

# Criminal Prosecution to Punish War Crimes and Crimes against Humanity

## No. 8272

THE LEGISLATURE  
OF THE REPUBLIC OF COSTA RICA  
DECREES THE FOLLOWING:

**CRIMINAL PROSECUTION TO PUNISH WAR CRIMES AND CRIMES AGAINST HUMANITY**

Article 1. Article 7 of the Penal Code shall hereby be amended as follows:

"Article 7. Independently of the legislation in force in the territory on which the punishable crime is committed, and independently of the perpetrator's nationality, those who commit acts of piracy or genocide; falsify coins, credit instruments, bank notes or any other bearer papers; are involved in the slave trade or in trafficking women or children; are involved in trafficking drugs or obscene material; or who commit any other punishable acts in violation of human rights and international humanitarian law as recognised in the treaties to which Costa Rica is party or in this Code, shall be prosecuted under Costa Rican law."

Article 2. Articles 378 and 379 are hereby appended to Part XVII of the Penal Code; the numbering of the subsequent articles is incremented accordingly.

The texts shall read as follows:

"Article 378. **War Crimes.** A prison term of between ten and twenty-five years shall be applied to anyone who, in the course of an armed conflict, commits or orders the commission of acts recognised as grave violations or war crimes by international treaties to which Costa Rica is party – where these treaties relate to participation in hostilities; the protection of the sick, wounded and shipwrecked; the treatment of prisoners of war; and the protection of civilians and cultural objects in cases of armed conflict – or by virtue of any other instruments of international humanitarian law."

"Article 379. **Crimes against Humanity.** A prison term of between ten and twenty-five years shall be applied to anyone who, as part of a widespread or systematic attack directed against a civilian population, with knowledge of the attack, commits or orders the commission of acts recognised as crimes against humanity by international treaties to which Costa Rica is party – where these treaties relate to the protection of human rights – or by virtue of the Rome Statute."

To enter into force upon publication.