

Costa Rica – national procedures for transfer of sentenced persons
Updated 03/06/2015

The information contained in this table should be updated on a yearly basis.

The Central Authority (name of the institution, address, telephone, fax and e-mail where available) responsible for the transfer of sentenced persons:	Dirección General de Adaptación Social , Ministerio de Justicia y Paz. Phone and fax (506) 22 57 59 22 or (506) 22 58 46 37. waltercoreaq@hotmail.com Walter Corea is the person responsible to deal with all issues in regards to transfer applications.
If different from the Central Authority, the authority to which the request should be sent (name of the institution, address, telephone, fax and e-mail where available):	The same one as above. Dirección General de Adaptación Social, Walter Corea Quiros email waltercoreaq@hotmail.com
If different from the Central Authority, the Authority/ies in charge of coordinating and/or implementing the physical transfer of the person concerned (name of the institutions, address, telephone, fax and e-mail where available):	The same one as above Dirección General de Adaptación Social, Walter Corea Quiros e mail waltercoreaq@hotmail.com
Channels of communication for the request for the transfer of sentenced persons (directly, through diplomatic channels or other):	Request can be sent directly to Walter Corea waltercoreaq@hotmail.com , but approval, proof of nationality and copy of the law should be sent directly to Mrs. Lourdes Bravo Bolivar, Cooperacion Juridica Internacional, Ministerio de Relaciones Exteriores San Jose Costa Rica . In the meanwhile all documents could be scan to waltercoreaq@hotmail.com so we could speed up the process.

Means of communication (e.g. by post, fax, e-mail ¹):	All of them can be use, but a hard copy with the stamps will be needed.

Language requirements:	English and Spanish
Documentation required:	Approval, signature of costarrican asking to be transfer, copy of the sentence, medical report, a report that states either the person studied or worked while he or she was in jail (a complete detailed time spent on those activities), a report that states either is a high risk or law risk profile inmate (violent)
Continued enforcement or conversion of the sentence ² :	Conversion of the sentence, this takes place after the persona is transfer. In most cases (most inmates transferred have completed their sentence in the same terms it was imposed in the sentencing State)
General rules on early release:	In most cases when the person has complete half of his sentence and it is within a period of 5 years total imposed, very unlikely for those who have committed serious crimes such as murders, child abuse or conspiracy for trafficking drugs
Scope of application with regard to transfer of mentally disordered persons:	They have the right to get back home, but medical report it's important because of the safety of the passengers and the inmate himself. If the report states the person is in serious condition, the transfer might not take place. If the person can be transfer, the judge might decide to allow the inmate to be in

¹ Please indicate if encryption or electronic signature is required.

² In case the sentence is converted, please specify whether this is done before or after the transfer has taken place.

	a hospital.
Scope of application with regard to nationals and/or residents:	We only allow to transfer inmates who are costarricans, nevertheless if a foreign country allows an inmate who has many nationalities it would also be applicable. We do not transfer inmates who are just residents because we do not have so far the legal instrument to proceed.
Other particularly relevant information (such as practice regarding time limits or revocation of consent):	Consent can be revoked if there are new charges against the inmate.

Links to national legislation, national guides on procedure:	https://www.tse.go.cr/pdf/normativa/codigoprocesalpenal.pdf http://www.cicad.oas.org/fortalecimiento_institucional/legislations/PDF/CR/ley_8204.pdf https://www.oas.org/juridico/mla/sp/cri/sp_cri-int-text-cpp.pdf
Link to information about the Convention (according to Article 4) in the official language(s) of the State Party (see also Rec. R (84) 11 of the Committee of Ministers	

<p>concerning information about ETS°112 and PC-OC INF 12):</p>	
<p>For Parties to the Additional Protocol</p>	
<p>Information on the implementation of Article 2 (e.g. interpretation of "by fleeing to"):</p>	
<p>Information on the implementation of Article 3 (e.g. interpretation of the requirement of a consequential link between the decision on expulsion and the sentence):</p>	
<p>Documentation required:</p>	

Other relevant information:	

APPENDIX

Ministerio de Justicia
Autoridad Central, Costa Rica.

INFORMATION NOTE

Costa Rica has concern in regards to the application of the Treaty Transfer on sentenced persons due to the financial crisis. Sometimes, transfer take too long due to either budget problems from the administrative State to afford the expenses for travel or, because inmates are asked to cover the expenses for their travel¹.

A special budget to transfer foreign inmates, has been allocated in Costa Rica if some particular criteria are met such as age of the person, women with children, minors, illness, lack of budget from the administration country to transfer the inmate promptly.

Costa Rica would like to take advantage of the meeting of the Committee of experts on the Operation of European Conventions in the Penal Field (PC-OC) to share the option Costa Rica offers. For those of you, who would like to have more information on this effort, please feel free to let us know in order to arrange a protocol for the transfer and reception of the sentence persons.