Rica and had an impact on the performance of the media and its journalists that cannot be underestimated. The ALP presents this report on the situations observed during the year 2022 that may have had an impact on freedom of expression in Costa Rica.

Report Structure

In this report, we will analyze the main issues discussed during the electoral process and the changes implemented after the trans-

fer of power. In the first section of this report, we discuss the situation of access to public information during the electoral process. In particular, we analyze issues related to the financial information of political parties, the dissemination of polls on voting intentions and the holding of presidential debates.

Next, we consider the importance of integrity and ethics in the design and implementation of electoral campaigns. In this section, we provide information on cases that took place during the elections.

In the third section, we present the use of discriminatory speech against journalists and the media. In particular, we provide examples of how these messages were disseminated through digital platforms and the impact it had on the media.

Finally, we delve into cases involving attacks against journalists and media outlets. In this section, we analyze verbal attacks disseminated by candidates, political parties and even audiences. We also consider examples of physical attacks against journalists. Finally, we analyze the case of the judicial instigation against national outlet La Nación.

By way of conclusion, we present a list of recommendations to prevent the increase of attacks against journalists and the media, to serve as a framework for the municipal elections that will take place in 2024.

1



**ACCESS
TO PUBLIC
INFORMATION**



1. ACCESS TO PUBLIC INFORMATION

MARIATERESA GARRIDO V.

For the ALP, access to public information is a human right that includes the right of every person to seek and receive public information. In this sense,

Public information is that which is in possession of the state, including that which is produced and filed by public and private entities, and all those entities that exercise a function, public power, or authority delegated by any of the representatives of the public power of the state, including those representing the different districts, cantons, and provinces of the country. (ALP Glossary of Terms)

In electoral processes, access to public information plays a determining role. For that reason, this section will consider the Costa Rican regulatory framework and issues regarding access to information related to the financing of electoral campaigns and voting intentions.

Costa Rican Regulatory Framework

Article 30 of the Costa Rican Constitution establishes the right of access to public information. The Constitutional Chamber, on reiterated occasions, emitted criteria indicating that this is a control mechanism in the hands of the public, since it allows them to exercise an optimal control of the legality and the opportunity, convenience or merit and,

in general, of the effectiveness and efficiency of the administrative function performed by the different public entities (Resolution N° 02120 - 2003).

In 2021, despite the fact that there is no law regulating access to public information in Costa Rica, the Supreme Electoral Tribunal (TSE for its name in Spanish) - with the intention of promoting transparency and access to information in the electoral process - began to require anyone wishing to participate as a candidate in the elections to submit a biography, a current photograph, and in the case of those who opt for the presidency, a governance program. The TSE is the body in charge of publishing such information (Electoral Code, Article 148).

Additionally, there are special regulations to guarantee access to information on party financing, voting intentions, and the proposals of the participating political parties. Each of these aspects is detailed below.

Political Party Financial Information

The Costa Rican system establishes a mixed financing structure (public and private), the access to which is regulated by law. In the case of the 2022 general elections, former President Carlos Alvarado signed a reform to Law No. 9934 on January 19, 2021, establishing that political parties participating in the 2022 general elections, and in the 2024 municipal elections, "shall be entitled to receive a maximum state contribution equivalent to

zero point zero eighty-five percent (0.085%) of the gross domestic product (GDP) of the year 2020.” (Transitory Article XII).

In this sense, the TSE, on February 5, 2021, indicated that the amount that parties could receive for participation in the general elections was ₡19,790,922,360.00 (equivalent to USD 32,196,328). However, it should be noted that, in order to receive the financing, the party in question must have obtained a minimum of 4% of the valid votes and must present proof of the expenses incurred during the electoral campaign (TSE, 2022). As indicated by the TSE, the distribution of the available funds was as follows:

**VOTOS VÁLIDOS Y MONTO MÁXIMO DE CONTRIBUCIÓN ESTATAL
SEGÚN PARTIDO POLÍTICO, ELECCIONES 6 DE FEBRERO DE 2022**

PARTIDO POLÍTICO	Votos Válidos	Monto máximo a recibir en colones
TOTAL VOTOS VÁLIDOS	3 590 494	₡19 790 922 360,00
FRENTE AMPLIO	355 750	₡1 960 905 833,45
LIBERACIÓN NACIONAL	1 086 749	₡5 990 196 636,96
LIBERAL PROGRESISTA	447 862	₡2 468 630 241,41
NUEVA REPÚBLICA	520 707	₡2 870 154 304,48
PROGRESO SOCIAL DEMOCRÁTICO	663 573	₡3 657 636 448,69
UNIDAD SOCIAL CRISTIANA	496 708	₡2 737 871 018,19
RECUPERANDO VALORES	9 059	₡49 933 509,33
UNIÓN GUANACASTECA	10 086	₡55 594 367,49

Nota: Valor del voto ₡5 512,03326338938

Through this information, the TSE complies with the criteria for transparency and publicity required to guarantee access to public information regarding public financing. However, it is necessary to verify matters related to private financing.

The Electoral Code establishes that private financing to political parties is permitted, but subject to the principle of publicity (Article 120). In order to comply with the regulations, political parties must:

- Keep a record within their accounting of contributions made by private parties, as well as fundraising campaigns organized by the party (Electoral Code, arts. 121 and 123).
- Set up a single bank account in a national banking entity for the reception of funds coming from donations or contributions (Electoral Code, art. 122).
- Report any contribution in kind received by the party (Electoral Code, art. 130).
- Periodically report to the TSE on donations or contributions received (Electoral Code, art. 132 and 133).

Financing during the electoral process was the subject of extensive discussions in the media for several reasons. In first place, there are those who point out the problems faced by small parties with regards to accessing public funds: of the 23 parties that registered candidacies, only eight were able to access public financing (Molina, 2022).

In second place, one of the greatest challenges has been access to the media. In Costa Rica, there is no regulation that guarantees the use of free spaces for electoral campaigns, nor limits for advertising guidelines, which, together with financial limitations, creates notorious differences in the dissemination of the ideas and proposals of those who participate in the electoral process (Pomareda, 2022).

This fact is of particular importance. A study conducted by the National University of Costa Rica (UNA) in January 2022 indicated that the main media used to obtain information about the candidates was television, followed by social networks, newspapers (paper and digital), and radio. On this point, the same study highlighted that 51.9% of survey participants agreed with the electoral cover-

age carried out by the media (Díaz-González & Solís Bastos, 2022). However, inequality in access to television and radio by political parties, and in access to the Internet by the population, has an unquantifiable impact on the electoral process.

Monto invertido en publicidad por candidatos presidenciales durante 2021 y 2022

La inversión incluye lo recopilado hasta el viernes 28 de enero en televisión abierta, radio, cable, periódicos y publicidad exterior en el Gran Área Metropolitana (GAM); no incluye publicidad digital. Los datos están en tarifa publicada de los medios de comunicación y no toman en cuenta descuentos o posibles bonificaciones.

Partido/Candidato presidencial	Monto invertido -colones-
 Partido Nueva República/ Fabrizio Alvarado	398.466.608,58
 Partido Liberación Nacional/ José María Figueres	278.229.631,71
 Partido Unidad Socialcristiana/ Lineth Saborío	248.391.976,15
 Partido Liberal Progresista/Eli Feinzaig	212.143.250,5
 Partido Progreso Social Demo- crático/Rodrigo Chaves	120.403.376,98
 Partido Costa Rica Justa/Ro- lando Araya	65.140.050,00
 Partido Restauración Nacio- nal/Eduardo Cruickshank	55.438.500,00
 Partido Nuestro Pueblo/Ro- dolfo Piza	52.159.938,02
 Partido Movimiento Liberta- rio/Carlos Valenciano (*)	43.607.754,45
 Partido Unidos Podemos/ Natalia Díaz	34.697.300,00
 Partido Frente Amplio/José María Villalta	25.931.887,50
 Partido Acción Ciudadana/ Welmer Ramos	23.265.867,12
 Partido Republicano Social- cristiano /Rodolfo Hernán- dez	14.411.633,36
 Partido Nueva Generación/ Sergio Mena	1.871.225,00
 Partido Fuerza Nacional/ Greivin Moya	808.500,00

(*) Carlos Valenciano renunció a su candidatura al Movimiento Libertario y lo sustituyó Luis Alberto Cordero
Fuente: Kantar Ibope Media.

In addition, the private financing structure used by some political parties has been questioned. However, it is important to highlight that direct financing to candidates or pre-candidates is expressly prohibited by Article 125 of the Electoral Code, and Article 123 of the Electoral Code establishes the guidelines to be followed, namely:

Private contributions may only be credited in favor of political parties or duly officialized tendencies, pre-candidatures, or candidacies.

All contributions must be individualized and recorded at the time of receipt, by means of a bank receipt or official receipt issued by the political party, in this case signed by the donor or contributor. Such donations or contributions may not be received if they are anonymous. Deposits may only be made personally and individually, in such a way that the person who makes the bank transaction directly shall be credited as the depositor, except in those cases in which the political party holding the account reliably accredits the identity of the contributors.

In this regard, the TSE has indicated that:

The right of access to administrative information is a mechanism of control in the hands of the administered, that aims to enforce the principles of transparency and publicity, particularly when it comes to private contributions to political parties.

... From the above, it can be concluded: 1. All information related to the patrimony of the political parties -regard-

less of its private or public origin-, as well as the number of current accounts, their movements and the balances that the political parties administered by the State Commercial Banks, private banks, and any financial entity are of public interest and, therefore, can be accessed by any person; 2. Public or private banks or other financial entities cannot deny or limit access to the financial information of the political parties, which is supported by material, virtual, or digital supports; 3. The right to access the financial and banking information of the political parties is an indispensable tool, like many others, for the full validity of the principles of transparency and publicity included in the third paragraph of Article 96 of the Political Constitution. (Appeal for electoral protection, 2006).

By virtue of the above, the TSE initiated an investigation regarding the funds received by the National Liberation Party (PLN), the Social Christian Unity (PUSC), the Social Democratic Progress Party (PPSD), Just Costa Rica (PCRJ), and the Christian Democratic Alliance (PADC) (Chavarría Hernández, 2022). The investigations are for the following cases:

1. In the case of the PLN, the investigations are for funds received in November 2021 for the renovation of the structure in Alajuela; for the donation of a charter flight to the Dominican Republic for presidential candidate José María Figueres; the production of an audiovisual material called "Salto al Vacío" ("Leap into the Void"); and the donation in kind for the use of a cooperative's facilities for party activities (this last case also included the PUSC party).
2. In the case of the PPSD, the investigation refers to the creation of parallel financing structures.
3. The PCRJ case refers to an irregular donation made by the construction company MECO to Rolando Araya's pre-candidacy campaign.
4. The PADC investigation refers to the use of a foundation owned by former candidate Cristhian Ramírez.

Despite the above, the most controversial case refers to the PPSD (Cambronero J. & Oviedo, 2022). In August 2022, a private phone conversation between representatives of the PPSD was made public, in which they discuss the management of funds, expense control during the electoral campaign, and the hiring of personnel (Madrigal, 2022). In this regard, the media indicated that the TSE submitted a report to the Public Prosecutor's Office indicating the existence of a

... "dark financing scheme" and alludes to at least two parallel structures. One of them would be the trust "Costa Rica Prospera", created by President Chaves and businessman Jack Loeb Casanova, and administered by the current chancellor, Arnoldo André Tinoco; the second one is the one supposedly managed by Sofía Agüero Salazar, daughter of congressman Waldo Agüero Sanabria, who reported movements in her accounts of up to \$195,000 transferred by Loeb Casanova in order to finance the current representative's campaign. (Madrigal, 2022).

As of October 2022, the TSE report is of a private nature and the Public Prosecutor's Office is not authorized to provide information on

the case until a decision has been reached in the case. However, it should be noted that access to financial information is indispensable to guarantee the legality of the electoral processes. In this sense, the OAS has pointed out that:

Political-electoral financing systems may or may not favor the exercise of the right of access to information in an electoral process. An opaque financing system hinders the right to seek and receive data on the income and expenses of the parties in a campaign. A citizen who does not know who finances the parties or what the campaign expenses are, does not have all the elements to make an informed decision on who to vote for (General Secretariat of the Organization of American States, 2012, p. 10).

Information on Voting Intentions and Public Approval Polls

The publication of the results of studies on the acceptance of candidates, parties, and governance plans is common in any democratic state. In Costa Rica, this type of publication is subject to several regulations, the most important of which is contained in Article 138 of the Electoral Code, which states:

The institutes, universities, any public or private entity and the companies dedicated to elaborating surveys and opinion polls of a political-electoral nature shall register before the TSE within fifteen days after the call for elections, identifying the company and the responsible professionals, as well as the other requirements determined by the Tribunal.

The Tribunal shall publish, in a written me-

dia of national circulation, the names of the companies, universities, institutes and any entity, public or private, authorized and registered with the Tribunal to conduct surveys and polls of a political-electoral nature.

The dissemination or publication, partial or total, by any means, of opinion polls and surveys related to electoral processes, during the three days immediately prior to the election day and the day itself, and those prepared by unregistered companies during the period of the electoral campaign, is prohibited.

It is important to highlight that the TSE, through Advisory Opinion N.º0382-E8-2018, indicated that the prohibition of dissemination applies to:

surveys or opinion polls conducted by persons (individuals or legal entities) not registered with the electoral administration, which includes those measurement exercises carried out on websites or social network profiles whose owners or administrators have not been previously registered (Guzmán Herrera, 2019, p. 282).

To enforce this regulation, Article 286 of the same code provides for the imposition of sanctions on the media or those who authorize the publication of poll results outside the established period, or that have been carried out by companies or institutions not authorized by the TSE.

During the 2022 electoral process, compliance with these provisions was observed. The institutions authorized to publish the information conducted the first polls at the end of 2021. Company Demoscopia conducted a measurement in November 2021,

in which it highlighted that out of the 22 registered candidates, only 8 were known by at least 50% of those who participated in the survey (Arias, 2021).

In effect, the first studies served to measure the knowledge of the population regarding the participants in the process, as well as the names of those who were leading the voting intention before the first electoral round. Surveys conducted in the last quarter of 2021 showed the growth of voting intention for some candidates, the decrease of others, the possibilities of a second round for the election of the President of the Republic, and even the approval of those who aspired to a position in the Legislative Assembly (Solano, 2021; Gómez, 2021).

Surveys conducted between January 2021 and 2022 showed that the majority of the population still did not know most of the presidential candidates (Gómez, 2022). A study conducted by the National University of Costa Rica indicated that 49% of the people surveyed did not know for whom they would be voting for the presidency (Díaz-González & Solís Bastos, 2022). Similarly, a study conducted by the Center for Research and Political Studies of the University of Costa Rica (CIEP-UCR) indicated that 47% of the population did not know for which party they would vote and 8% indicated that they would not vote (Rodríguez Campos, 2022). Additionally, the study carried out by the Universidad Latina de Costa Rica included information on the perception of Costa Rican youth regarding the future and the intention to vote for the presidency, which provided clarity regarding the requests of this population group (Universidad Latina de Costa Rica, 2022).

It is noteworthy that the institutions authorized to publish such studies respected the guidelines established by the TSE, refrained

from publishing information the week before the first round of the electoral process, and resumed their activities after the TSE released the official results.

In preparation for the second round of the presidential elections, the authorized institutions resumed their activities, which guaranteed access to public information and the ability to measure the population's voting intentions. As of March 2022, surveys were published that made it possible to know the intention to vote and the percentage of undecided voters (Mora, 2022). However, during this period, a media outlet published the results of a survey by an institution not authorized by the TSE. Although the results were not disclosed, the situation was denounced by other media sources (Gutiérrez, 2022), which in this case, became allies of the institutionality and compliance with Costa Rican regulations.

Finally, there are no regulations regarding polls that measure the approval of the government's performance after the second electoral round is over. In Costa Rica, it is common to publish these types of surveys to visibilize the approval rating of the government during its first 100 days of governance. Hence, in August 2022, studies prepared by the CIEP-UCR were made public by the media (Córdoba González, 2022; Murillo, 2022; Ramírez, 2022), and in November, they indicated that 63% of the people interviewed considered that the president was doing a good job (Meléndez Díaz, 2022b).

Presidential Debates

Elections exist to choose government models and political trends; in other words, to decide which of the proposals presented by the candidates best suits the interests and values of the electorate. The greatest challenge is guar-

anteeing access to the plans, proposals, and governance models of each candidate. In Costa Rica, having 25 candidates competing for the presidency of the republic presented great challenges, and the option presented by the media, trade associations, and even the TSE, in order to promote participation, was holding presidential debates.

This type of meeting is regulated by the Electoral Code in its Article 12, paragraph q, which establishes the TSE's responsibility to guarantee access to the participants of the electoral processes in the debates organized by the institution. It is worth noting that since 2001, the TSE holds that "it is valid to qualify debates and forums as political acts, since there is an intimate relationship of causality between the formation of the electoral will and its final expression through the vote". (Electoral Appeal for Protection (Amparo Electoral), 2001).

There are even those who affirm that debates became popular in the 2014 general elections thanks to vote 4099-2009 of the TSE² (González Mora, 2015), in which it affirmed the following:

The obligation that public institutions and private media have to invite to the forums that they organize, be they public or private, all candidates for the presidency and vice presidency within the political parties duly registered in the Civil Registry, does not constitute an act of censorship or violation of their right to inform inasmuch as that right, like all rights, is not unrestricted, since it is limited by higher values that, in electoral processes, emanate from the democratic principle that underlies our Social State of Law, hence the limitations that proceed are legally reasonable and

proportional to the social benefit pursued.

Presidential debates played a fundamental role in the dissemination of information about the presidential candidates and their proposals in the 2022 electoral process. In this sense, it is important to highlight the work of the TSE, which organized a four-day debate in January 2022 that was broadcast on Channel 13 and through the institution's social networks. The debate was supported by the National Radio and Television System (SINART), Costa Rica media, and the Latin American Faculty of Social Sciences (FLACSO) (TSE, 2022). Additionally, the TSE conducted interviews that were available on the institution's YouTube channel, which were replicated by different media outlets (May Grosser, 2022).

It is relevant to note that the TSE used traditional media and digital platforms to disseminate information. This dynamic ensured that the information reached different sectors of the population in the format of their preference, thus guaranteeing access to information.

Similarly, for the first electoral round, the media conducted various debates to present the electoral options to their audiences. For example, Radio Monumental and Repretel organized a debate with 7 candidates that was broadcast on television, radio, and social networks (Meléndez Díaz, 2022a). Teletica organized a debate with 6 candidates, which was broadcast simultaneously on radio and social networks (Bolaños Vargas, 2022).

Regarding the participation of the private sector, the Costa Rican Union of Chambers and Associations of the Private Business Sector (UC-CAEP) organized a debate with 4 candidates that was transmitted through the organization's

² To access the vote, please refer to: https://www.tse.go.cr/juris/electorales/4099-E8-2009.htm?zoom_highlight=4099-E8-2009

social networks (UCCAEP, 2021). As in the case of the debate organized by the TSE, the media replicated the content, further assisting the dissemination of information (Delfino, 2021; Pérez, 2021).

After the celebration of the first electoral round, five debates were held, which were organized by media outlets and were transmitted both by traditional media and by the digital platforms of each media outlet (Madrigal R., 2022). Each debate had a different focus, with the common aim of publicizing the candidates' government proposals, and served as a platform to provide more information on their policies concerning job creation, economic growth, Internet access, corruption, tax evasion, education plans, the fight against drug trafficking, and unemployment (Chinchilla Carvajal, 2022; Herrera, 2022; Ruiz León, 2022).

Despite the benefits of these encounters for the dissemination of political proposals, it should be noted that the journalists who conducted the debates were subjected to various verbal attacks and hate speech by the audience. This situation is detailed in the third section of this report on Discriminatory Speech and Attacks against Journalists.



2

ELECTORAL PROPAGANDA: THE IMPORTANCE OF INTEGRITY AND ETHICS

2. ELECTORAL PROPAGANDA: THE IMPORTANCE OF INTEGRITY AND ETHICS

THAIS RAMÍREZ AND
MARIATERESA GARRIDO

In contemporary society, it is very common during electoral processes for political parties to use various strategies to make themselves known to the greatest number of voters, including the dissemination of messages in public and private, traditional or digital media, social networks, radio, and cinema, among others.

To achieve an electoral victory, political groups widely disseminate their governance plans and strategies to make themselves known. Therefore, it is not strange for political parties to intensify their communication actions – as well as the use of all other forms of permitted media – during campaign season to disseminate their ideas, mobilize supporters, and influence and convince the electorate that their political offer is the best (Rivera Sanchez & Robles Leal, 2020). In fact, due to the media's impact and reach, the discourse of political parties has become increasingly intertwined with that of the media, seeking to connect with the population using a variety of materials and messages.

During these electoral periods, several actors interact, such as the general population, political parties, the media, and civil society. Therefore, to better evaluate the ecosystem in which we live, it is important to know the following fundamentals:

- a) Freedom of expression as a fundamental principle: This right, which is enshrined in Article 28 of the Political Constitution of Costa Rica, allows the citizen individually or collectively (example: duly registered political parties) to freely express their thoughts, ideas, positions, opinions, value judgments, data, or information regarding all kinds of issues, including those of an electoral nature; for its exercise, any means may be used and without limitations, except those established in the Constitution itself (Articles 26, 28, 29 and 98) and through the law (Rivera Sanchez & Robles Leal, 2020).
- b) There is a right to carry out electoral propaganda, under the understanding that this activity, as an extension of freedom of expression, is not absolute, and can be limited by some elements, such as national laws, public morals, and local customs.

In Costa Rica, the Electoral Code regulates electoral matters, defining propaganda as “the action of political parties to prepare and disseminate their ideas, opinions, government programs, and the biographies of their candidates to popularly elected positions, by the means they deem convenient” (art. 94, paragraph a).

From the above, we can conceptualize electoral propaganda as the sum of a set of techniques used in different media (radio, newspapers, magazines, television, and the Internet, among others) to convince voters

on how and for whom they should cast their vote on election day (Rivera Sanchez & Robles Leal, 2020). The Supreme Electoral Tribunal (TSE), in reiterated criteria, defined it as the action in which “one of the political parties participating in the electoral contest or one of its candidates is pondered or fought” (TSE, 2005), and cites, as an example, those publications in which “the name of a candidate or their party is systematically reiterated and even quoted continuously” (TSE, 2005).

In relation to the limits to electoral propaganda, the Electoral Code has established in its Article 136 that:

political parties have the right to disseminate, from the day of the call for elections and up to three days before election day, all kinds of political and electoral propaganda using mass media. At any time, they may give political information, disseminate press releases, and hold meetings and activities in private places, without the need for any authorization whatsoever.

In addition to the above, the content of electoral propaganda has also been limited not only with regards to when it can be visualized, since Article 136 of the Electoral Code also establishes a prohibition related to religious aspects, as follows:

Any form of propaganda which, taking advantage of the religious beliefs of the people or invoking religious motives, incites the citizenry in general, or citizens in particular, to adhere to or separate themselves from certain parties or candidacies, is prohibited.

In view of the above, the TSE has known

and resolved several cases that have been escalated by different societal actors in cases where religion has been used as a tool to influence the citizenship about electoral proposals. For example, TSE Resolution N°1375-E1-2018 sanctioned the Episcopal Conference of Costa Rica and the Costa Rican Evangelical Alliance Federation for including religious expressions in political-electoral communications, through the dissemination of a document called “joint manifesto” during the electoral campaign period.

To prevent the different political groups from taking advantage of the electorate’s religious beliefs, Article 136 of the Electoral Code extends its limitations to this activity, by establishing that:

Every political party shall refrain from disseminating political propaganda in the mass media from December 16 to January 1, immediately prior to election day. [During this period] only candidates for the Presidency of the Republic may disseminate three Christmas messages, according to the regulations to be issued by the TSE. Nor may this be done in the three days immediately preceding or on the day of the elections. The official pre-candidates may disseminate their ideas or thoughts through the media they consider pertinent.

Another limit established by the Electoral Code is related to the provision of electoral propaganda in public spaces, “It is forbidden to throw or place electoral propaganda on the roads or public places, as well as on urban furniture.” (Article 136).

Cases Observed During the Electoral Period

a) Use of billboards

During 2021, prior to the presidential elections, we were able to observe how different billboards were used on public roads throughout the national territory, which generated various discussions.

For example, government representatives requested that the TSE move to remove billboards showing former president Carlos Alvarado, claiming his image was being misused and could generate confusion among the population (Pérez, 2022a). Another observed case was related to the National Liberation Party, which indicated that the Social Democratic Progress Party used – without authorization – its flag and the image of its candidate for the Presidency of the Republic on billboards placed in various parts of the country (Pérez, 2022b). The TSE ruled, through its Resolution 4599-E1-2021, that:

Consequently, this Plenary could only censure the propaganda if it, for example, had messages in favor of war or represented an endorsement of national, racial, or religious hatred, which constitute incitements to violence or any other similar illegal action, for any reason, including those of race, color, religion, language or national origin.

In the billboards in question, there is no element that alludes to any of the aforementioned prohibited contents, nor does it seek the disqualification of the PLN candidate for any condition or characteristic that could lead to discrimination, such as his sex, ethnicity, or sexual orientation, among others.

From the resolution issued by the TSE, it was concluded that the propaganda used in billboards falls within the aspects allowed by the Electoral Code and that any other electoral content that acts against public morals can be further evaluated for potential sanctions; therefore, the case was dismissed.

In this case, the TSE becomes a guarantor of freedom of expression, since it considered the limits established by law to make its decision, and thus avoid the mechanism being used to prevent the dissemination of ideas or proposals that go against the parties in power, or that intend to do so.

b) Gender-based violence through digital platforms

In addition to the improper use of public spaces, the period before and after the elections demonstrated that female political figures in the country were the target of digital violence, a fact pointed out by the Digital Communication Observatory at Costa Rica's Universidad Latina in its report "Camino a los 100 días, una mirada digital hacia la administración Chaves Robles" (On the Road to 100 Days: A Digital Look Towards the Chaves Robles Administration). Several public figures, such as Claudia Dobles, former First Lady, Joselyn Chacón, Minister of Public Health, and Andrea Álvarez, Congresswoman, received a large number of violent comments on social networks (Observatorio de Comunicación Digital, 2022). The report pointed out that the attacks were carried out through different profiles and through negative comments.

By referencing the affectations experienced by the aforementioned female public figures in digital environments, it raises concern about the regulation of electoral propaganda on the Internet, an aspect that was resolved by the TSE by

establishing that the presence of two elements is necessary for it to be considered propaganda: intention and the mechanism used.

The intention refers to the fact that the content of the information seeks to create, transform, or confirm opinions with the purpose of influencing the political thinking of the individual (influence their decision). On the other hand, the mechanism refers to the medium chosen, which must be suitable for the information to reach the voter through a deliberate mechanism of message intrusion; that is, the message reaches the receiver without having been requested and in an undesired manner (TSE, 2009, resolution No. 0978-E8-2009).

These examples allow us to evaluate compliance with national regulations and highlight the importance of the relevance of certain messages, the gender approach, the use of public spaces and the restrictions associated with cultural celebrations to reduce unethical actions during election periods. However, another core aspect that is priority to reflect on has to do with campaign investments and the messages of political associations.

The above provisions seek to ensure free elections, where the rules are clear regarding participants or candidates, the persons authorized to disseminate information, the permitted time to disseminate, and the limits to the content and sanctions for its infringement. This activity is not outside the law. On the contrary, it is expressly regulated by the Electoral Code, as stated above.

One of the electoral materials that generated a large amount of controversy was the video called "Salto al Vacío" ("Leap into the Void"), produced by the company El Drim Tim, directed by Eloy Mora and Karina Conejo, supposedly requested by the National Lib-

eration Party (Quiros, 2022a). The material was published on March 22, 2022, and the proposed slogan indicated that voting for Rodrigo Chaves was a "leap into the void".

The accompanying images showed several people jumping from a building one after the other without any kind of protection. This generated several discussions on the topic of suicide and the high number of cases registered in the country (Cordero Parra, 2022). In this regard, statistics show that by 2021, Costa Rica was the country with the highest number of suicides in the region, with an annual average of 351 cases, not including failed attempts (Observatorio de la Violencia, 2022).

The Electoral Code establishes that parties are free to disseminate the propaganda they consider appropriate and through the media of their choice. The same regulation establishes, as limits to electoral propaganda, the use of religious beliefs and gender discrimination (Electoral Code, Article 136); however, it does not establish any provision regarding information that contradicts or challenges moral norms.

Eloy Mora, the producer of the video, published an apology on his Facebook page, indicating that:

"It was an audiovisual material that, when the script arrived, my head exploded a little: it was transgressive, it was strong. And that is the work of the artist, to transgress, to disturb, to put my finger on the sore spot, in some cases, to disturb. To protest." (Díaz Zeledón, 2022).

While it is true that art is an alternative to challenge social moral norms, it is necessary to remember that, during an electoral campaign, public morality acts as one of the limits to produce audiovisual materials that, as stat-

ed in Costa Rican regulations, seek to disseminate ideas, opinions, or government plans. Electoral campaigns must seek a balance between the promotion of political ideas and the exercise of freedom of expression.

Therefore, it is essential to consider that Article 13 of the American Convention on Human Rights establishes public morality as one of the limits to the exercise of freedom of expression. The Costa Rican Constitutional Chamber indicated that morality is “the set of principles and fundamental beliefs in force in society, whose violation seriously offends the generality of the members of that society” (Centro de Información Jurídica en línea, 2014, p. 6), and although it is true that the Electoral Code does not contain an express provision on public morality, those engaged in the production of these materials must consider this aspect during the creative process.

Given the controversy generated, on March 28, 2022, the producers of the video offered a public apology, indicated that their intention was not to encourage suicide, and that they would send a production report to the TSE (Díaz Zeledón, 2022). For its part, the TSE initiated an investigation regarding the use of public funds for the hiring of the company, its link with the PLN party, and the determination of the corresponding responsibilities. It should be noted that the process is not related to the imposition of a subsequent liability for the content of the video, but rather to its financing. In matters of freedom of expression, this is relevant because it shows that the removal of the video from the networks through which it was disseminated was sufficient to avoid the opening of legal proceedings for damages caused.

By November 2022, a chronology of the link between the producers of the video and the PLN was made public (Quiros, 2022b); however, at the date of this report there has been no settlement regarding the party’s expenses. Similarly, media source CRHoy reported that the Deputy Prosecutor of Probity, Transparency, and Anticorruption is evaluating the TSE’s final investigation report – number DFPP-1049-2022 – to conclude the investigations and impose the corresponding sanctions in case of illegal financing (Quirós, 2022a).

d) Use of funds for the distribution of electoral propaganda

Having understood the normative framework of advertising materials during the electoral process, it is relevant to observe how the environment evaluates the ethical or moral conduct carried out during the period preceding the elections, including aspects not only related to the way of disseminating electoral propaganda, the content of the propaganda and the media, but also with the financing obtained by the political parties.

The national legal system allows political parties to obtain reimbursement for expenses incurred in advertising and electoral propaganda, as regulated by articles 96 of the Constitution and articles 89 and 99 of the Electoral Code.

Concerns were observed during the electoral period in relation to the financing of the electoral campaign, as it has been reported by several national media outlets, such as La Nación, which revealed that there are currently 2 open cases before the Supreme Electoral Tribunal related to the financing of the electoral campaign (Cambronero J. & Oviedo, 2022), which, from the perspective of public opinion, is currently under close speculation.

Considering the above and noting that the Electoral Code allows funds to come from private sources, it is worth asking what actions can be taken against electoral propaganda that disrespects the constitutional provisions and/or the Electoral Code?

In these cases, national regulations such as the Constitution and the Electoral Code have established a series of sanctions such as fines or criminal sanctions to reprimand offenders, for which national protection mechanisms can be activated, making requests at administrative headquarters or filing claims before judicial bodies, in order to limit misconduct or to compensate damages to those affected.

However, an additional step that can be promoted within the country is the promotion of integrity policies where the sources of financing must be reported in a transparent manner, limiting possible conflicts of interest or the influence of groups engaged in illicit and/or unethical activities in popular elections, as discussed in the previous section.

The Organization for Economic Cooperation and Development (OECD), through its report “Protecting Democratic Achievements”, has pointed out that integrity risks are becoming increasingly complex and include a great diversity of actions in diffuse issues where the focus is either directly or indirectly on influencing public decision-making processes, for example, through lobbying or political financing (OECD, 2022).

Costa Rica is taking actions to avoid impunity. However, beyond the detection of individual cases and the application of sanctions, it is essential that the country continues to invest in prevention and in strengthening institutions to mitigate integrity risks. Indeed, to maintain the democratic and economic stability achieved in recent decades, a key factor is to establish and continuously improve a coherent and comprehensive integrity system. Having a strong system of public governance reinforces fundamental values, including a commitment to pluralistic democracy based on respect for the rule of law and human rights (OECD, 2022).

3.

USE OF DISCRIMINATORY SPEECH AGAINST JOURNALISTS AND THE MEDIA



3. USE OF DISCRIMINATORY SPEECH AGAINST JOURNALISTS AND THE MEDIA

FLORENCIA PRIETO AND MARIATERESA GARRIDO

In recent years, the massive dissemination of hate and discriminatory speeches has increased notoriously thanks to the use of social networks and digital platforms that allow interaction among their users. In this regard, the Secretary-General of the United Nations, in a publication made in June 2022, expressed that hate speech incites violence, undermines diversity and social cohesion, and threatens the common values and principles that unite us. It further mentioned that such speeches promote racism, xenophobia, and misogyny, dehumanize individuals and communities, and seriously undermine our efforts to promote peace and security, human rights, and sustainable development (UN, 2022c).

This phenomenon is observed at all levels, universal, regional, and local, and Costa Rica is no exception. During the election period, the UN recognized that the dissemination of these messages has created a division in Costa Rican society, as well as a “toxic atmosphere” throughout the country (UN, 2022a). These speeches pose a challenge to the protection of the right to freedom of expression, which has been widely protected in Costa Rica.

Additionally, on the topic of hate speech in social networks in Costa Rica 2020-2021, the Digital Communication Observatory of

the Communication Research Center of the UCR, the United Nations, and the data specialist firm COES, stated that in 2021, more than 937 thousand messages and conversations linked to hate speech and discrimination were detected in social networks nationwide, compared to 548 thousand detected in the previous period, representing an increase of 71% (UN, 2022b).

This right is regulated in Article 19 of the International Covenant on Civil and Political Rights³, and, within the Inter-American system, in Article 13 of the American Convention on Human Rights⁴ provides for an extensive degree of freedom of expression. However, this right, while very broad, is not absolute. The American Convention declares that hate speech falls outside the protection of Article 13 and requires States Parties to proscribe this form of expression. In particular, Article 13(5) states:

All propaganda for war and advocacy of national, racial, or religious hatred that constitutes incitement to violence or any other similar unlawful action against any person or group of persons on any grounds including those of race, color, religion, language, or national origin shall be prohibited by law.

Likewise, the International Convention on the Elimination of All Forms of Racial Discrimination (CERD)⁵, in its objective of preventing racial hatred, establishes a wider margin for

3 Ratificado por Costa Rica en 1968

4 Ratificado por Costa Rica el 3 de febrero de 1970

5 Ratificado por Costa Rica el 16 de enero de 1976

restrictions on freedom of expression (RELE, n.d.). At the national level, although there is no express protection against discriminatory speech, there is both conventional and constitutional normative protection of the right to freedom of expression and non-discrimination that is applicable to cases in which such speech is disseminated.

For example, Article 283 of the Costa Rican Criminal Code punishes the crime of advocacy of crime, establishing that anyone who publicly advocates a crime, or a person convicted of a crime shall be punished with imprisonment of one month to one year or a fine of ten to sixty days. Similarly, there is conventionally a manifestation against war propaganda. The Supreme Electoral Tribunal has indicated that the dissemination of propaganda “[...] in favor of war and any advocacy of national, racial, or religious hatred that constitute incitements to violence or any other similar illegal action against any person or group of persons, for any reason, including race, color, religion, language, or national origin” must not be allowed (Leal, 2020). Finally, Title II of the Costa Rican Criminal Code regulates crimes against honor, which include slander, libel, and defamation.

Despite the above, there is no express protection indicating what is understood by discriminatory speech in the legal system. Therefore, in order to identify them and prevent their dissemination, it is necessary to understand what is understood as such.

From the ALP, we understand such speeches as:

any form of expression that seeks to exclude, restrict, or limit the rights of others in any sphere of their lives on the grounds of race, color, sex, language, religion, polit-

ical or other opinion, national or social origin, economic position, birth, or any other social condition (ALP Glossary of Terms).

Discriminatory speech can be qualified in different ways. However, for the purposes of this report, we will focus on hate speech, or, in other words, on those that constitute

the most serious manifestation of an irrational feeling of opprobrium, enmity, or abhorrence towards a group or a person for presenting one of the protected characteristics of their identity. It is the most extreme form of discriminatory speech, since it involves public instigation to commit genocide, hostility, or violence against a person or group (ALP Glossary of Terms).

During the electoral period, we observed an increase in the dissemination of these speeches against journalists and media, particularly through comments posted on social networks and in the comments sections enabled by the media on their websites.

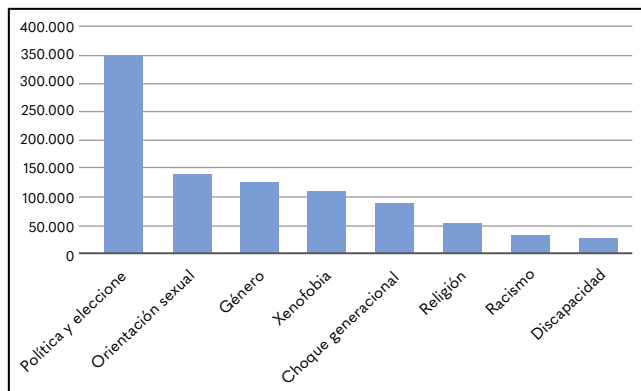
In this regard, the work carried out by the Observatory of Hate Speech of the University of Costa Rica, directed by Professor Larissa Tristán, should be highlighted. Their research focused on the presidential debates that were broadcasted on national television and the interactions that were generated from the responses of those who participated. The classification algorithm used in the Observatory for the Repretel presidential debate indicated that 62% of the interactions evidenced hate speech, while in the Teletica debate, it was 52.2% (UCR, 2022).

Some media outlets also noted the increase of hate speech against them. For example, the note published by Amelia Rueda on February 23, 2022, titled “Hate messages in social networks are ‘normalized’ in Costa Rica”, a situation revealed in a study conducted on in-

teractions during the electoral campaign prior to the first round. More than 10,300 interactions made by users of social networks during the presidential debates on Channel 6 and Channel 7 were analyzed, revealing that approximately six out of ten comments included messages full of attacks and violence. Regarding this note, Observatory Coordinator Larissa Tristán indicated hate speech is not specific to social networks and that it is more widely and traditionally known. However, she highlighted that social networks have been responsible for magnifying violent attacks against minorities, due to the anonymity and the lack of censorship (Amelia Rueda, 2022).

During 2021-2022, more than 937,000 messages and conversations linked to hate speech and discrimination were detected in social networks at the national level, compared to 548,000 detected in the previous period, representing an increase of 71% (UN, 2022a). According to the press release issued by the University of Costa Rica on June 22, 2022, Allegra Baiocchi, Resident Coordinator of the UN in Costa Rica, mentioned that the electoral campaign and the topic of politics significantly boosted the growth of hate and discriminatory speech in the country (UCR, 2022). The research made it possible to define those topics around which the greatest amount of hate and discriminatory speech is observed, namely: politics and elections (350,000), sexual orientation (143,000), gender (125,000), xenophobia (112,000), generational clash (92,000), religion (53,000), racism (34,000), and disability (27,000) (UCR, 2022). These numbers allow us to reflect on the great incidence of the electoral process

in terms of hate speech and discrimination, evidencing societal divisions and the violence that this generates.



To prepare this report, the ALP investigated and monitored hate speech on social networks and digital media. For example, a CRHoy publication made on June 6, 2022, registered a total of 81 comments by December 2022. Of the 81 comments, 74 were made by men. Likewise, of the total number of comments analyzed, 34 were biased against the media in general and journalists in particular. We were able to find comments defining the media as “rogue press” and “corrupt”, and even threatening the journalists working there.⁶ All these comments seek to discredit the newspaper, defame its image, and generate doubts about its main objective, to inform society.⁷

Additionally, a Facebook publication made by La Nación generated comments that show a high level of intolerance and aggressiveness against the newspaper and its journalists. In this case, out of 37 comments analyzed, 16 were made by men and 21 by women. Of these comments, 6 were violent, 4 by men, and 2 by women.⁸

⁶ To perform this analysis, the comments were quantified using a manual coding mechanism carried out by the team members, which included counting the comments and analyzing their content.

⁷ If you wish to access the comments analyzed, you can do so [here](#).

⁸ If you wish to access the comments analyzed, you can do so [here](#).

Finally, it is important to highlight the efforts made by the Costa Rican Bar Association to prevent and eradicate such discourse. In a collaboration by both institutions, a legal guide to prevent and eradicate hate speech and discrimination in Costa Rica was published and is available online. The document states that both institutions intend to contribute, in a comprehensive manner, to the consolidation of the Costa Rican social democratic state and rule of law, since this is a sine qua non condition to advance in the recognition and guarantee of the rights of all persons in the national territory. The analysis conducted

for the publication of this guide detected the existence of more than 550 thousand conversations linked to “hate speech and discrimination”, between May 2020 and June 2021 (UN and COLABG, 2022).

With a view to the 2024 municipal elections, the ALP emphasizes the importance of the state and civil society institutions actively participating in the creation of an environment respectful of freedom of expression. Dialogue is vital to promote a democratic state, and the media have the appropriate platforms to promote it. However, it is everyone’s duty to maintain it as a safe place for the free discussion of ideas and opinions.



4

ATTACKS AGAINST JOURNALISTS AND THE MEDIA

4. ATTACKS AGAINST JOURNALISTS AND THE MEDIA

MARIATERESA GARRIDO

In the last decade, we have observed an increase in the polarization of society around the most relevant issues for its development (Chinchilla Cerdas, 2022). This polarization is identified through aggressive discourses in which respect and the tolerance of ideas contrary to one's own is often absent. These discourses are disseminated through digital platforms, which in turn makes it easier for journalists and media to become the target of attacks.

During the Costa Rican electoral process, we observed that journalists and media were attacked, which continued even after the end of the process, so we can safely say that the situation of journalists and the media in Costa Rica has deteriorated rapidly.

Over the years, the country has been characterized by promoting and respecting freedom of the press as a human right. Article 29 of the Costa Rican Constitution states: "All may communicate their thoughts by word or in writing and publish them without prior censorship; but they shall be responsible for the abuses they commit in the exercise of this right, in the cases and in the manner established by law."

According to international human rights law, limits on the exercise of freedom of expression and of the press must be established by law. In particular, the American Convention on Human Rights (ACHR) establishes that

one of these limits is respect for the rights of others (Article 13.2.a). Additionally, it has been recognized, as an obligation of the state, the duty to "take immediate and significant measures to protect the safety of journalists and other persons who are attacked for exercising their right to freedom of expression and to put an end to impunity for such attacks" (OAS, 2019, para. 1.a).

By virtue of this provision and taking into consideration that one of the first steps in promoting the protection of journalists is the identification of situations that put them at risk, this section will consider the attacks received by journalists and media representatives, and reported by the Costa Rican media, during the 2022 general elections and after the completion of the electoral process.

Verbal Attacks

For the ALP, verbal attacks or aggressions include:

expressions directed against the integrity of a person who exercises communicational or informative functions, including insults, the use of denigratory words, or comparisons that go against human dignity. This type of aggression may be oral, written, audiovisual, or by any other means, and may produce stress and/or emotional disorders in the person who receives it. In the case of attacks against the media, the intention is to discredit the source in the eyes of the general public. Verbal attacks may also be

directed against family members and/or persons who have a direct relationship with the journalist against whom the assault is directed. (ALP Glossary of Terms).

In February 2022, the Observatory of Hate Speech and Discrimination at the University of Costa Rica, published a first study that indicated that, during the presidential debates that took place in January, a large number of journalists and media received a high number of messages that affected their integrity (UCR, 2022). In particular, the Observatory's coordinator, Larissa Tristán, indicated that "in the case of female journalists, the attacks carried pejorative phrases about their physical appearance, their intellectual capacity, and their motivations for issuing a certain criterion" (Mora, 2022a).

Subsequently, in June 2022, the same Observatory indicated that 77% of the messages evaluated were written to directly incite hatred, violence, and aggression through the social networks in which they were published (COES, 2022, pp. 4-5). Additionally, the report indicated that topics related to politics and elections generated the most attacks against the media (p. 10). In this regard, it is noteworthy that "64% of the conversations with discriminatory language are generated by men," the vast majority of whom live in San José (p. 6).

These types of messages were also disseminated by representatives of political parties and the executive branch. In particular, it should be noted that during the election campaign, then presidential candidate Rodrigo Chaves made several statements against the media, for example:

"I did not say that the press was rogue, but that in Costa Rica there is rogue press" (Aguilar, 2022).

The media, particularly La Nación and Telenoticias, are "defamation media" (Sequeira, 2022).

"We are a tsunami, and we are going to cause destruction. We are going to cause the destruction of the corrupt structures of La Nación and Channel 7" (Murillo, 2022b).

Regarding the use of the adjective "rogue press" coined by lawyer Juan Diego Castro, several observations should be made. First, the term corresponds to a book in which the author presents the difficulties he faced during the 2018 elections with some media sources and journalists, who, in his opinion, sought to discredit him (Castro Fernández, 2022). Second, after the first use of the term during the election campaign, various sectors of the population began to use this term to question the activities of certain media, especially in the comments section on both websites and social networks. Finally, although Rodrigo Chaves and his team have refrained from using the term after having assumed the presidency, he has not made any public call to his followers to stop using it (Columbia Digital, 2022).

There is another event that caused concern and generated diverse reactions: President Chaves' comparison of the media to animals. During a press conference in which President Rodrigo Chaves and Public Health Minister Josselyn Chacón participated, the President said "People talk about the press; that is like talking about fauna: there are rhinos, there are raccoons, there are rats, there are birds... there is fauna. I don't believe the kind of press you are talking about" (Mora C., 2022b).

Regarding the references made to Channel 7 during the electoral campaign, it should be noted that the President changed the confrontational discourse that characterized the

electoral campaign, and in November 2022, awarded a medal of merit to Olga Cozza, co-founder of Channel 7, for her contribution to democracy (Murillo, 2022b). In the case of La Nación, the confrontation continued, but from the judicial perspective, a case that will be analyzed later.

It is essential to remember that verbal attacks promote intolerance, increase polarization, and affect freedom of the press; consequently, representatives of political parties and heads of government, being public figures, are subject to a greater degree of scrutiny and must ensure that their statements promote an atmosphere of respect. In this regard, both the Commission and the Inter-American Court of Human Rights have stated that “public officials should refrain from making statements that, in the context of a context of social polarization, increase the risk of journalists and the media suffering aggressions by third parties”. (RELE, 2010, para. 178).

In addition, it is worth mentioning that in the 2021 Joint Declaration “On Political Leaders, Persons Exercising Public Functions, and Freedom of Expression” the rapporteurs for freedom of expression indicated that “political leaders and persons exercising public functions should not intentionally make false statements that attack the integrity of journalists, media workers, or human rights defenders” (OAS, 2021, para. 3.iii).

Physical Attacks

For the ALP, physical attacks or aggressions include:

violent action against the physical integrity of a person exercising communicational or informative functions or against media facilities. These actions may be carried out using physical objects as tools and

are intended to cause physical damage to the person, or their assets, or real state against which the assault is directed (PFA Glossary of Terms).

Two situations were identified through the media monitoring conducted by the ALP team. The first involved Channel 7 cameramen, as they attempted to record the first Government Council of May 08, 2022. Martin Castillo, one of the cameramen, indicated that a security person threw away their camera and disconnected their equipment “in an aggressive manner ” (Cabezas, 2022).

Although this event refers to a particular situation of the cameramen with a security agent, it is relevant to highlight that this type of action constitutes impediments to the exercise of freedom of expression that should not be normalized. The Costa Rican electoral process was characterized by respect for the physical integrity of journalists and media representatives, and it is up to the government to ensure that the situation of respect is maintained after the culmination of the process.

The second event occurred after the end of the electoral process and involved press officers at the Presidential House. On September 1, 2022, a journalist from the media source CRHoy indicated that “a press officer of the Presidential House placed a cardboard in front of his phone and blocked his way to prevent his from continuing to record an interview with the first vice-president of the Republic, Stephan Brunner” (Campos, 2022).

For their part, the press officers involved in the incident indicated that they were the ones who were attacked by the journalist. They denounced that “the CRHoy journalist disrespectfully raised his voice to the Presidential House

press officer. In addition, they claimed the journalist in question (last name Mora), kicked the ankle of another official – who was finishing her work as a photographer – without justification” (Presidency of Costa Rica, 2022) and initiated the corresponding legal procedure before the Public Prosecutor’s Office.

According to the 2012 Joint Declaration on Crimes Against Freedom of Expression, the Costa Rican state must “launch an independent, prompt, and effective investigation that will allow the situation to be judged before impartial and independent courts” in order to clarify the facts and impose the corresponding sanctions (OAS, 2012, para. 4).

Judicial Intimidation

For the ALP, intimidation refers to “any activity that seeks to instill fear or apprehension in the person on the receiving end, and that is primarily intended to cause self-censorship” (ALP Glossary of Terms). In particular, judicial intimidation refers to the “use of legal proceedings of any kind, including the opening of criminal, administrative, civil, commercial, detention, or arrest proceedings, with the intent of limiting the flow of information or the exercise of informative actions” (ALP Glossary of Terms).

These types of activities can be considered indirect limitations to freedom of expression as established in Article 13 of the ACHR. In fact, the Office of the Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights has indicated that these measures “frequently involve the use of legitimate mechanisms in a discriminatory or abusive manner, to reward or sanction journalists or other persons for their statements” (OAS, 2022).

As mentioned in the section on Verbal Attacks, during the electoral campaign, then candidate Rodrigo Chaves questioned the work carried out by La Nación, one of the country’s most popular newspapers. After assuming the presidency of the republic, the inquiries continued, which is why the fact that the Ministry of Public Health withdrew the operating permit for Parque Viva, an events center belonging to Grupo Nación, raised several alarms.

The administrative procedure began with an anonymous complaint that concluded with the suspension of Parque Viva’s sanitary permit, which was valid until February 26, 2024 (Córdoba González & Campos, 2022b). The procedure took place within the context of a series of questions raised by the executive branch regarding the issuance of financing bonds by La Nación, (Córdoba González & Oviedo, 2022b), as well as statements made by President Chaves during the election campaign.

On the other hand, Grupo Nación filed a writ of amparo based on Article 13 of the ACHR, in which they requested the annulment of the permit’s suspension and the supporting administrative acts, and requested that “ the President of the Republic be ordered to refrain from executing acts tending to directly or indirectly harm freedom of expression” (Constitutional Court, 2022).

The Constitutional Court decided the case on October 21, 2022. In its decision, it declared the amparo appeal admissible, and indicated the following:

That the closure of Parque Viva was carried out through an administrative act (sanitary order), lacking motivation or certain basis....

Parque Viva was not closed by the author-

ities of the Ministry of Health, through sanitary order No. MS-DRRSCN-DAR-SA2-OS-0368-2022 dated July 8, 2022, by virtue of some problem directly related to its facilities...

The closure of Parque Viva was issued for any type of event, whether massive or not, which, in the opinion of this Tribunal, also lacks grounds and, therefore, is improper...

It is clear that the sanitary measure under study is not legitimate, because, despite arguing that its issuance was in favor of the protection of the life and integrity of

all persons, the truth is that it was issued, as already explained, in an unbridled, openly arbitrary manner and without any certain basis, thus contravening the provisions of the legal system.

After the publication of the decision, the president indicated that “the balance was tilted towards certain interests, through what seems to be a contortion” (EFE, 2022), but that he would obey the court’s decision. By December 2022, Parque Viva was operating normally and has since scheduled several events for the first half of 2023.

CONCLUSIONS AND RECOMMENDATIONS



CONCLUSIONS

Access to public information is essential for any democratic society, particularly with regard to the holding of elections. Through this right, it is possible to guarantee society's access to relevant information about political parties and their electoral proposals.

The fact that the TSE receives requests for information and complaints regarding the lack of it is a strength of the Costa Rican electoral system. It allows citizens to become involved in the electoral process and, in case of irregularities, to initiate the corresponding procedures to guarantee access to public information and the transparency of the process.

Similarly, regulations regarding the publication of poll results on citizens' knowledge of the process, candidates' governance proposals, voting intentions, and even different population group's expectations are relevant to guaranteeing access to public information and promoting democratic debate.

The presidential debates have proven to be an effective mechanism for the dissemination of the political proposals presented by each party. However, the high number of participants in the first electoral round limited the number of encounters between them, and some institutions preferred to give the opportunity to debate to those candidates leading in the polls instead of favoring lesser-known candidates.

During the second electoral round, the debates provided more information on the proposals of the two candidates who would

battle it out for the presidency, and undoubtedly contributed to the access to information.

However, there are legal loopholes that affect general access to the media and that are detrimental to small or incumbent parties. In particular, the absence of regulations guaranteeing equal access to traditional media has negative effects on the exercise of freedom of expression during electoral processes.

The ALP is concerned about the use and massive dissemination of discriminatory speech in the country. Many of the topics that led to this type of message were linked to the electoral process, but not exclusively limited to it. The interactivity that social networks and other digital platforms provide and promote is beneficial for democratic debate; however, important efforts must be made to keep these conversations within the realm of respect and tolerance.

Similarly, the increase in attacks against journalists and media outlets represents a rapid deterioration of press freedom in the country, particularly with regard to the protection of journalists. In this sense, it is important to remember that state representatives have a duty to avoid confrontation and maintain a state of respect in their interactions with all stakeholders.

It is also important to note that the speeches made by government representatives tend to be replicated by various sectors of society. When these speeches discriminate, discredit, or criticize the performance of journalists

and the media, they generate an environment of generalized hostility against journalists and the media. The duty of the state is to guarantee respect for human rights, which includes freedom of the press and those who work to guarantee this right.

Finally, we must remember that democracy depends not only on the holding of elections but also on the existence of a respectful dialogue in which the parties can present ideas without fear of reprisals, and within the legal limits for the

exercise of the right to freedom of expression.

To build peaceful societies we need to actively work for peace, which in an electoral context implies having respectful debates that present political alternatives clearly, and that reduce the impact that discriminatory and polarizing discourses have on society.

From the ALP, we present the following recommendations, with a view to strengthening the system for the municipal elections to be held in 2024.

RECOMMENDATIONS

1. Adopt regulations that guarantee equal access to public and private media to ensure equal conditions for the dissemination of the proposals of each political party.
2. Reform the system of access to public financing to guarantee that the majority of political parties participating in the electoral process may have access to it.
3. Create mechanisms that guarantee the participation of both lesser-known candidates and those with the lowest percentages in the polls with regard to voter intention in debates and other political meetings, to guarantee the electorate's access to their plans and proposals.
4. Expedite investigations related to the financing of political parties to prevent the repetition of irregular situations that may affect the participation of parties in the 2024 municipal elections.
5. Maintain the principles of poll publicity conducted by institutions authorized by the TSE.
6. In relation to the dissemination of hate speech, it is important to implement educational campaigns that involve beneficiaries and aim to raise awareness of the limits of freedom of expression and promote respect and tolerance. We strongly recommend the development of activities to raise awareness, particularly among male residents of the San José province, on the impacts of hate speech transmitted through social media.
7. Prevent the normalization of discriminatory and hate speech against journalists and the media through the participation of state and media representatives in campaigns that promote dialogue and respect.
8. Promote research on freedom of expression, particularly regarding the use of hate speech, to identify trends, cases, and situations that jeopardize freedom of expression in the country.
9. Strengthen procedures related to the elaboration and dissemination of electoral propaganda to avoid the use of violence and discrimination in political party campaigns.
10. Create a regulatory framework to standardize the distribution of political propaganda through digital platforms.
11. Promote the culture of peace and non-violence in all sectors of society.



GLOSSARY OF TERMS

GLOSSARY OF TERMS

ACCESS TO PUBLIC INFORMATION: is a human right protected by the right to freedom of expression and includes the right of every person to seek and receive public information.

Public information is that which is in possession of the state, including that which is produced and filed by public and private entities, and all those entities that exercise a function, public power, or authority delegated by any of the representatives of the public power of the state, including those representing the different districts, cantons, and provinces of the country.

In exceptional cases, access to the requested information may be denied; however, according to international criteria, the corresponding authority must justify the decision and adhere to the legal criteria previously established and accepted by international law (RELE, 2007).

THREAT: a warning directed against journalists, their family members or relatives, or the media with the objective of insinuating the materialization of physical, digital, judicial, or any other type of harm, to prevent the dissemination of information of public interest. Threats may be made in written, audiovisual, digital, or oral form by telephone, messages, email, in person, or in any other modality. Likewise, threats may be made against the person, their relatives, or the media outlet for which they work.

MURDER: journalists or media representatives killed in the exercise of their profession.

DIGITAL ATTACK OR ASSAULT: actions directed against journalists or media outlets that are carried out through information technologies and that aim to destroy, alter, hinder, or disable digital devices, databases, or any other system or equipment necessary for the exercise of communication actions through digital platforms.

PHYSICAL ASSAULT OR BATTERY: violent action against the physical integrity of a person exercising communicational or informative functions or against media facilities. These actions may be carried out using physical objects as tools and are intended to cause physical damage to the person or property (movable or immovable) against which the assault is directed.

VERBAL ASSAULT OR AGGRESSION: expressions directed against the integrity of a person who exercises communicational or informative functions, including insults, the use of denigratory words, or comparisons that go against human dignity. This type of aggression may be oral, written, audiovisual, or by any other means, and may produce stress and/or emotional disorders in the person who receives it. In the case of attacks against the media, the intention is to discredit the source in the eyes of the general public. Verbal attacks may also be directed against family members and/or persons who have a direct relationship with the journalist against whom the assault is directed.

CENSORSHIP: any action aimed at totally or partially preventing the dissemination of information in oral, written, video, audiovisual, or any other format. Censorship may be legal or illegal. It will be legal when the restriction is imposed in accordance with the parameters previously established by a law approved by the state and in accordance with international law; if the act of censorship does not comply with this requirement, it is considered illegal.

Censorship may also be prior or indirect. According to the criteria established by the Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights, prior censorship

...is the prototype of extreme and radical violation of freedom of expression, as it entails its suppression. It occurs when, by means of public power, means are established to prevent, in advance, the free circulation of information, ideas, opinions or news, by any type of procedure that conditions the expression or dissemination of information (RELE-IACHR, 2009, p. 53).

When prior censorship is established by law and complies with one of the restrictions permitted by Article 13 of the American Convention on Human Rights, it cannot *prima facie* be considered a violation of the exercise of freedom of expression. If doubt exists with regards to the legitimacy of the law, it must be considered considering international law.

For its part, indirect censorship refers to those actions that seek to prevent the dissemination of information and ideas by indirect means, which, as indicated in Article 13.3 of the American Convention on Human Rights, include:

abuse of official or private controls of newsprint, radio frequencies, or equip-

ment and apparatus used in the dissemination of information or by any other means aimed at impeding communication and the circulation of ideas and opinions.

DISCRIMINATORY SPEECH: Following the parameters established by the United Nations Special Rapporteur for Freedom of Expression, this concept includes any form of expression that seeks to exclude, restrict, or limit the rights of others in any sphere of their lives on the grounds of race, color, sex, language, religion, political or other opinion, national or social origin, economic position, birth, or any other social condition.

It is possible to classify discriminatory speech in accordance with the categories protected by international law, including:

1. Blasphemy: refers to expressions that directly or indirectly attack spiritual belief systems, doctrines, deities, or followers of any religion.
2. Hate speech: the most serious manifestation of an irrational feeling of opprobrium, enmity, or abhorrence towards a group or a person for presenting one of the protected characteristics of their identity. It is the most extreme form of discriminatory speech as it involves public incitement to commit genocide, hostility, or violence against a person or group. In order to determine whether it is hate, the following seven steps proposed by NGO Article 19 and endorsed by the United Nations Special Rapporteur on Freedom of Expression (2012) should be considered:
 - a) The severity of the hatred, which should be the most severe and felt form of opprobrium, according to an evaluation of the

seriousness of what is expressed, the harm promoted, the magnitude and intensity in terms of frequency, choice of medium, scope and magnitude;

- b) The intention of the author to incite discrimination, hostility, or violence;
- c) The content or form of the speech, including structure, style, the nature of the arguments used, their magnitude or intensity, the author's background, and the extent to which the speech is provocative or direct. Artistic expression should be considered with reference to its artistic value and context, given that individuals may use art to provoke intense emotions, but without the intention of inciting violence, discrimination, or hostility;
- d) The scope of the expression, in terms of its projection and the size of the audience;
- e) The likelihood of harm. While incitement is, by definition, a punishable preparatory act and the actions advocated by the incitement do not have to be committed for the speech to constitute a crime, there must be a high risk that harm will result;
- f) The imminence of the acts advocated by the speech;
- g) The context, which takes into account the speaker or author, the audience, the harm advocated, the existence of obstacles to media dissemination, broad and unclear restrictions on the content of what can be published or disseminated; the absence of criticism of the government or wide-ranging political debates in the media and other forms of communication; and the absence of widespread social condemnation of hate speech on specific grounds after its dissemination (La Rue, 2012, para. 45).

OFFENSIVE OR DISQUALIFYING SPEECH:

use of aggressive, derogatory, or mocking comments that use explicit or subtle words, which are delivered verbally or in writing, through digital or physical media. These speeches include insults or denigrating expressions that may be considered as verbal attacks or aggressions by the recipient. These speeches do not seek to exclude, restrict, or limit the rights of the person who is the object of the offense, but rather express a feeling of disapproval, criticism, or reproach against the person who is the object of the speech.

According to the Principles on Freedom of Expression established by the Inter-American Commission on Human Rights in 2000, public officials are subject to greater public scrutiny and should therefore be more tolerant of such speech.

INTIMIDATION: any activity that seeks to instill fear or apprehension in the person on the receiving end, and that is primarily intended to cause self-censorship.

Intimidation can take many forms, including:

1. Economic: threats to apply or the actual use of measures that seek to restrict or limit access to the economic resources necessary to carry out informative work; this type of measures include issues related to the payment of advertising guidelines, the imposition of administrative sanctions, or any other action that causes an economic affectation to the media or the person who is the target of it.
2. Judicial: use of legal proceedings of any kind, including the opening of criminal, administrative, civil, commercial, detention, or arrest proceedings, with the intent of limiting the flow of information or the exercise of informative actions.

-
3. Legal: proposal of laws, policies, or regulatory frameworks aimed at restricting freedom of expression with no respect for international provisions related to the exercise of the right.

JOURNALIST: a person who performs paid news-related work. It includes people working for a media outlet, those working independently, and journalism students. To be considered as such, the person must not demonstrate any studies in the field of communication, nor membership to any professional association.

LEGAL RESTRICTIONS: measures that seek to limit the exercise of freedom of expression that are provided for by law and are in accordance with international human rights law.

LIST OF ACRONYMS



ALP: Office of Legal Assistance for Journalists

ACHR: American Convention on Human Rights

CERD: International Convention on the Elimination of All Forms of Racial Discrimination

IACHR: Inter-American Commission on Human Rights

CIEP: Research Center for Political Studies

COLABG: Costa Rican Bar Association

IACHR: Inter-American Court of Human Rights

FA: Frente Amplio (Broad Front Party)

FLACSO: Latin American Faculty of Social Sciences

IMF: International Monetary Fund

OAS: Organization of American States

OECD: Organization for Economic Co-operation and Development

UN: United Nations

PADC: Partido Alianza Demócrata Cristiana (Christian Democrat Alliance Party)

PCRJ: Partido Costa Rica Justa (Fair Costa Rica Party)

GDP: Gross Domestic Product

PLN: Partido Liberación Nacional (National Liberation Party)

PPSD: Partido Progreso Democrático (Democratic Progress Party)

PUSC: Partido Unidad Social Cristiana (Social Christian Unity Party)

RELE: Office of the Rapporteur for Freedom of Expression, IACHR

SINART: National System of Radio and Television

SUTEL: Superintendence of Telecommunications

TSE: Supreme Tribunal of Elections

UCCAEP: Costa Rican Union of Chambers and Associations of the Private Entrepreneurial Sector

UCR: University of Costa Rica

USD: United States Dollar

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