



Name of Country and Jurisdiction:

**Costa Rica**



**What forms of legally recognized relationships are available?**



LEGAL RECOGNITIONS FOR OPPOSITE-SEX COUPLE	GEOGRAPHY	LAW	AVAILABLE TO SAME-SEX COUPLE?
Marriage	Costa Rica	Family Code, Law No. 5476 <ul style="list-style-type: none"> <li>• (Catholic) Title I, Chapter III</li> <li>• (Civil) Title I, Chapter IV</li> <li>• Title I, Article 14(6): Marriage between people of the same sex is not legally possible.</li> </ul>	No
<i>De facto</i> marriage	Costa Rica	Family Code, Law No. 5476, Title VII: <ul style="list-style-type: none"> <li>• A public, well-known, exclusive, and stable relationship that lasts for more than three years between a man and a woman who possess the legal ability to marry will be treated for economic purposes (such as alimony and inheritance) as a legally formalized marriage upon its termination (whether by death, dissolution, or other cause) and a subsequent request for recognition.</li> <li>• Limited economic benefits are available to persons who have been in such a relationship for four years but where one of the parties cannot legally marry because he or she is still technically married to someone else.</li> </ul>	No*

Same-sex couples in Costa Rica are granted certain rights in a few limited contexts. For example, inmates may have conjugal visits with their same-sex partners following the 2011 Supreme Court decision that held unconstitutional a law which limited such visits to opposite-sex couples. As of November 10, 2014, same-sex

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couples may apply for shared health insurance coverage from the Costa Rican Social Security Fund. To apply, a couple must register with the Fund and show that they have been in a stable, public, and exclusive relationship for at least three years and that one partner is economically dependent on the other. In addition to health insurance benefits, registration confers on same-sex couples health-related rights, such as hospital visitation and the ability to make medical decisions.

### ■ Sources:

- *Código de Familia* (Family Code), <http://www.tse.go.cr/pdf/normativa/codigodefamilia.pdf>.
- *Ley General de Migración y Extranjería* (Migration and Foreigners Law), <http://www.migracion.go.cr/institucion/leyes%20migratorias/leyes/Ley%208764%20Migracion%20y%20Extranjeria.pdf>.
- *Reglamento de Extranjería* (Regulation of Foreigners), <http://www.migracion.go.cr/institucion/leyes%20migratorias/reglamentos/Reglamento%20Extranjeria.pdf>.
- *Reglamento del Registro del Estado Civil* (Regulation of the Registry of Civil Status), <http://www.tse.go.cr/pdf/normativa/registrodelestadocivil.pdf>.
- *Reforma Reglamento del Seguro de Salud de la Caja Costarricense de Seguro Social, Reglamento 8718 del 22 de mayo del 2014* (Reform of the Regulation of Health Insurance of the Costa Rican Social Security System, Regulation 8718 of May 22, 2014), [http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm\\_texto\\_completo.aspx?&nValor1=1&nValor2=77569&nValor3=97286](http://www.pgrweb.go.cr/scij/Busqueda/Normativa/Normas/nrm_texto_completo.aspx?&nValor1=1&nValor2=77569&nValor3=97286).
- *La Gaceta* (Official Gazette of Costa Rica), November 10, 2014, [http://www.gaceta.go.cr/pub/2014/11/10/COMP\\_10\\_11\\_2014.pdf](http://www.gaceta.go.cr/pub/2014/11/10/COMP_10_11_2014.pdf).
- Roque Planas, *Conjugal Visits For Gay Couples Legalized In Costa Rica*, *Latin America News Dispatch*, October 13, 2011, <http://latindispatch.com/2011/10/13/conjugal-visits-for-gay-couples-legalized-in-costa-rica>.