

Exercise Background Material

Costa Rica

Country Profile



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Disclaimer:

The research only represents a country's cybersecurity policy to a limited extent and is not an in-depth or complete analysis or assessment of current policy. In order to adapt the exercises to specific countries, it is important to understand the broader strokes of cybersecurity policies of other countries. Our team, therefore, researches publicly available information on cybersecurity policies of countries to adapt the exercises to country-specific needs. The research is shared with participants as background material in preparation for the exercise. Therefore, the documents have a timestamp and consider policy up until the date of publication. In the interests of non-profitability, we decided to make the background research publicly available. If you are using these materials, please include the disclaimer. Please also do not hesitate to contact us.

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Table of Contents

Political System and Socio-Political Background

Key Facts

Political System

Socio-Political Context

Vulnerability and Threat Landscape

Costa Rica's Cybersecurity Policy

Cybersecurity Policy

Legal Framework

Cybersecurity Architecture - Selected Institutions

Bilateral and Multilateral Cooperation



Political System and Socio-Political Background

Key Facts

- Official Country Name: Republic of Costa Rica, the capital is San José.¹
- Population: Population of about 5.15 million people (2021).²
- Official language: Spanish.³
- Currency: Costa Rican colón.⁴

Political System

- Form of Government: Democratic presidential republic.⁵
- Head of State and Government: Carlos Alvarado Quesada, President of the Republic of Costa Rica since May 2018, member of the Citizens' Action Party (Partido Acción Ciudadana, PAC)¹ party.⁶
- According to Article 139 of the Costa Rican constitution, the President is mandated inter alia with the authority to appoint and remove Cabinet Ministers as well as act as commander-in-chief of the law enforcement forces.⁷
- The Costa Rican government consists of 21 ministries.⁸ The main governmental entity in Costa Rica in charge of developing, coordinating, and implementing the nation's cybersecurity policy is the Ministry of Science, Technology and Telecommunications (Ministerio de Ciencia Tecnología y Telecomunicaciones, MICITT), headed by Minister Paola Vega Castillo (more information on the MICITT to be found in section 2.3).
- Legislature: consists of a unicameral legislative assembly (Asamblea Legislativa).⁹

Since 1948, Costa Rica's constitution does not foresee the maintenance of a permanent military force. Responsible for any defensive actions are since then its civil police Public Force (Fuerza Pública de la República de Costa Rica).¹⁰

1 Disclaimer on translation: The Spanish names of stakeholders, organizations, and (legal) documents were translated to English for better readability. These English names are not official translations. The official Spanish names are provided right after the English version, together with the respective abbreviations.



Socio-Political Context

Many commentators describe Costa Rica as an “outpost of political and economic stability in an often-turbulent region”¹¹ or “development success story”.¹² These assessments are often inter alia based on Costa Rica’s status as a

- middle-income country,
- one of the lowest poverty rates in Latin America (10.6%, 2019¹³),
- economic growth (average of 4.13% annual GDP growth between 2000-2019¹⁴),
- as well as an early focus on environmental policies.¹⁵

Reporters Without Borders refers to Costa Rica as the Latin American country “with the best record on respecting human rights and freedom of expression [...and] remarkable exception in a region characterized by corruption, violent crime and constant violence against the media”¹⁶, which is supported by its very high placement in the 2021 World Press Freedom Index (5th out of 180 countries).¹⁷

In the World Economic Forum’s Global Competitiveness Report of 2019, Costa Rica’s Adoption of Internet Communication Technologies (ICTs) ranks 63rd out of 141 countries.

- In 2019, around 81.2% of adults used the Internet.¹⁸
- The report moreover assessed a level of 97.2 mobile and 16.6 fixed broadband subscriptions per 100 people in Costa Rica.¹⁹
- In terms of the digital skills of its current workforce, Costa Rica ranks 33rd worldwide.²⁰
- Between 2020 and 2021, the “number of internet users in Costa Rica increased by 397,000 (+ 11%)”.²¹

When compared with other Latin American countries, income inequality in Costa Rica is high with a Gini index of 48.2 (2019).²²

Since May 2021, Costa Rica has been a member of the Organisation for Economic Co-operation and Development (OECD).²³

The COVID-19 pandemic poses socio-economic challenges to Costa Rica’s past achievements. Within the year of 2020, its GDP is observed to have diminished by 4.6%, its poverty rate has risen to 13%, and by the fourth quarter of the year, its unemployment rate has increased to 20%.²⁴



Vulnerability and Threat Landscape

Within the past years, Costa Rica is known to have fallen victim to multiple cyber operations and intrusions. For the first half of 2020, cybersecurity firm Fortinet reported the detection of “more than 51 million computer attacks against institutional, business and personal systems and devices [...] in Costa Rica”.²⁵ This elevated number is connected to new intrusion vectors closely linked to the COVID 19 pandemic, such as increased remote working or reports of a ransomware app COVIDLock which has claimed to help mitigate the virus’ spread via the provision of interactive maps.²⁶

When taking a look at publicly known cyber incidents pre-COVID, it becomes evident that particularly financial institutions and government websites appear to constitute desired and frequently exploited targets in Costa Rica.

Cybersecurity firm Kaspersky places Costa Rica on the fifth rank in terms of the highest share of affected users by financial threats worldwide.²⁷ A news report moreover suggests that the Costa Rican banking system is the main Costa Rican target for cybercriminals²⁸. Known cases of cyber-enabled financial theft in Costa Rica originate from both state-sponsored and non-state actors.

- In 2020, it was revealed that Costa Rican private sector entities have been among the suspected victims of an operation attributed to the Lazarus Group with ties to the North Korean regime, which has targeted ATMs by “manipulating transaction-processing software to initiate fraudulent cash-outs”²⁹.
- Moreover, unknown non-state perpetrators, operating via the usage of Maze ransomware, have been able to gain access into the networks of Costa Rican state-owned bank Banco BCR in 2019 and 2020, which has allowed them to steal a data set containing inter alia 11 million credit card details.³⁰ The first intrusion took place in August 2019. Then the Maze ransomware group did not refrain from encrypting files and devices because according to them “the possible damage was too high”³¹. In 2020, the same group accessed the BCR system again after finding that the bank had not secured their network after their first operation. In May 2020, the Maze ransomware group asserted publicly that it would not sell the user data or use their credentials to acquire money but instead would be trying to “alert people and financial institutions about the poor security”³². The group further threatened to publish this data set if they should not receive information about newly installed IT security features from the side of the BCR. Due to an absent response by the BCR, the Maze ransomware group then continuously published leaks of acquired data and further threatened to expose information about BCR’s processing methods and network structure.³³
- Other financial institutions of Costa Rica’s financial sector have been compromised by the Silence Group in August 2019 and in January 2018³⁴.



Over the last years, many Costa Rican government entities also have been the target of cyber operations.

- Most recently, in April 2021, it was revealed that nearly 4,500 passwords associated with e-mail addresses of Costa Rican government agencies were among the 3 billion published credentials of the Compilation of Many Breaches (COMP) leak.³⁵
- In 2018, Pakistani group Pak Monster Cyber Thunders is claimed to have been able to take down websites of inter alia the **Costa Rican Presidency** (Presidencia de la República de Costa Rica), the **Ministry of Environment and Energy** (Ministerio de Ambiente y Energía, MINAE), the **Ministry of Public Security** (Ministerio de Seguridad Pública de Costa Rica, MSP), the **Judicial Investigation Department** (Organismo de Investigación Judicial, OIJ) as well as multiple municipalities.³⁶ Reports suspect a political motive behind the incident and perceive it as a possible “response to the departure of the United States from the nuclear agreement”³⁷ (referring to the Joint Comprehensive Plan of Action), among others.

Other operations in the past have targeted and, in consequence, compromised an internal webpage of the **MINAE** in December 2015³⁸, the website of the **Costa Rican Ministry of Foreign Affairs** (Ministerio de Relaciones Exteriores y Culto, MREC) in March 2019³⁹, as well as the website of the **Costa Rican Immigration Administration** (Dirección General de Migración y Extranjería, DGME) in February 2020⁴⁰.



Costa Rica's Cybersecurity Policy

Cybersecurity Policy

According to the Global Cybersecurity Index (GCI) 2020, Costa Rica ranks 8th in the Americas region comprising 35 countries regarding its commitment to cybersecurity policy.⁴¹ The GCI is calculated by the International Telecommunications Union (ITU) on the basis of five pillars containing, for instance, legal measures or international cooperation. Globally, Costa Rica ranks 76th out of 182 countries.⁴²

Costa Rica's interests and policies in cyberspace are primarily defined by its **National Cybersecurity Strategy** (Estrategia Nacional de Ciberseguridad)⁴³. The strategy was adopted in 2017 as a guiding framework for the country's activities and was developed with the support of the Organization of American States (OAS).⁴⁴ Currently, Costa Rica is in the process of evaluating and updating its National Cybersecurity Strategy.⁴⁵

The strategy seeks to provide guidance for the country's action regarding security in the use of ICTs, foster multi-stakeholder coordination and cooperation as well as promote education, prevention, and mitigation measures with respect to the use of ICTs in order to achieve a safer and more reliable environment for its citizens.⁴⁶

The main defined principles of the strategy and hence Costa Rica's cybersecurity policy are

1. a human-centered approach
2. respect for human rights and privacy
3. necessity for multi-stakeholder coordination and co-responsibility
4. engagement in international cooperation.

In accordance, the country's policy objectives in the area of cybersecurity are to:

- Increase national coordination via the assignment of a national coordinator (located in the MICITT), who is not only in charge of coordinating actions but also monitoring compliance in the implementation of the strategy and continued public-private collaborations⁴⁷;
- Implement public cybersecurity awareness and education campaigns among Costa Rican citizens, the public sector and public officials as well as micro, small and medium-sized companies⁴⁸;
- Advance national cybersecurity capacity-building by realizing training for the public sector to support a culture of cybersecurity, share best practices and engage in alliances with universities to foster research and development⁴⁹;
- Strengthen the legal framework for cybersecurity and ICTs by consolidating the framework applicable to cybercrime, building respective capacities for law enforcement, and promoting information exchange in the field of criminal justice⁵⁰;



- Protect critical infrastructure inter alia by identifying them, adopting a critical infrastructure classification, and promoting mechanisms as well as public policies for their protection, which also include the implementation of security measures for the information and telecommunications systems of the Public Administration⁵¹;
- Promote risk management, e.g., by strengthening the Costa Rican Computer Security and Incident Response Team, establishing an information exchange network for government entities, and defining minimum information security requirements in the financial sector⁵²;
- Engage in international cooperation, e.g., through mutual assistance and collaboration in criminal, technical, and educational matters⁵³;
- Commit to follow up on and evaluate the strategy's implementation⁵⁴.

In addition, the Costa Rican government has published a **National Telecommunications Development Plan** (Plan Nacional de Desarrollo de las Telecomunicaciones, PNNDT) for the years 2015-2021, which shall contribute to an outlined vision of Costa Rica in 2021 as a “connected society, based on a comprehensive approach on access, use, and appropriation of information and communication technologies, in a safe, responsible and productive manner”.⁵⁵

Legal Framework

In Costa Rica, the **General Telecommunications Law** (Ley General de Telecomunicaciones, No. 8642, 2008)⁵⁶ as well as the **Law for the Strengthening and Modernization of Public Entities in the Telecommunications Sector** (Fortalecimiento y Modernización de las Entidades Públicas del Sector Telecomunicaciones, No. 8660, 2008)⁵⁷ constitute the country's regulatory framework with respect to the Telecommunications Sector. They inter alia designate the MICITT as a primary governing body and have established the Superintendency of Telecommunications (Superintendencia de Telecomunicaciones, SUTEL), a regulatory authority that guarantees the protection of users' rights and the universalization of services.⁵⁸

Another regulatory law of importance to the field of cyber security and cybercrime in Costa Rica is the **Law for the Protection of the Person against the Processing of Personal Data** (Reglamento a la Ley de Protección de la Persona frente al Tratamiento de sus Datos Personales, No. 37554, 2012)⁵⁹, which has established the Agency for the Protection of Personal Data (Agencia de Protección de Datos de los Habitantes, PRODHAB).

Costa Rica's national legal framework facilitating the prosecution and investigation of cybercrime is centered around its **National Criminal Code** (Código Penal, No. 4573) and the **Law on Intervention of Telecommunications** (Ley sobre Registro, Secuestro y Examen de Documentos Privados e Intervención de las Comunicaciones, No. 7425, 1994)⁶⁰.



In the last decade, the country's criminal code was amended via Law No. 9048 (2012)⁶¹ and Law No. 9135 (2013)⁶², allowing for the inclusion of “new types of crime [...] including those committed through the use of computer systems and technologies”⁶³ and thereby “formally introduced cybercrime into the country's penal code”.⁶⁴ Among others, they inter alia prohibit the “installation and dissemination of software programs and malicious code in computer, information systems and servers” (Art. 232 Código Penal) or “phishing and usurpation of Internet websites and the obtaining of confidential information of individuals and legal entities for self-profit for the profit of third parties” (Art. 233 Código Penal)⁶⁵.

Moreover, Costa Rica ratified the **Budapest Convention on Cybercrime** (Treaty No. 185) in 2017 after completion of the designated accession process.⁶⁶ The Budapest Convention is the first international treaty to pursue a common criminal policy through cooperation and adoption of legislation against cybercrime.⁶⁷ The convention inter alia mandates signing entities to adopt legislation that penalizes various forms of cybercrimes and makes investigations into cyber-related crimes possible.⁶⁸

Cybersecurity Architecture - Selected Institutions

Various government actors work on enhancing cybersecurity in Costa Rica. Most of them are located institutionally within the purview of the Costa Rican **Ministry of Science, Technology and Telecommunications** (Ministerio de Ciencia, Tecnología y Telecomunicaciones, MICITT).

The **Ministry of Science, Technology and Telecommunications** (Ministerio de Ciencia, Tecnología y Telecomunicaciones, MICITT) constitutes the main governmental entity in Costa Rica in charge of developing, coordinating, and implementing the nation's cybersecurity policy.⁶⁹ The MICITT houses the National Cybersecurity Coordinator as well as the country's Computer Security and Incident Response Team (CSIRT-CR). Moreover, the National Cybersecurity Strategy mandated the MICITT to establish an intra-departmental and multi-sectoral Cybersecurity Advisory Board, which shall inter alia develop action plans for each of the strategy's objectives.

Costa Rica's Computer Security Incident Response Team (Centro de Respuesta de Incidentes de Seguridad Informática, CSIRT-CR) was constituted in 2012 within the MICITT as “agency in charge of coordinating everything related to matters of informatics and cybernetics security”⁷⁰. At the time of writing of the national cybersecurity strategy, CSIRT-CR tasks were described to be mainly centered around capacity-building measures in the public sector and awareness-raising. Moreover, CSIRT-CR's establishing Decree No. 37052- MICITT⁷¹ also mandated it with authority to set up an expert team tasked with “prevent[ing] and respond[ing] to cyber incidents against government institutions”⁷². A national Cybersecurity Incident Management Protocol was agreed upon in July 2018.⁷³ CSIRT-CR is composed of heads of selected national ministries and oversees the MICITT's Directorate of Digital Governance (Dirección de Gobernanza Digital).⁷⁴



Cybercrime and technology-related investigations in Costa Rica are mainly conducted within a **Specialized Division on Cybercrime at the Judicial Investigation Department** (Sección Especializada contra el Cibercrimen en Organismo de Investigación Judicial, OIJ), which is subordinate to the country's Supreme Court of Justice (Corte Suprema de Justicia de Costa Rica). The Sección Especializada contra el Cibercrimen was established in 1997 and added by a Computer Crimes Section (Sección de Delitos Informáticos) in 2004⁷⁵. As a whole, the division is capable of conducting investigations via means of evidence collection and methods of forensic analysis⁷⁶.

In 2010, a **National Online Security Commission** (Comisión Nacional de Seguridad en Línea, CNSL) was created by Decree No. 36274-MICIT⁷⁷ under the leadership of the MICITT. It is tasked with “designing the necessary policies for the good use of Internet and the Digital Technologies” and setting upon a National Online Safety Plan (Plan Nacional de Seguridad en Línea)⁷⁸.

The National Cybersecurity Strategy tasked the MICITT to convene a **Cybersecurity Advisory Board** (Comité Consultivo en Ciberseguridad) within three months after the strategy's publication. It is composed of representatives of MICITT, the Judiciary, SUTEL, as well as representatives of civil society, academia, and private sector.⁷⁹ The Advisory Board is mandated as the responsible entity for operationalizing Costa Rica's National Cybersecurity Strategy. Together with the MICITT's National Cybersecurity Coordinator, the Advisory Board is responsible for “arrang[ing] all actions necessary to start the process of implementation, with action plans for each one of the objectives proposed in this strategy”⁸⁰ based on a prior definition of goals, deadlines, and responsible parties. Its first meeting took place in January 2018.⁸¹ In March 2019, MICITT and the Cybersecurity Advisory Board have launched a National Information Security Literacy Campaign (Campaña Nacional de Alfabetización en Seguridad de la Información).⁸²

Following the compromise of Costa Rican government websites in May 2018 by a Pakistani group, the Costa Rican government decided to establish a **Cybersecurity Liaison Network** (Red de Enlaces de Ciberseguridad), which began its work in July 2018.⁸³ It was created as a mechanism to allow connecting those in charge of cybersecurity in public sector institutions and facilitates coordination in general information security but also incident-related matters. CSIRT-CR communicates periodic alerts on vulnerabilities as well as incident-related information with the network.⁸⁴ It is comprised of a group of experts from the MICITT, OIJ, the Ministry of Public Security (Ministerio de Seguridad Pública, MSP), the Directorate of Intelligence and Security (Dirección de Inteligencia y Seguridad Nacional, DIS), the Costa Rican Institute of Electricity (Instituto Costarricense de Electricidad, ICE) and the NIC Costa Rica.⁸⁵ In the past, meetings were also attended by representatives of the Institute of Municipal Development and Advisory (Instituto de Fomento y Asesoría Municipal, IFAM), the Agency for Data Protection (Agencia de Protección de datos de los Habitantes, PRODHAB) as well as the Latin America and Caribbean Network Information Centre (LACNIC).⁸⁶



Bilateral and Multilateral Cooperation

Costa Rica is a Member State of the Organization of American States (OAS), the International Telecommunications Union (ITU), and the United Nations (UN).⁸⁷ All these international organizations deal with and discuss cybersecurity-related topics. In the past, the OAS has inter alia concluded declarations titled “Strengthening Hemispheric Cooperation to Counter Terrorism and Promote Security, Cooperation and Development in Cyberspace” (2016)⁸⁸, “Protection of Critical Infrastructure from Emerging Threats” (2015)⁸⁹. Moreover, OAS Member States have agreed on a set of cyber-related confidence-building measures (CBM) in March 2018.⁹⁰ In the field of cybersecurity, the OAS also maintains Memoranda of Understanding with Spain (2015) and Estonia (2014).⁹¹

Additionally, Costa Rica took part in the recently concluded first **Open-Ended Working Group (OEWG) on Developments in the Field of ICTs in the Context of International Security** which was established in 2018 under the auspices of the UN General Assembly First Committee. In its final report⁹², the OEWG confirmed the notion that international law and the UN Charter are applicable in cyberspace and that states should voluntarily identify and cooperate on confidence-building measures in their local contexts. Costa Rica’s input within the sessions inter alia revolved around issues of human rights and privacy, which it considered should constitute the “focus of the group’s work”.⁹³ Costa Rica is also among the 32 Member States of the **Freedom Online Coalition (FOC)**, which seeks to “coordinate [...] diplomatic efforts [of its members] and engage with civil society and the private sector to support Internet freedom [...] worldwide”⁹⁴.

In addition to the OAS, Costa Rica is regionally engaged in the **Network of e-Government of Latin America and the Caribbean** (Red de Gobierno Electrónico de América Latina y el Caribe, Red GEALC), whose primary aim constitutes the “support [for] the development of digital government public policies”.⁹⁵ In the framework of Red GEALC, Costa Rica has, e.g., proposed the later adopted San José Declaration⁹⁶ (November 2020), which has incorporated the issue of cybersecurity as a line of work within the network.⁹⁷

The CSIRT-CR is represented in the **CSIRT Americas Network** as well as the **Cybersecurity Alliance for Mutual Progress (CAMP)**. CAMP serves as a network platform to enhance the level of cybersecurity of its members through sharing development experiences and trends of cybersecurity.⁹⁸

Moreover, Costa Rica is among the nine priority countries of the EU-funded **Cyber Resilience for Development (Cyber4Dev)** project, which is inter alia aimed at increasing cyber resilience and cybersecurity policy.⁹⁹ Cyber4Dev is implemented by British, Dutch, and Estonian government agencies.¹⁰⁰

In the context of its accession to the Budapest Convention, Costa Rica has additionally been designated as one of the fifteen “priority and hub countries” of the joint **GLACY+ project** of the European Union (EU) and the Council of Europe (CoE). GLACY+ seeks to “strengthen the capacities of States worldwide to apply legislation on cybercrime and electronic evidence and enhance their abilities for effective international cooperation in this area”.¹⁰¹



Regarding bilateral cooperation in the field of cybersecurity, Costa Rica maintains several agreements with third states:

- A **MoU for Cooperation in Cybersecurity** as a follow-up to a previously concluded Cooperation Agreement in Economic, Cultural, Technical and Scientific Cooperation was concluded with the State of **Israel** in May 2021. Among others, it shall strengthen the implementation of Costa Rica's Digital Transformation Strategy and help digitize Costa Rican public institutions.¹⁰²
- In September 2019, Costa Rica and **Estonia** signed a **MoU on Cooperation in the field of Digital Government and the "Fourth Industrial Revolution"**. It includes inter alia the training and exchange of experiences in cybersecurity, critical infrastructure protection as well as the development of effective solutions for the digital economy and government as mutual objectives.¹⁰³
- A **cooperation agreement with China on Economic and Technical Matters** was concluded in September 2017. Among other issues, cybersecurity is referred to as a priority area of action.¹⁰⁴

Moreover, the Costa Rican Ministry of Foreign Affairs has reported of cooperative relations and exchanges in the field of cybersecurity that are entertained with governmental representatives of **Austria, Singapore and South Korea**.¹⁰⁵

Costa Rica's CSIRT was supported by the **United Kingdom** in terms of training and advice between 2014 and 2015.¹⁰⁶ Moreover, personnel of Costa Rica's Specialized Division on Cybercrime at the Judicial Investigation Department have received training in the **United States of America** and **Canada** in the past.¹⁰⁷



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