



The State of Costa Rican Migration and Immigrant Integration Policy

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Executive Summary

Costa Rica is a top immigrant destination country within Latin America. It has undergone three periods of migration since the 1980s, with the latest—starting in 2015—characterized by new dynamics and varied migrant profiles. This period has seen the arrival of newcomers with different migratory intentions, ranging from refugees and immigrants wishing to settle permanently, to seasonal and circular migrants, to extracontinental migrants en route to destinations further north. The diversity of these migration patterns, which include women and children, Indigenous and Afrodescendant populations, calls for equally diverse and nuanced policy responses. In order to effectively manage current and future migration, the government of Costa Rica needs to rethink specific aspects of its regulatory framework and institutional organization. Immigrant integration, the focus of this study, is a particularly critical policy area as Costa Rica's immigrant population continues to grow.

In order to effectively manage current and future migration, the government of Costa Rica needs to rethink specific aspects of its regulatory framework and institutional organization.

To examine the state of Costa Rica's institutional framework and government initiatives for supporting the integration of migrants and refugees, and especially those who have arrived during the most recent migration period, the researchers have developed a methodology that draws on qualitative data from interviews with 19 key governmental and nongovernmental stakeholders as well as from a review of the relevant literature to create an index that signals where the Costa Rican migration system is most advanced and where obstacles and shortcomings remain. This analysis looks at four dimensions (accessibility, outreach and communication, institutional coordination, and social cohesion) in the following policy areas: regularization and registration, health, employment, and education.

Key findings from this analysis include:

- ▶ **Registration and regularization.** There are both financial and human resource constraints that make it difficult for Costa Rican institutions to meet the demands placed on them during the latest migration period. This is partly because the high costs and difficult-to-meet requirements of many migration categories have created a situation in which Costa Rica's system of international protection is the only accessible regularization mechanism for many migrants. The overburdening of the humanitarian protection system has, in turn, led Costa Rica to rely heavily on international cooperation agencies—partnerships that have proved critical in handling the incoming caseload but that have also meant the country has not focused on strengthening its own institutional capacity. Legal migration pathways, durable and not solely temporary, are needed to alleviate the pressures on the humanitarian protection system and secure migrants' first step towards integration.
- ▶ **Health.** Access to medical care—something that has become even more vital during the COVID-19 pandemic—depends on each immigrant's situation. For example, the current legal framework links access to health care to the formal labor market, putting it out of reach for many of those who work informally. Interlocking requirements by different entities involved in regularization and social services

(namely, the General Directorate of Migration and Foreigners and the Costa Rican Social Security Fund) that at times have contradicted each other can also limit access to care, signaling a need for better interinstitutional coordination mechanisms. In addition, improved communication to both public servants and immigrants is needed to ensure that both groups understand which services are available to different immigrant groups (including recently arrived migrants and refugees).

- ▶ **Education.** Of all the sectors examined, the educational sector is the one with the most robust legal framework when it comes to facilitating immigrant integration. The country offers basic public education regardless of migration status. However, further work is needed to ensure that enrollment requirements do not shut children out of the classroom if they cannot provide the necessary documents and that schools provided the necessary support after enrollment (e.g., by addressing social cohesion challenges that can make immigrant children feel unwelcome, to the detriment of their mental health and educational development). Additionally, as recent arrivals have included significant numbers of immigrants and refugees with higher levels of education and aspiring to professional careers, ensuring they are able to study at the university level—through institutional coordination, communication, and adjustments to the legal framework—will be an important way of making sure Costa Rica fully benefits from these newcomers’ skills and expertise, while also supporting their integration.
- ▶ **Employment.** Costa Rican law dictates a principle of complementarity to ensure that foreign workers compliment rather than displace domestic workers. This principle is meant to be implemented with the use of labor market studies, but these studies have been conducted infrequently and often using data that are years old. As a result, they often do not fully reflect the present conditions, both in terms of labor market needs and immigrant profiles. This can limit immigrants’ access to the formal market while also failing to adequately meet employer needs. In addition to improving how and how frequently these studies are conducted, there is a need to improve communication and outreach mechanisms within government institutions and with the private sector, given employers are key players in facilitating access to jobs and combatting xenophobia and labor exploitation.

These findings highlight a number of challenges that cross sectors and that merit closer attention in the years to come. This includes improving the accessibility of different systems (including those governing regularization and school enrollment) by identifying institutional capacity, financial, and other barriers that hinder the full implementation of the country’s immigrant integration measures. Creating or better leveraging existing intersectoral spaces to facilitate coordination could improve the alignment of efforts within government and create synergies with the private sector and alliances with international cooperation agencies. There is also a need for robust interinstitutional communication channels and strategies designed to ensure all public servants are familiar with laws and regulations related to immigrant integration, and at the same time to ensure information is effectively disseminated to migrants and refugees regarding their rights. Finally, there is a need to design initiatives that tackle prejudice and xenophobia in different spaces, such as classrooms and health-care facilities, recognizing and addressing the Costa Rican population’s concerns about the potential costs of immigration as well as highlighting its benefits. In both the design of policies and messaging around them, it will be critical for the state to demonstrate balance in how resources are allocated and how these investments will benefit society overall.

1 Introduction

Among countries in Latin America, Costa Rica is a top destination for immigrants. It has a long history as a migrant-receiving country, with at least three periods of migration since the 1980s. The first phase, which began in the mid-1980s, took place at a time of heightened civil and political unrest in Nicaragua and El Salvador. During this period, a large number of refugees arrived in Costa Rica, forcing the country to develop an institutional model to respond to this phenomenon. The second phase began with an increase in circular, semi-permanent, and permanent immigration during the 1990s, primarily for economic reasons, and this continued until 2015. This period was a time of great advances for Costa Rica's institutional architecture, during which the country built out a framework to reflect the changing migration landscape. The third period in Costa Rica's recent migration history stretches from 2015 to the present. It has been shaped by the deterioration of socioeconomic and political conditions in countries such as Colombia, Cuba, Nicaragua, and Venezuela, which has led to the arrival of humanitarian migrants and others with a multiplicity of profiles and migratory intentions.

These shifting trends—and particularly the increased arrival of Venezuelans and extracontinental migrants since 2015, and the spike in Nicaraguan arrivals since 2018—have strained the Costa Rican migration system's capacity. And despite the country's internationally recognized advances, these migratory pressures have revealed some structural and social challenges, while testing the society's generosity toward and acceptance of its immigrant populations. Finally, it is important to note that the most recent years of this third period are unfolding during the COVID-19 pandemic, which has restricted many forms of mobility while also adding strain to economies and immigrant integration systems.

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The Migration Policy Institute (MPI) undertook a qualitative study on the state of Costa Rica's migration and immigrant integration policies, with the aim of supporting the further development of migration policies and structures as well as decision-making about how best to channel resources. It identifies opportunities to better foster immigrant integration (especially of those who have arrived during the third migration period) as well as barriers that hinder full policy implementation. This analysis draws on both an extensive literature review and interviews with 19 key actors from different sectors, including the national government, local civil-society organizations, academia, and international organizations.

The primary area of focus for this study is immigrant integration. As Costa Rica's immigrant population has grown—with estimates that immigrants now make up between 13 percent and 15 percent of the country's population¹—designing effective integration strategies has gained in importance. This analysis focuses on four facets of integration: registration and regularization, health care, employment, and education. The study team developed a methodology to measure the state of the institutions and policies

¹ Andrew Selee, Ariel G. Ruiz Soto, Andrea Tanco, Luis Argueta, and Jessica Bolter, *Laying the Foundation for Regional Cooperation: Migration Policy and Institutional Capacity in Mexico and Central America* (Washington, DC: Migration Policy Institute, 2021), 40.

that support integration and migrants' access to them. In each policy area, the analysis uses information gathered through the literature review and stakeholder interviews to assess four dimensions: accessibility, institutional coordination, communication and outreach, and social cohesion. More information on this methodology can be found in Appendix A.

The remainder of this report is divided into three sections. The next section provides an overview of the historical, demographic, legal, and institutional context for Costa Rica's migration and immigrant integration system. Section 3 examines the results of the researchers' analysis of the system's strengths and weaknesses. The final section presents conclusions and recommendations for policymakers seeking to further develop the country's migration and immigrant integration measures—including by strengthening interinstitutional synergy, eliminating barriers that can prevent migrants from regularizing their status, providing relief to the overburdened humanitarian protection system, improving channels of communication within government and with the public, and bolstering social cohesion.

2 Immigration to Costa Rica: Historical, Legal, and Institutional Context

Costa Rica is the Latin American country with the highest number of immigrants compared to the size of its population.² According to recent estimates, at least 13 percent of its total population is foreign born.³ To contextualize this number, Chile is the country in the region with the second highest rate of immigration, and its immigrants make up slightly less than 5 percent of the country's total population.⁴ And although it is true that Costa Rica's foreign-born population has significantly grown in the past few decades, the country has long been a receiving country for immigrants.⁵

Costa Rica's attractiveness as an immigrant destination owes much to its political and social stability as well as to its economic development, particularly when compared to other countries in the region that have faced crises of different kinds.⁶ Its unique situation is reflected in its social history, institutions, and values. For example, Costa Rica has historically defended the ideals of democracy and peace, illustrated by its abolition of the army in 1948⁷ and the subsequent diversion of military funds to social institutions. The creation of institutions such as the Costa Rican Social Security Fund (Caja Costarricense del Seguro Social, or CCSS), which set a precedent in 1941 by offering a comprehensive public health system and a system of universal basic education, has led to the perception of Costa Rica as a "welfare magnet"⁸ that has long attracted foreign nationals, many of whom did not enjoy these rights in their countries of origin.

2 Organization of American States (OAS), *Costa Rica: caracterización y análisis de las políticas en materia de migración internacional y refugiados* (Washington, DC: OAS, 2021).

3 Selee, Ruiz Soto, Tanco, Argueta, and Bolter, *Laying the Foundation for Regional Cooperation*.

4 Migration Policy Institute (MPI) Latin America and the Caribbean Migration Portal, "Chile," accessed March 18, 2021.

5 Organization for Economic Cooperation and Development (OECD) and Fundación de la Universidad de Costa Rica para la Investigación, "Capítulo 2. El paisaje migratorio de Costa Rica," in *Caminos de Desarrollo: Interacciones entre Políticas Públicas, Migración y Desarrollo en Costa Rica* (Paris: OECD Publishing, 2017).

6 OAS, *Costa Rica: caracterización y análisis de las políticas en materia de migración internacional y refugiados*.

7 Ministry of Culture and Youth of Costa Rica, "Costa Rica celebra 72 años de la Abolición del Ejército" (press release, December 1, 2020).

8 Koen Voorend, "El mito del imán de bienestar. La Caja, los migrantes y la exclusión," Seminario Universidad, December 22, 2017.

Migration has at times coincided with unrelated pressures on the Costa Rican state's institutional model. In the 1980s,⁹ for example, Costa Rica faced an unprecedented economic crisis that decreased the quality of life of its population. This was perhaps the most severe crisis in recent years, aside from the one that began in 2020 with the onset of the COVID-19 pandemic.¹⁰ During the crisis in the 1980s, the government implemented institutional austerity measures in order to respond to economic demands imposed by international organizations.¹¹ During the same period, there was also an increase in immigration to the country, including large numbers of Nicaraguans and Salvadorans fleeing their countries in the midst of civil wars. Although Costa Rica's economic woes had their roots in a worldwide economic crisis, this timing led some Costa Ricans to view the growing immigrant population as a cause.¹² This experience still shapes

Migration has at times coincided with unrelated pressures on the Costa Rican state's institutional model.

the way some within the Costa Rican population perceive vulnerable immigrants, drawing from shared mental models that tend to paint such migrants as infringing upon the country's social welfare system.

An example of this can be seen in contemporary discourse around the CCSS, which functions as a fundamental axis for the regularization and integration of immigrants within the Costa Rican legal framework.¹³ The CCSS has been experiencing an economic crisis since 2011 for reasons that go beyond the arrival of immigrants in the country.¹⁴ Nevertheless, in the Costa Rican collective mind there is an underlying sense that vulnerable migrants—especially from Central America—are the reason this welfare system is struggling to adequately cover the local population.¹⁵ In this way, vulnerable immigrants are frequently perceived as a group of “threatening others” that jeopardize the heart of Costa Rican identity: its institutions and social security.¹⁶ Another example is the perceived link between greater levels of violence and the arrival of immigrants fleeing origin countries with a legacy of conflict. Additionally, the transit of extracontinental migrants through Costa Rica on the way to the United States, which has increased since the humanitarian crisis of 2015–16, when around 5,000 Cuban migrants were trapped in northern Costa Rica and unable to continue on to the United States after Nicaragua closed its border,¹⁷ has created tensions in rural municipalities that were not used to this type of migration.¹⁸

In terms of magnitude, the current migration situation is similar to what was observed in the 1980s. It is of the utmost importance that lessons be learned from past experience and that migration be seen not as a crisis to be “fixed” but as a potentially valuable asset to Costa Rican society that must be well managed by

9 Yuri Lorena Jiménez, “La crisis que tumbó a Costa Rica en los 80: recrear el pasado para no repetir el futuro,” *La Nación*, September 9, 2018.

10 Voorend, “El mito del imán de bienestar”; María Jesús Mora, “Costa Rica's Covid-19 Response Scapegoats Nicaraguan Migrants,” North American Congress on Latin America, July 14, 2020.

11 Carlos Sandoval García, *Otros amenazantes: los nicaragüenses y la formación de identidades nacionales en Costa Rica* (San José: Editorial UCR, 2019).

12 Sandoval García, *Otros amenazantes*.

13 Costa Rican Legislative Assembly, *Ley General de Migración y Extranjería*, No. 8764 (2009): Article 7, Section 7.

14 Alberto Cortés Ramos and Adriana Fernández Calderón, “¿Cobertura universal? Las barreras en el acceso a la salud para la población refugiada nicaragüense en Costa Rica,” *Anuario del Centro de Investigación y Estudios Políticos* no. 11 (2020): 262.

15 Sandoval García, *Otros amenazantes*.

16 Sandoval García, *Otros amenazantes*.

17 International Organization for Migration (IOM), *Extraregional Migration in the Americas: Profiles, Experiences and Needs* (San José: IOM, 2020).

18 Author interview with a representative of the municipality of La Cruz, December 2, 2020.

the state and its partners. As the pandemic progresses and vaccination campaigns pick up speed in many places, it is fundamental that immigration and immigrant integration considerations be included as an integral part of economic and social recover plans.

A. Notable Migration Trends during the Three Migration Cycles

Costa Rica's immigrant population has a diverse profile. In addition to being a receiving country for those seeking international protection, it also hosts temporary migrants (both seasonal and extracontinental migrants in transit) and attracts immigrant investors and retirees from North America and the European Union. According to official government data, as of December 2020, there were approximately 557,400 immigrants with regular status in the country¹⁹ and no count of the irregular population. The top three nationalities among immigrants are those from Nicaragua, Colombia, and the United States, in that order (see Box 2).

As to humanitarian migrants, official statistics show Nicaraguan, Colombian, Venezuelan, and Salvadoran nationals as the largest refugee populations in Costa Rica. By the end of 2020, approximately 93,500 people in the country were in need of international protection, including about 84,000 applicants for refugee status and 9,500 refugees. These numbers do not include the nearly 30,000 people who had an appointment to formalize their application for protection at the time. As of 2020, 9,500 were approved, of which 3,800 were filed by Nicaraguans, 2,400 by Colombians, 1,200 by Venezuelans, and 1,200 by Salvadorans.²⁰

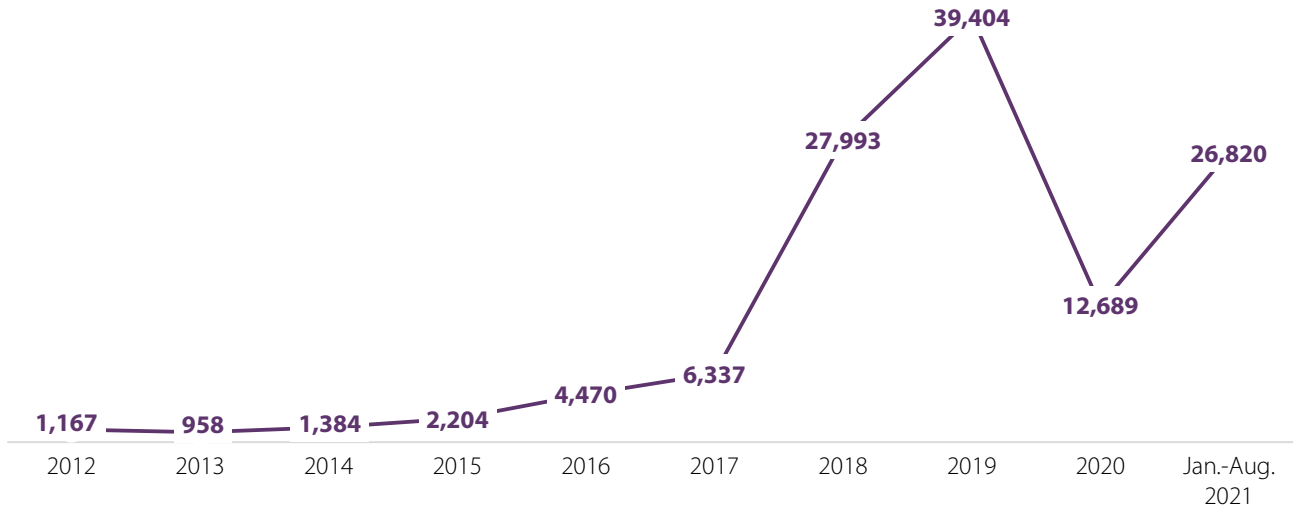
The Costa Rican system of international protection has experienced serious pressures and capacity limitations with the increase in requests for refugee status in recent years. From 2015 through 2019, the total number of applications for protection submitted each year increased more than 18-fold—from about 2,204 to more than 39,400 (see Figure 1)—before declining again somewhat with the onset of the pandemic in 2020. Due to new crackdowns by the Nicaraguan government in mid-2021, ahead of the general elections of this same year, asylum applications started to spike once again, possibly surpassing the 2018 total figure.

The greatest increase in refugee status applications took place when the Nicaraguan sociopolitical crisis broke out in 2018. In a single year, from 2017 to 2018, Costa Rica's system of international protection experienced an increase in applications of 342 percent. It should be noted that from 2014 to 2017, the share of refugee status applications filed by Nicaraguans was never greater than 2 percent (see Figure 2). However, in 2018 and 2019, more than 80 percent of requests were made by Nicaraguan protection seekers.

19 Authors' analysis based on data shared by the Costa Rican General Directorate of Migration and Foreigners (DGME). See Table 1 below for further information.

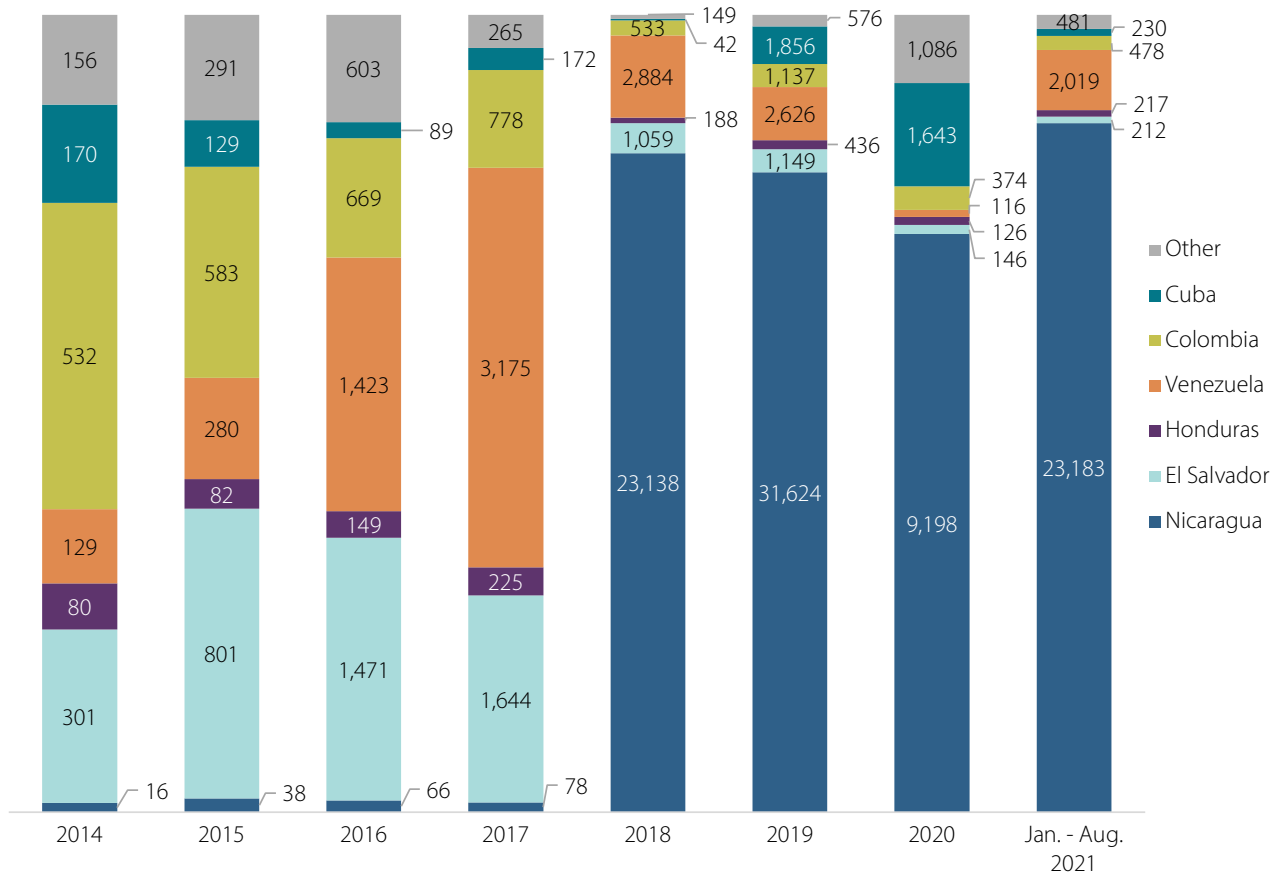
20 Authors' analysis based on data shared by the Costa Rican Refugee Unit.

FIGURE 1
Number of Applications for Refugee Status, 2012–Mid-2021



Source: Authors’ analysis based on data shared by the Costa Rican Refugee Unit in September 2021.

FIGURE 2
Applications for Refugee Status by Applicants’ Country of Origin, 2014–Mid-2021



Source: Authors’ analysis based on data shared by the Costa Rican Refugee Unit in September 2021.

Nicaraguan Immigration

Because of their long, porous shared border, Nicaragua has been the most significant source of immigration to Costa Rica since the first migration cycle. During that period, which began in the mid-1980s, provoked by the civil conflict between the Sandinista government and the Contras from 1984–90, there was a significant increase in the number of Nicaraguans in the country. According to census numbers, while about 11,900 people born in Nicaragua were recorded as living in Costa Rica during the 1970s, approximately 226,400 Nicaraguans were counted in the country by the end of the first migration cycle.²¹

A second period of Nicaraguan immigration began with the movement of people due to the devastation Hurricane Mitch left in its wake in 1998 and with the steady arrival of economic migrants prompted by structural adjustment policies in the 1990s and the first two decades of the 21st century.

This period contributed significantly to the growth of the Nicaraguan population in Costa Rica.²² By 2016, there were

about 329,000 Nicaraguans in the country, according to data from the Costa Rican government.²³ And while in 1984 Nicaraguan immigrants constituted 1.95 percent of the total population, by 2018 they constituted 7 percent of the total.²⁴

Because of their long, porous shared border, Nicaragua has been the most significant source of immigration to Costa Rica.

The third cycle of Nicaraguan immigration began in April 2018 and has continued since then. Newcomers during this period are largely fleeing the sociopolitical crisis in Nicaragua,²⁵ and their arrival continues to shape Costa Rica's migration landscape.²⁶

Nicaraguan migration in this third period has been marked by migration of different types: Firstly, it has retained characteristics of the previous two cycles, which had circular, semi-permanent, permanent,²⁷ and humanitarian-protection-seeking migration. Between 80,000 and 120,000 Nicaraguan workers come to Costa Rica every year during harvest season.²⁸ Some of this population also takes up construction work, which can lead to longer stays. As of 2020, there were an estimated 368,000 Nicaraguan regular immigrants and refugees (see Table 1). They tend to work in different job sectors, such as private security, construction, and, in the case of immigrant women, domestic service.²⁹ Secondly, there is a distinct characteristic to this third cycle; among the more than 80,700 Nicaraguans who have sought protection in Costa Rica after fleeing political repression in Nicaragua, there are large numbers of professionals and university students.³⁰

21 DGME, Directorate of Integration and Human Development, *Diagnóstico del Contexto Migratorio de Costa Rica 2017* (San José: DGME, 2017).

22 Gloriana Sojo-Lara, "Business as Usual? Regularizing Foreign Labor in Costa Rica," *Migration Information Source*, August 26, 2015.

23 DGME, *Diagnóstico del Contexto Migratorio de Costa Rica 2017*.

24 Juan S. Blyde, "Heterogeneous Labor Impact of Migration across Skill Groups: The Case of Costa Rica" (working paper, Inter-American Development Bank, August 2020), 3.

25 Human Rights Watch, *World Report 2019: Events of 2018* (New York: Human Rights Watch, 2019), 425–430.

26 OAS, *Costa Rica: caracterización y análisis de las políticas en materia de migración internacional y refugiados*.

27 Permanent and semi-permanent migration was also seen in the second migration period.

28 This number is based on the 2017 National Household Survey. See Cortés Ramos and Fernández Calderón, "¿Cobertura universal?" 258.

29 This number is based on the 2017 National Household Survey. Cortés Ramos and Fernández Calderón, "¿Cobertura universal?" 259.

30 Authors' analysis based on data shared by the Costa Rican Refugee Unit in July 2021.

A study published in 2019 estimated that nearly 53 percent of recent arrivals from Nicaragua had a higher education.³¹

Venezuelan Immigration

The high number of refugee status applications Costa Rica has received in recent years have not come exclusively from Nicaraguans. Venezuelans are responsible for the second largest number of protection requests, followed by Cuban and then Colombian nationals.³² In 2017, the recent year in which Venezuelans applied for protection in the largest numbers, Venezuelans filed 50 percent of all applications for refugee status. The extreme deterioration of political and economic conditions in Venezuela has prompted large scale emigration from that country. While most Venezuelans have migrated to other countries in Latin America and the Caribbean, they have also arrived in significant numbers in Costa Rica since 2010—and particularly since 2015 as the situation in Venezuela has become more dire.³³ Estimates from 2020 and early 2021 put the number of Venezuelans in Costa Rica at between 29,800 and 40,000.³⁴

Other Migration Trends and Immigrant Populations

During the second period of Nicaraguan migration (1990s to 2018), Costa Rica also experienced the arrival of large numbers of Colombians fleeing political violence in their country.³⁵ In 2016, the Costa Rican government calculated that about 26,700 migrants of Colombian origin lived in the country.³⁶ A few years later, in 2020, official numbers show about 28,900 Colombians with resident status or special status, including 2,400 with refugee status, living in Costa Rica (see Table 1).³⁷

In the past few years, extracontinental migration has become a more pronounced phenomenon in Costa Rica and neighboring countries. Migrants from Cameroon, Cuba, Haiti, and countries in Asia and elsewhere have increasingly entered Costa Rica through the city of Paso Canoas, having already traveled through the Darién Gap (a vast and perilous stretch of jungle in Colombia and Panama) and through Panama, and leave the country through the La Cruz canton in order to continue their journey north toward the United States (see Figure 3).³⁸ The visibility of this phenomenon grew after the Cuban migration crisis of 2015.³⁹ This event had a political impact on a regional level. Costa Rica, for example, decided to suspend its political participation in the Central American Integration System (SICA) due to the lack of response from other leaders in the region.⁴⁰ Additionally, starting from this point, Nicaragua restricted the passage of extracontinental migrants,⁴¹ which has fostered *coyotaje* (smuggling of migrants) along the border between

31 Elvira Cuadra Lira and Roberto Samcam Ruiz, *De la Represión al Exilio: Nicaragüenses en Costa Rica* (San José: Fundación Arias para la Paz y Progreso Humano, 2019), 10.

32 OAS, *Situación de los migrantes y refugiados venezolanos en Costa Rica* (Washington DC: OAS, 2020).

33 OAS, *Situación de los migrantes y refugiados venezolanos en Costa Rica*.

34 Regional Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela (R4V), “Venezuelan Refugees and Migrants in the Region – July 2021” (fact sheet, United Nations High Commissioner for Refugees and IOM, July 2021); OAS, *Situación de los migrantes y refugiados venezolanos en Costa Rica*.

35 OECD and Fundación de la Universidad de Costa Rica para la Investigación, “Capítulo 2. El paisaje migratorio de Costa Rica.”

36 DGME, *Diagnóstico del Contexto Migratorio de Costa Rica 2017*.

37 Authors’ analysis based on data shared by the Costa Rican Refugee Unit.

38 IOM, *Extraregional Migration in the Americas*, 39.

39 Marc Frank, “Migrant Crisis Hangs over Costa Rican President’s Visit to Cuba,” Reuters, December 13, 2015.

40 BBC News, “Costa Rica suspende su participación política en el SICA por negativa a discutir la crisis de los cubanos,” BBC News, December 19, 2015.

41 IOM, *Extraregional Migration in the Americas*, 39.

Nicaragua and Costa Rica. More broadly, extracontinental migration remains a feature of human mobility through the region, and it is estimated that 25,000 migrants had entered Costa Rica legally on their way north as of 2017.⁴² This movement is usually managed through an official system involving security checks, vaccinations, and basic services, though Costa Rica closed its borders to extracontinental migrants during the pandemic.⁴³

FIGURE 3

Extracontinental and Nicaraguan Circular Migration in Costa Rica



Source: Compilation by the authors.

In addition to being a destination for those seeking international protection or temporary work, and a transit country for extracontinental migrants, Costa Rica also attracts migrant investors and retirees from a range of countries—most notably those in North America and the European Union. In fact, in 2020 the United States was the third most common country of origin for immigrants with residence or special visas, with a total of 28,700 U.S. immigrants living in Costa Rica with those statuses. The first and second places were held by Nicaragua and Colombia with 368,000 and 28,900 immigrants, respectively (see Table 1).

42 This figure is based on the number of migrants recorded in immigration registries (namely for the entry and transit permit). See DGME, *Diagnóstico del Contexto Migratorio de Costa Rica 2017*.

43 Caitlyn Yates and Jessica Bolter, *African Migration through the Americas: Drivers, Routes, and Policy Responses* (Washington, DC: MPI, 2021); Fernando Muñoz, "Migrantes extraregionales mantienen prohibición de ingresar a Costa Rica pese a reapertura de fronteras," *Monumental*, April 8, 2021.

While the official statistics discussed in this section are helpful for sketching broad migration trends in the country, they should be analyzed with some caution. Costa Rica currently has no mechanism for quantifying how many irregular migrants live in the country and in what conditions. Due to the porous nature of the northern and southern borders, it is likely that some of these numbers underestimate the overall size of immigrant population. For example, by 2017, a government report estimated that between 100,000 and 200,000 Nicaraguans were living in the country with irregular status, on top of those known to be in Costa Rica with a regular immigration status.⁴⁴

TABLE 1
Regular Immigrants in Costa Rica, by Category and Origin Country, December 2020

Origin Country	Refugees*	Permanent Residents	Temporary Residents	Special Categories Excluding Refugees	Total
Nicaragua	3,828	314,222	8,406	41,528	367,984
Colombia	2,438	14,811	4,672	6,966	28,887
United States	4	10,418	13,374	4,935	28,731
El Salvador	1,208	7,958	2,462	2,003	13,631
Venezuela	1,237	2,974	6,055	2,214	12,480
China	N/A	1,232	6,576	3,256	11,064
Cuba	433	8,008	336	580	9,357
Panama	5	5,885	854	797	7,541
Honduras	158	2,622	1,493	2,246	6,519
Mexico	13	1,613	3,867	1,015	6,508
Peru	15	3,607	933	884	5,439
Guatemala	28	1,590	1,748	1,159	4,525
Other countries	150	22,118	20,185	12,232	54,685
Total	9,517	397,058	70,961	79,815	557,351

* This category includes only people who have been granted refugee status. It does not include those with a pending application. Source: Authors' analysis based on data shared by the Costa Rican General Directorate of Migration and Foreigners.

B. Legal and Institutional Framework

During the second migration period, the Costa Rican government sought to update its legal framework for migration.⁴⁵ The migration law in force at the time had been enacted in 1986, during the country's first migration period, when Nicaraguans fleeing generalized political violence were the largest group of arrivals. By the 1990s and early 2000s, the migration landscape had changed—with large numbers of economic migrants arriving alongside refugees, though both groups often had vulnerabilities. This created a need to change the institutional framework for managing immigration. In 2005, a first attempt was made to update the regulatory framework, which was criticized by civil society and international organizations because of

44 DGME, *Diagnóstico del Contexto Migratorio de Costa Rica 2017*.

45 Alberto Mora Román and Marisol Guzmán, "Aspectos de la migración nicaragüense hacia Costa Rica e impacto en el mercado laboral" (discussion paper IDB-DP-00635, Inter-American Development Bank, Washington DC, November 2018), 25.

its deficiencies in guaranteeing the rights of migrants.⁴⁶ While this attempt ultimately failed, the foundations were laid for public debate about the regulatory framework that should govern immigration.

It was in this context, in 2009, that the current Costa Rican *General Migration and Foreigners Act* (Law No. 8764) was published.⁴⁷ This law was hailed at the time as an innovative, progressive, and pioneering regulatory advance in the region.⁴⁸ It introduced the concept of integration into the Costa Rican migration policy sphere, created mechanisms to regularize migrants' status, and promised to safeguard the human rights of immigrants.⁴⁹ This law laid out the current institutional framework that the present study will assess. The remainder of this section briefly explains the institutional architecture in terms of registration, regularization, and guarantees for the rights of immigrants and refugees to access health care, education, and employment in the country.

This law ... introduced the concept of integration into the Costa Rican migration policy sphere, created mechanisms to regularize migrants' status, and promised to safeguard the human rights of immigrants.

The General Directorate of Migration and Foreigners (Dirección General de Migración y Extranjería, or DGME) is a body within the Ministry of the Interior and Police and is in charge of implementing migration policies, as dictated by executive power.⁵⁰ Article 9 of Law No. 8764 dictates that the National

Migration Council is the advisory body for the executive, the Ministry of the Interior and Police, and the DGME.⁵¹ This interagency council comprises six ministers from different sectors,⁵² the general director of migration and foreigners, the executive president of the Costa Rican Institute of Tourism (Instituto Costarricense de Turismo), the executive president of the CCSS, and two representatives from civil society chosen by the Ombudsman's Office (Defensoría de Habitantes).⁵³ In practice, those who attend this council are representatives of ministers and directors, and the DGME is really the entity that makes migration policy decisions.⁵⁴ However, it should be noted that the council is, at least in theory, an institutional and multisectoral forum for providing a coordinated, articulated response to migration in the country.

In the *General Migration and Foreigners Act*, the Visas and Refugee Commission (Comisión de Visas Restringidas y Refugio, or CVRR) was also created to be the body that makes first-instance decisions on requests for refugee status and processes visas filed by nationals of certain countries. The commission consists of the minister of labor, minister of security, and minister of foreign affairs, or representatives of these ministers. Before the 2009 law (whose regulations were passed in 2011), the DGME was responsible for granting refugee status, and the Ministry of Security would decide cases in the final instance.⁵⁵ The 2009

46 Mora Román and Guzmán, "Aspectos de la migración nicaragüense," 25.

47 Costa Rican Legislative Assembly, *Ley General de Migración y Extranjería*.

48 Author interview with a representative of the Labor Rights Center, December 11, 2020.

49 Mora Román and Guzmán, "Aspectos de la migración nicaragüense," 25.

50 Costa Rican Legislative Assembly, *Ley General de Migración y Extranjería*, Article 12.

51 Costa Rican Legislative Assembly, *Ley General de Migración y Extranjería*, Article 9.

52 The six ministers who make up part of the council are: the minister of the interior and police, minister of foreign affairs and worship, minister of labor and social security, minister of national planning and economic policy, minister of health, and the minister of public education.

53 Costa Rican Legislative Assembly, *Ley General de Migración y Extranjería*, Article 10, Sections 1–10.

54 Author interview with a high-level representative of the Visas and Refugee Commission, December 10, 2020.

55 Author interview with a high-level representative of the Visas and Refugee Commission, December 10, 2020.

law's regulations transferred this power to the CVRR. Even so, as will be discussed later in this report, the commission does not have sufficient institutional capacity to fully carry out this responsibility. For one thing, this is only one duty among many for the officials who serve as commissioners; they gather to resolve refugee status applications while also attending to other responsibilities in their respective ministries.⁵⁶

The commission has the technical and administrative support of the DGME through the Visa Subcommittee and the Refugee Subcommittee. The Refugee Subcommittee (also known as the Refugee Unit) is in charge of receiving and processing refugee applications and then issuing a recommendation to the CVRR as to whether the request should be approved or not.⁵⁷

Costa Rica's migration system also has an Administrative Tribunal for Migration (Tribunal Administrativo Migratorio, or TAM), which is an appellate body attached to the Ministry of the Interior. It is a pioneering and innovative feature among migration systems in the Americas.⁵⁸ It is specifically designed as an appeal mechanism, with the aim of avoiding a situation in which the same body that decides initial petitions (the CVRR) is also responsible for appeals. The tribunal consists of three regular interdisciplinary members and three alternating members, informally referred to as judges, chosen for periods of six years. In contrast to the commission, these members work for the TAM full time. The tribunal is in charge of appeals related to immigration and refugee cases, and it is the highest body in the administrative appeal process; in other words, if claimants wish to appeal the tribunal's decision, they must begin a legal process and thus send their case to the Supreme Court of Justice.

BOX 1

The Legal Basis for Refugee Status in Costa Rica

Costa Rica is a signatory of the 1984 Cartagena Declaration, which sets out a broader definition of who qualifies for refugee status than is included in the 1951 Refugee Convention and its 1967 protocol. However, this definition has not been incorporated into the Costa Rican legal framework. Instead, first-instance refugee claims are reviewed under the terms of the Refugee Convention and its protocol.

Costa Rica is also a signatory of several international treaties, which are reflected in Article 7 of its political constitution. This article focuses on human rights and has a chapter devoted to social rights and guaranties; these provisions, in turn, are the foundation for *Migration Act No. 8764*. Besides this law, which is regulated by the 2012 Foreigners Regulation (Reglamento de Extranjería) and the 2011 Migration Control Regulation (Reglamento de Control Migratorio), the country's humanitarian protection framework also includes the 2011 Regulation for Refugees (Reglamento de Personas Refugiadas).

Costa Rican law distinguishes between refugee status and asylum, though both are sought and granted from within Costa Rican territory. Refugee status is the form of protection most applicants seek, and it is under the mandate of the Ministry of the Interior and Police. Asylum and the granting of status to stateless individuals are more limited and handled by the Ministry of Foreign Relation and Worship.

⁵⁶ Author interview with a high-level representative of the Visas and Refugee Commission, December 10, 2020.

⁵⁷ Jenyel Contreras, "¿Cómo acogerse a la condición de refugiado en Costa Rica?" *Semanario Universidad*, September 6, 2018.

⁵⁸ Author interview with high-level representatives of the Administrative Tribunal for Migration, November 18 and 30, 2020.

BOX 2**Pathways to Regular Migration Status**

The main pathways to regular status for migrants in vulnerable situations are those termed “special categories” by the General Directorate of Migration and Foreigners (Dirección General de Migración y Extranjería, or DGME). The most common special categories are described below. In 2020, 89,332 migrants—16 percent of Costa Rica’s immigrant population—were living in the country under a special category.

Applications for refugee status: People seeking international protection in Costa Rica must present their application to the Refugee Unit in San José or in the northern canton of Upala. On the day they present their request, they receive a provisional document identifying them as applicants for refugee status. This document is free, protects its holders from refoulement, and grants them regular migratory status while their application is pending. The Refugee Unit then schedules an interview in which an official will assess the applicant’s eligibility for protection. If after 90 days the commission has not made a decision, the applicant has the right to request a work permit from the Refugee Unit. If the commission denies an application, the protection seeker has the option to file an appeal with the Administrative Tribunal for Migration (Tribunal Administrativo Migratorio, or TAM) within three working days of the decision. From 2018 to August 2021, 106,906 people applied for regular status via this channel and from 2018 to May 2021, about 5,000 people were granted refugee status.

Permits for cross-border workers: Costa Rica offers a cross-border worker permit for people in neighboring countries that allows them to enter Costa Rican territory to carry out wage-earning activities authorized by the DGME, which uses market studies done by the Ministry of Labor and Social Security (Ministerio de Trabajo y Seguridad Social, or MTSS) as a reference to decide which activities qualify. Migrants in this category must apply for insurance and thus contribute to the Costa Rican Social Security Fund (Caja Costarricense del Seguro Social, or CCSS).

Permits for Indigenous cross-border workers: Indigenous Nicaraguan and Panamanian nationals in bordering areas can enter Costa Rican territory daily to carry out wage-earning activities authorized by the DGME. In January 2021, the government issued a decree that recognized the dual nationality of cross-border Indigenous peoples living on the border between Costa Rica and Panama; they can now present their application to the DGME and make a payment of USD 30 to receive dual nationality. Due to this decree, the cross-border workers permit is now only relevant for Indigenous Nicaraguans.

Temporary work permits: People applying for a temporary work permit can carry out paid activities only for the employers, in the areas, and under the conditions authorized by the DGME. As with the cross-border work permits, it is the MTSS that defines which activities should be authorization and how many temporary workers are necessary for these activities.

Specific occupation work permit: Similarly, foreign nationals in certain occupations can choose to apply for a work visa. This status is for people engaged in wage-earning activities in occupations that the MTSS deems necessary for the country, such as agriculture, construction, and services—fields in which Nicaraguans are over-represented. This status requires approval by the director of the DGME, who takes into account the needs of the labor market, as assessed by MTSS. Foreign nationals must present their application for this migration status before entering Costa Rican territory. In order to maintain this status, immigrants must be insured without interruptions until the visa is renewed.

Sources: Costa Rican Legislative Assembly, *Ley General de Migración y Extranjería*, No. 8764 (2009): Articles 97, 99, and 100; Costa Rican President of the Republic and Minister of the Interior and Police, *Ley N° 42814-MGP* (2021); Costa Rican President of the Republic and Minister of the Interior and Police, *Reglamento de Extranjería Decreto N° 37112-GOB* (2012): Article 29, 31, 116, and 118; data shared with authors by the Viceministry of the Interior in September 2021.

Besides the DGME, the Ministry of Labor and Social Security (Ministerio de Trabajo y Seguridad Social, or MTSS) and the CCSS are the two most important institutions in Costa Rica's migration system.⁵⁹ While the DGME is officially the body that regulates migration, the *General Migration and Foreigners Act* indicates that contributing to the CCSS is a prerequisite for any migration procedure.⁶⁰ For example, in order to renew a temporary residence permit, a foreign national must show proof of contributions to the CCSS.⁶¹ As a result, the CCSS has in practice become involved in the regulation of migration to the country⁶² and a key player in regularization processes. In addition, migration policymaking takes into account the CCSS's reports on immigrants' demand for services and their contributions to the system.⁶³

The MTSS also plays a vital role in granting immigrants regular status. The *General Migration and Foreigners Act* establishes the principle that there must be complementarity between national and migrant labor to ensure that immigrant workers do not displace the national population.⁶⁴ With this purpose in mind, the MTSS is charged with carrying out technical studies to evaluate the needs of the labor market, determine which sectors have a labor deficit, and then issue recommendations to the DGME (see Box 2 for more information).

Lastly, one of the advances that has come from the 2009 *General Migration and Foreigners Act* is the incorporation of principles of immigrant integration into Costa Rica's migration regulations. In other words, it has created a legal foundation for immigrant integration by ordering the creation of the Directorate of Integration and Human Development, an organ within the DGME, and instructing the Costa Rican state to institute a series of integration programs and to safeguard the human rights of migrants. It should be noted, however, that this law was passed at a time when the country was not facing migration at the same scale as it has since the start of the third migration period. Today, twelve years after the law was enacted, legal changes and adjustments to certain institutional roles are needed to reflect the current migration reality.⁶⁵

3 Assessing Costa Rica's Integration Policies and Practices

To analyze the state of Costa Rican migration and immigrant integration policy, this section uses an instrument developed by the authors to gauge the extent to which certain principles are being implemented by all entities connected to the country's migration system. These principles—accessibility, outreach and communication, coordination, and social cohesion—are both interdependent and interconnected. This section will first define these dimensions of integration and then present the results of the analysis of information gathered through interviews with governmental and nongovernmental experts and a review of the relevant literature. It assesses the following policy areas: registration and regularization, health, employment, and education. Further information on the methodological steps used in this analysis as well as an explanation of the calculations used to produce the results can be found in Appendix A.

59 Mora Román and Guzmán, "Aspectos de la migración nicaragüense," 26.

60 Costa Rican Legislative Assembly, *Ley General de Migración y Extranjería*, Article 7, Section 7.

61 Costa Rican Legislative Assembly, *Ley General de Migración y Extranjería*, Article 80.

62 Mora Román and Guzmán, "Aspectos de la migración nicaragüense," 28.

63 Costa Rican Legislative Assembly, *Ley General de Migración y Extranjería*, Article 8. The Costa Rican Social Security Fund is the national administrator of public hospital and health institutions.

64 Costa Rican Legislative Assembly, *Ley General de Migración y Extranjería*, Article 7, Section 1.

65 Author interview with a high-level representative of the Refugee Unit, December 23, 2020; author interview with a representative of the Labor Rights Center, December 11, 2020; author interview with a high-level representative of the Visas and Refugee Commission, December 10, 2020.

A. *Dimensions for Analysis*

Accessibility

Like the other principles that make up this instrument, accessibility is a principle rooted in the recognition of migrants' rights. It involves treating the immigrant population with dignity and providing effective assistance to migrants and refugees. Thus, this dimension of analysis considers the existence and availability of plans, projects, and programs with structured pathways and protocols to help immigrants access assistance, all with clear guidelines that identify and overcome barriers to migrant inclusion in Costa Rica. This includes physical, financial, and attitudinal barriers that limit immigrants' integration and prevent them from fully exercising their rights.

Coordination

This dimension of analysis considers the way in which each institution coordinates with others to design, implement, evaluate, and follow up on different forms of assistance offered to the country's immigrant and refugee populations. Questions are thus structured to gauge these institutions' reason for coordination, difficulties encountered when seeking to jointly define concepts and procedures, and the structure of interinstitutional dialogue.

Outreach and Communication

Beyond creating assistance programs and projects to support immigrant integration, states must effectively share pertinent information about these offerings with potential beneficiaries. This dimension of the analysis contains a series of questions about the existence of outreach strategies, the means used to disseminate information, and the contents of outreach and communication campaigns.

Social Cohesion

This dimension examines social and attitudinal dynamics around immigration and the way the government establishes realistic expectations among members of the public about the costs and benefits of immigration. It considers how actors identify tensions between migrants and receiving communities and how these tensions are addressed, as well as how the government acknowledges immigration's costs and presents its benefits while avoiding propaganda or messaging that does not accurately reflect the lived experiences of people in the country.

B. *Findings*

Table 2 summarizes the results of this study's analysis, reflecting information gathered through the expert interviews and literature review. The values in the table indicate the relative strength of the key dimensions discussed above across four policy areas, with low as the weakest score and high the strongest. These results will be discussed in the subsections that follow on registration and regularization, health, employment, and education.

TABLE 2

Index of Costa Rican Integration Policies and Practices, by Policy Sector

Dimension	Variable	Registration, Regularization	Health	Education	Employment
Accessibility	Institutional framework	Medium High	Medium	High	Medium
	Legal pathways	Medium	Medium Low	Medium Low	Medium Low
	Entrance barriers	Low	Medium Low	Medium	Medium Low
	Financial barriers	Medium Low	Medium Low	Medium	Medium Low
	Attitudinal barriers	Medium Low	Medium Low	Medium Low	Medium Low
	Barriers in government officials' training	Medium	Medium Low	Medium Low	Low
	Subtotal	Medium	Medium Low	Medium	Medium Low
Coordination	Between national entities	Medium	Medium	Medium	Medium Low
	Between national and provincial entities	Medium	N/A	N/A	Low
	Between national government, NGOs, and international cooperation agencies	High	High	Medium High	High
	Subtotal	Medium High	Medium High	Medium High	Medium
Communication and Outreach	Strategies for outreach	Medium	Medium Low	Medium Low	Medium Low
	Barriers to outreach	Medium	Medium Low	Medium Low	Medium Low
	Differentiated approaches to disseminating information to different audiences	Medium	Medium Low	Medium Low	Medium Low
	Subtotal	Medium	Medium Low	Medium Low	Medium Low
Social Cohesion	Existence of strategies	Medium	Medium	Medium Low	N/A
	Social obstacles	Medium Low	Medium Low	Medium Low	Medium Low
	Attitudinal barriers	Medium Low	N/A	Medium Low	Low
	Subtotal	Medium Low	Medium Low	Medium Low	Medium Low
Total for Each Policy Sector		Medium	Medium	Medium	Medium Low

Notes: The scale of evaluation ranging from Low to High was developed based on scores using the following intervals: Low (0–0.14999); Medium Low (0.15–0.34999); Medium (0.35–0.54999); Medium High (0.55–0.74999); and High (0.75–1). N/A indicates topics that were not sufficiently covered in interviews or the literature to produce a score, whether from lack of relevance to the sector or to limitations in existing research or interviewees' experience.

Source: Authors' analysis based on information collected through semi-structured interviews and a literature review, using a methodology discussed in Appendix A. A detailed breakdown of the values used to compile these scores can be found in Appendix B.

Registration and Regularization

Regularization is a steppingstone for immigrant integration and access to services. In this regard, the authors' analysis finds Costa Rica's institutional framework for registration and regularization above average compared to other accessibility variables in this policy sector and to variables in other dimensions. There is a wide array of migrant categories, but there are also significant barriers in practice that take different forms. Entrance barriers, such as high application costs and document requirements, received the lowest score in the instrument, suggesting it is the most prominent obstacle in this policy area. The umbrella dimension that ranked the highest is coordination, given the ample coordination initiatives that exist between the national government, nongovernmental organizations, and international cooperation agencies.

Accessibility

Costa Rica's institutional framework is lauded internationally for its robustness. As a longstanding immigrant-receiving country, it has had a head start in the region on institutional and legal immigration framework discussions. Nonetheless, there are clear financial barriers to instituting registration and regularization policies fully and efficiently. These barriers have been aggravated by the economic and fiscal crisis the country is undergoing. According to the director of the Central Bank, in 2020 Costa Rica suffered the greatest economic contraction since the crisis in the 1980s.⁶⁶ The National Institute of Statistics and Census (Instituto Nacional de Estadísticas y Censos, or INEC) reported that the country closed 2020 with an unemployment rate of 20 percent—7.6 percent higher than the rate in the last quarter of 2019.⁶⁷ Additionally, although Costa Rica had already been showing low levels of gross domestic product (GDP) growth before the pandemic, in 2020 the country closed with a fiscal deficit of 8.3 percent of the GDP.⁶⁸

This reality is reflected in budget cuts the government has implemented in the past two years. The *Budget Law of 2021* cut 28 percent of the Ministry of the Interior budget and 41 percent of the DGME budget.⁶⁹ This comes on top of the budget cut of 24 percent that the Ministry of the Interior endured from 2019 to 2020.⁷⁰ Additionally, one of the most important achievements of the *General Migration and Foreigners Act*⁷¹ was the creation of a Migration Social Fund. The law stipulates that a portion of the fees foreign nationals pay to have their immigration applications processed be used to replenishing the fund and then government uses money from the fund to implement integration measures.⁷² The pandemic-induced economic contraction, however, led the fund's budget to substantially decrease.⁷³

66 Josue Alfaro, "Costa Rica sufriría la peor contracción económica desde los años 80 por Covid-19, afirma el Central," *Amelia Rueda*, April 24, 2020.

67 Luis Manuel Madrigal, "487.675 personas terminaron el 2020 sin trabajo; tasa de desempleo cerró en 20%," *Delfino CR*, February 4, 2021.

68 Andrea Hidalgo, "Déficit fiscal de Costa Rica en el 2020 fue de 8,3% con respecto al PIB," *El Financiero*, February 18, 2021.

69 Costa Rican Treasury Ministry, "Ley de Presupuesto 2020," accessed April 2021; Costa Rican Treasury Ministry, "Ley de Presupuesto 2021," accessed April 2021.

70 Ministry of the Interior and Police, "Mociones al presupuesto 2021 afectarían servicios al usuario y operatividad del MGP" (press release, October 19, 2020).

71 *La Nación*, "El Fondo social migratorio," *La Nación*, November 16, 2011.

72 Under this model, 40 percent is destined to the DGME, which executes projects; 25 percent is destined to the Ministry of Health; 20 percent to the Ministry of Public Education; 5 percent to the Ministry of Public Security; and 5 percent to social adaptation matters and 5 percent to migrant integration. See Costa Rican Legislative Assembly, *Ley General de Migración y Extranjería*, Article 242.

73 Author interview with a high-level representative of the Directorate of Integration, November 11, 2020.

These financial difficulties are reflected in the severe scarcity of human resources a number of government institutions are facing. For example, just ten people operate the Directorate of Integration, not enough to

These financial difficulties are reflected in the severe scarcity of human resources a number of government institutions are facing.

meet the integration needs of the growing immigrant population.⁷⁴ According to a representative of the directorate, in some instances they have even had to collect their own money to support cases in which migrants do not have sufficient resources.⁷⁵ As with other government entities, the Directorate of Integration has suffered budget cuts during the economic crisis.

As mentioned in Section 2.B., the Visas and Refugee Commission also lacks capacity, with its three commissioners only working for the commission part of the time even as the workload involved in processing a growing caseload of refugee applications has grown. The commission used to meet once every two or three months to review the cases referred to them by the Refugee Unit.⁷⁶ However, in the last few years (Costa Rica's third migration period), they have begun to meet weekly. This has reportedly improved the situation, but it is still far from being the fast, efficient process envisions by the country's laws. Due to these capacity constraints, the commissioners tend to have to rely on the work done by civil servants from the Refugee Unit, meaning cases receive a thinner layer of review. One option that is being debated and that could be incorporated into a new law⁷⁷ is to more fully institutionalize and staff the commission, for example by having commissioners who are appointed to work for the commission full time and with the assistance of a technical support team. Another option is eliminating the commission and ordering the Refugee Unit to send cases directly to the TAM.

If the latter option were to be pursued and responsibility for more cases transferred to the TAM, that tribunal's capacity would need to be strengthened. The TAM already has a backlog of cases as, according to one expert, it is still working to resolve cases in 2021 that were filed in 2016.⁷⁸ Since 2017, the TAM has received more than 5,000 cases, a number that in four years has surpassed the total number of cases filed in the six years from 2011 through 2016 (slightly more than 4,100 cases).⁷⁹ As a result, the TAM's current institutional architecture with only three judges at its disposal is not enough to meet current demands—let alone take on additional responsibilities.

74 Author interview with a high-level representative of the Directorate of Integration, November 11, 2020.

75 Author interview with a high-level representative of the Directorate of Integration, November 11, 2020.

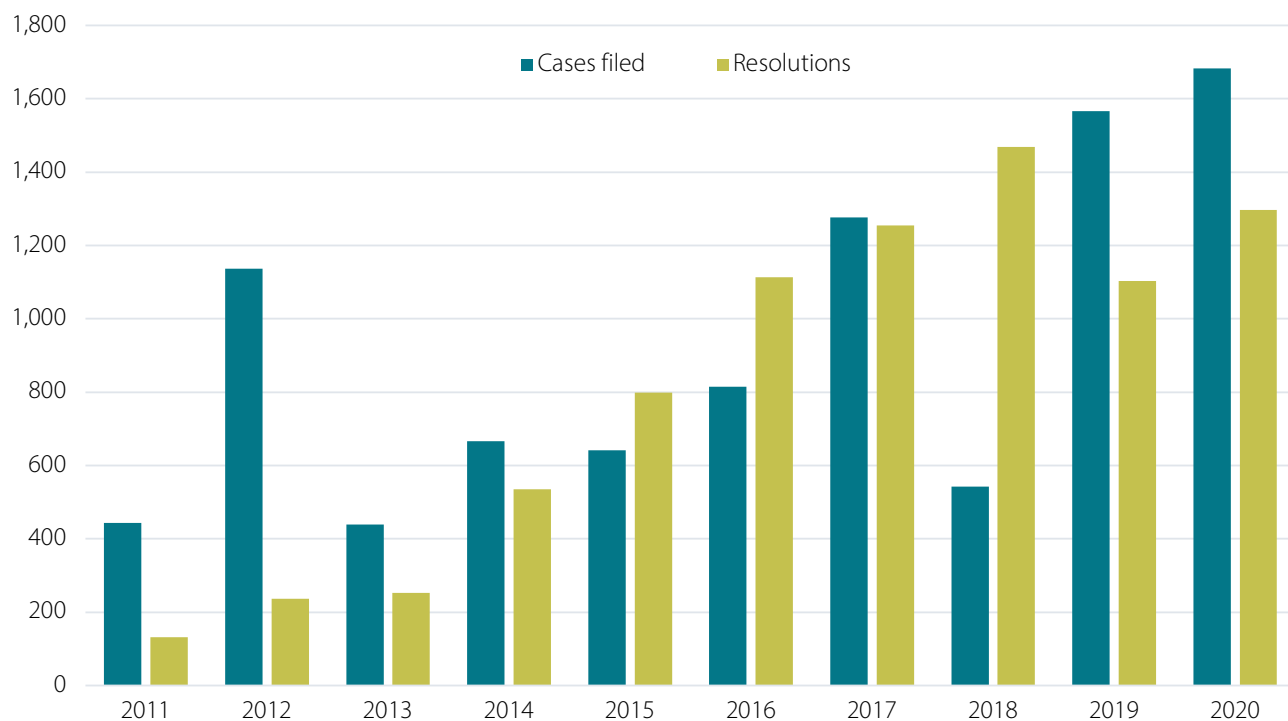
76 Author interview with a high-level representative of the Visas and Refugee Commission, December 10, 2020.

77 Author interview with a high-level representative of the Visas and Refugee Commission, December 10, 2020.

78 Author interview with a high-level representative of the Administrative Tribunal for Migration, November 30, 2020.

79 Authors' analysis based on data shared by the TAM in November 2020.

FIGURE 4

Cases Filed and Resolutions by the Administrative Tribunal for Migration, 2011–20

Source: Authors' analysis based on data shared by the Administrative Tribunal for Migration (TAM). The TAM resolves appeals related to refugees, foreigners, and migration police apprehensions.

Although this study focuses on Costa Rica's third migration period, it is also worth noting that in previous periods the country's humanitarian protection system faced similar infrastructure and human capacity challenges.⁸⁰ This is particularly the case because the protection system is one of the few mechanisms by which many migrants see a way to apply for and access legal status and the rights that come with it. In this sense, Costa Rican policymakers should consider whether it is wiser to strengthen these institutions' capacity or whether the heavy caseload could be alleviated through changes to the legal framework that create other, flexible pathways to legal immigration status.

Finally, the DGME's capacity is limited by both its structure and mission. The Ministry of the Interior, to which the DGME belongs, shares its minister with the Ministry of Security.⁸¹ This means that the country's migration policies often have a security focus. Future migration reforms will, thus, also likely be shaped by officials with a security perspective.⁸² Bringing the perspectives of actors not involved in citizen security into migration policy decisions could be valuable in broadening this focus and lead to the creation of policies that support migrants' socioeconomic integration.

Other access-related challenges involve whether migrants are aware of and can make use of opportunities to regularize their status. Through Migramóvil, a DGME initiative that aims to provide irregular migrants

80 Author interview with a high-level representative of the Directorate of Integration, November 11, 2020.

81 Author interview with a high-level representative of the Visas and Refugee Commission, December 10, 2020; author interview with a high-level representative of the Refugee Unit, December 23, 2020.

82 Author interview with a high-level representative of the Refugee Unit, December 23, 2020.

with information on the regularization process,⁸³ it has become evident that although many migrants meet the requirements for regularization, they do not have the financial means to pay the fees involved in the process.⁸⁴ According to a representative of the Directorate of Integration, this obstacle is particularly relevant for certain nationalities. Whereas Venezuelan and Colombian migrants and American retirees tend to have the means to finance their regularization, Central Americans frequently do not.⁸⁵

Economic barriers also go beyond the process of initially obtaining legal immigration status. Making uninterrupted contributions to the CCSS is a prerequisite to renew their status, and some migrants in vulnerable situations who lose their jobs begin to pile up fines at the DGME and the CCSS.⁸⁶ If they do not have the capacity to cover these fines, migrants may lose their immigration status. Thus, even where legal status options exist, some of the requirements for gaining or maintaining status may put them out of reach for some migrants.

The closing of Costa Rica's borders due to the pandemic and subsequent efforts to regularize agricultural workers hold interesting lessons about how to improve the accessibility and reach of regularization programs. Shortly before the pandemic, in late 2019, the government issued a decree to regularize immigrants who were settled in the country and worked in the agricultural sector.⁸⁷ This policy was developed because of the fine for businesspeople who hired irregular migrants—a penalty that had been put on hold since 2014 but that would soon be implemented. The aim was to create a regularization process that was accessible and involved the private sector.

This was the first time a special status was specifically created for immigrants employed in this sector. According to government officials, however, this mechanism met with limited success, as they received fewer than 200 applications.⁸⁸ In June 2020, after the borders were closed, a second attempt was made to regularize agricultural migrant workers who had reached Costa Rica between January 15, 2016, and January 15, 2020.⁸⁹ In this second attempt, they received more than 20,000 applications.⁹⁰ Two key factors may explain the difference in results. Firstly, the requirements and cost of filing an application were lowered. Secondly, there was close coordination with the private sector. Combined, these adjustments allowed them to have greater impact and uptake.⁹¹

Additionally, in mid-2020, agricultural employers had warned the government that around 70,000 foreign nationals would be needed to work in the fields so that harvests would not be lost.⁹² In response, Costa Rica signed the *Binational Agreement to Regulate the Temporary Hiring of Nicaraguan Workers in Costa Rica*

83 IOM, “‘Migramóvil’ presta servicios en la frontera sur de Costa Rica” (press release, June 20, 2014).

84 Author interview with a high-level representative of the Directorate of Integration, November 11, 2020.

85 Author interview with a high-level representative of the Directorate of Integration, November 11, 2020.

86 Author interview with a high-level representative of the Refugee Unit, December 23, 2020.

87 Marvin Barquero, “Gobierno crea decreto para regularizar situación de trabajadores agrícolas migrantes en Costa Rica,” *La Nación*, September 27, 2019.

88 Author interview with a high-level representative of the Ministry of Labor and Social Security, December 16, 2020.

89 Costa Rican President, Minister of Agriculture and Livestock, and Minister of Government and Policy, “Procedimiento para acceder al régimen de excepción para la regularización migratoria de las personas trabajadoras de los sectores agropecuario, agroexportador o agroindustrial” (Executive Decree No. 42406-MAG-MGP, June 16, 2020).

90 Author interview with a high-level representative of the Ministry of Labor and Social Security, December 16, 2020.

91 Author interview with a high-level representative of the Refugee Unit, December 23, 2020.

92 Cindy Regidor, “Los trabajadores agrícolas nicas en Costa Rica y la pandemia de covid-19,” *Confidencial*, July 8, 2020.

in November 2020. This was done to supplement the agricultural sector's workforce during harvest season without completely having to open Costa Rica's borders. Because of this agreement, approximately 5,600 Nicaraguan migrants holding regular status entered Costa Rica to work in the agricultural sector.⁹³ The private sector also contributed to the agreement's implementation by covering the migrants' moving costs. As a result of this coordination, it is expected that around 25,000 migrant workers from Nicaragua and Panama (with which there has also been coordination) will be granted access to the country to work in agriculture.⁹⁴

Some migration experts have attributed the limited results of previous regularization mechanisms to their prohibitive costs.⁹⁵ And given the high fees involved in regularization for work or family reunification, and the fact that applying for refugee status is free and applicants receive temporary permission to remain in the country, some migrants with limited economic means file an application for refugee protection in order to stay legally in Costa Rica for an extended period of time.⁹⁶ This has created challenges for both the refugee protection system and the migrants involved. In late 2020, there were around 93,500 people under the system of international protection, of whom 84,000 were applicants for refugee status awaiting the completion of their cases.⁹⁷ The refugee application process currently takes approximately four years. If the resolution is negative, however, people can appeal the decision to the TAM, further lengthening their legal stay in the country. In this long period of time, some people put down roots, have families, or develop relationships with employers. Not making other legal pathways more accessible has, thus, not only overburdened the humanitarian protection system, it has also contributed to the growth of the country's irregular migrant population and created a disruptive cycle in which people who live legally in the country for years abruptly return to irregularity.

Some migration experts have attributed the limited results of previous regularization mechanisms to their prohibitive costs.

While Costa Rica does not have a mechanism to quantify its irregular population, looking at the number of migrants whose refugee applications were denied in the first instance and who did not appeal to the TAM, along with those whose appeals were denied by the TAM, provides an indication of the size of the foreign-born population that has returned to irregularity after passing through the refugee protection system (see Figure 5). The approval rate for refugee status applications has generally been low, and with relatively few appeals approved by the TAM, thousands of people return to irregular status each year after passing through this system. And because Costa Rica tends not to deport migrants whose cases have been rejected, these individuals join the country's population of irregular migrants.

93 Cindy Regidor, "Más de 5571 trabajadores nicas han entrado a Costa Rica por convenio bilateral," Confidencial, January 20, 2021.

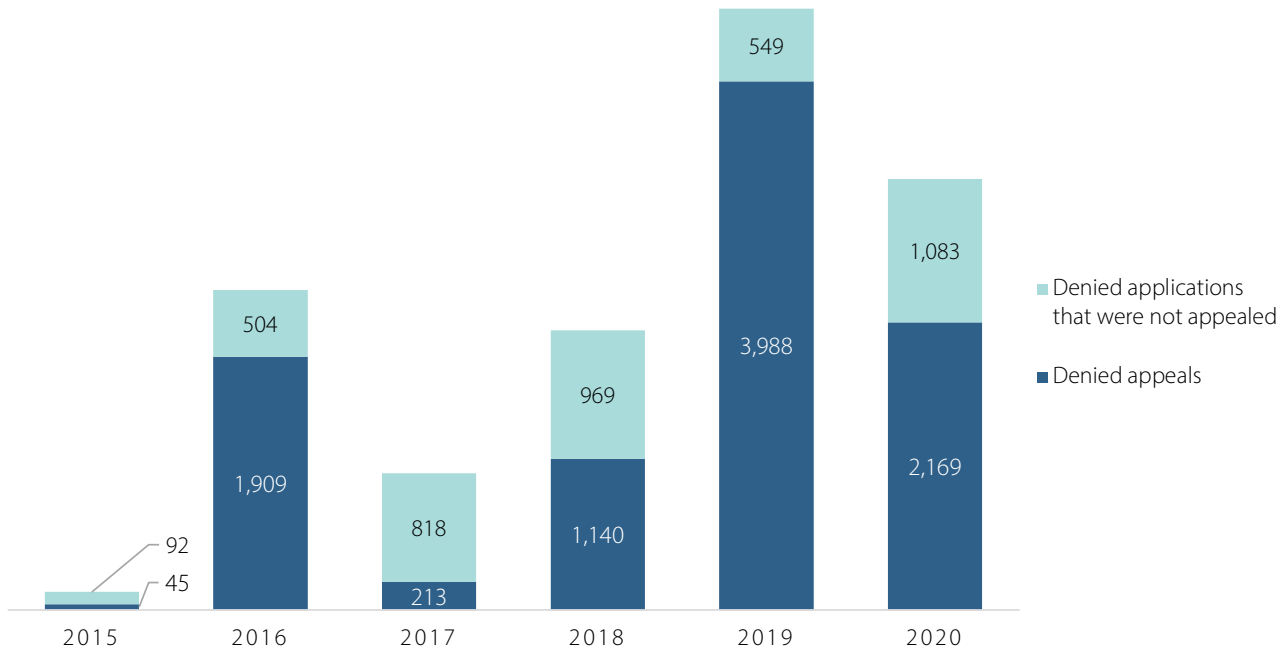
94 Regidor, "Más de 5571 trabajadores nicas han entrado a Costa Rica por convenio bilateral."

95 Sojo-Lara, "Business as Usual?"

96 Author interview with a high-level representative of the Refugee Unit, December 23, 2020.

97 Author interview with a high-level representative of the Refugee Unit, December 23, 2020.

FIGURE 5

Migrants Who Returned to Irregular Status after Having Refugee Status Applications Denied, 2015–20

Source: Authors' analysis based on data shared by the Costa Rican Refugee Unit and the TAM.

It should be noted, however, that approval rates for refugee status applications have risen in the last few years. While in 2018 less than 10 percent of applications were approved, this number increased to 21 percent in 2019 and almost 50 percent in 2020.⁹⁸ According to government officials, this increase is related to a review of how applications were being assessed. The TAM had also previously carried out five studies of common countries of origin for applicants, with a focus on the reasons people from each may be seeking protection.⁹⁹ The Refugee Unit has taken these studies and internal statistics into account to create a system of prioritization.¹⁰⁰

In October 2020, Costa Rica took the important step of issuing a government resolution to create a complementary protection status for Venezuelans, Nicaraguans, and Cubans who had been denied refugee status between January 1, 2016, and December 15, 2021.¹⁰¹ This status allows people to live and work legally in the country for two years and can be renewed for the same amount of time. The resolution came into effect on December 18, 2020, and during the first two months of 2021, 312 people requested complementary protection—199 Venezuelans, 82 Nicaraguans, 30 Cubans, and one Salvadoran. As of May 2021, 601 people had received this status.¹⁰²

Such measures, albeit innovative, do not solve the root problems. It is possible that the international protection system will continue operating beyond its capacity until changes in migration categories are

⁹⁸ Author interview with a high-level representative of the Refugee Unit, December 23, 2020.

⁹⁹ Author interview with a high-level representative of the Administrative Tribunal for Migration, December 18, 2020.

¹⁰⁰ Author interview with a high-level representative of the Visas and Refugee Commission, December 10, 2020.

¹⁰¹ DGME, "Creación de una categoría temporal de protección complementaria para personas Venezolanas, Nicaragüenses y Cubanas a quienes se les haya denegado su solicitud de refugio" (Resolution No. DJUR-0164-10-2020-JM, October 27, 2020).

¹⁰² Authors' analysis based on data shared by the Costa Rican Refugee Unit in March 2021.

made, offering them instead as a real first option for regularization and perhaps decreasing the number of people who fall into irregularity after their claims are denied. This change would be complemented by broadening the definition of who is a refugee, as outlined in the Cartagena Declaration.

Coordination

With many of Costa Rica's migration institutions operating beyond their technical, technological, financial, and human resource capacities, they have often turned to creative, ad hoc solutions to pursue their mandate. This has created a reliance on short-term and improvised measures, and as a result, the strengthening and development of state institutions has lagged behind.

For example, Costa Rica has found an important ally in the United Nations High Commissioner for Refugees (UNHCR), and it has helped bridge institutional gaps in the country.¹⁰³ The TAM's limited staffing of three judges is compensated for by UNHCR's collaboration, which provides support in the form of four lawyers and two administrative professionals.¹⁰⁴ In 2021, the TAM and UNHCR renewed this collaboration once again. This model, while it has provided critical support and helped break through backlogs,¹⁰⁵ leaves Costa Rica's refugee protection institutions reliant on international cooperation, and even with help the system has struggled to effectively respond to the magnitude of cases.

The Refugee Unit also relies heavily on international assistance—namely, financial support from international agencies. For example, UNHCR has provided resources to hire 30 officials to support the unit with the review of refugee status applications as well as to open an office in the northern border zone, which has extended the unit's reach to a region that plays an important role in migration through the country. In interviews, some officials acknowledged this initiative as a great relief for the overburdened unit but also noted that the process of implementing the cooperation has revealed areas for improvement. Chief among them is a need to improve training processes and staff retention measures to minimize the high levels of turnover seen in recent years, which produces a constant loss of institutional knowledge and can create operational inefficiencies.

Because of the Costa Rican state's regular reliance on the support provided by international partners, the government has not made investments at the level needed to comprehensively modernize and strengthen the refugee protection system in the medium and long term. This pattern is also reflected in the absence of specific programs that the Costa Rican legal framework mandates that the state itself provide, with civil-society organizations often stepping in to fill long-standing gaps. While the Costa Rican government formally involves civil society in some migration matters—such as through the Permanent

The government has not made investments at the level needed to comprehensively modernize and strengthen the refugee protection system in the medium and long term.

¹⁰³ Author interview with a high-level representative of the Refugee Unit, December 23, 2020.

¹⁰⁴ Authors' analysis based on data shared by the TAM; author interview with a high-level representative of the Refugee Unit, December 23, 2020.

¹⁰⁵ Author interview with a high-level representative of the Administrative Tribunal for Migration, November 30, 2020.

Forum of Migrant and Refugee Population within the Ombudsman’s Office, which brings together most of the relevant civil-society organizations.¹⁰⁶

One area where Costa Rica’s migration system could benefit from increased cooperation is in overcoming infrastructure and other resource barriers. The government lacks technological resources and could benefit from the support of the international community—especially development agencies—in matters of infrastructure, personnel, and equipment. With regards to border control, the Costa Rican government could, for example, take advantage of biometric technologies such as those being implemented in Colombia.¹⁰⁷ International partners—whether the authorities of other countries or international organizations—could also assist Costa Rican migration institutions in digitizing and streamlining some of their processes. One example is the regularization process, which is currently done manually; updating this system and digitizing the information involved would make it more agile and orderly.

The Costa Rican government could also benefit from partnerships with academia. One of the most significant problems the country faces is a dearth of data and information about its foreign-born population, particularly irregular immigrants. The government could create alliances with migration experts in academia and other research settings to address this gap. Once done, it will be equally important to translate the findings of these studies into practice—a step that some experts have described as lacking with past studies of migration in Costa Rica, both on the part of government and the international community.¹⁰⁸ With immigrants making up 13 percent or more of the Costa Rican population, the country projects a self-image of a society that welcomes migrants, but this can create blind spots concerning real obstacles that hinder immigrant integration. In this sense, robust research promises a stronger foundation for policymaking.¹⁰⁹

Another area that could benefit from improved coordination is with other actors in the region.¹¹⁰ For historic reasons, Costa Rica has often viewed itself as an island in the middle of Central America, distinct from the cultural and political reality of the surrounding region. For example, Costa Rica does not belong to the Central America-4 Free Mobility Agreement (CA-4), which allows nationals of El Salvador, Guatemala, Honduras, and Nicaragua to move freely without a passport to other signatory states,¹¹¹ nor is it part of the Central American Parliament. While there is more regional alignment on trade, Costa Rica lacks formal regional bonds in cultural, migration, and political matters. In order to efficiently manage transnational migration phenomena such as extracontinental migration and to protect the rights of the migrants involved, all countries in the region—Costa Rica included—would benefit from the establishment of regional cooperation channels.

There has been some progress on this front. In 2019, the leaders of Costa Rica and Panama agreed to strengthen their bilateral “controlled flow” (*flujo controlado*) policy to ensure migrants’ safe, orderly, and

106 IOM, *Indicadores de la gobernanza de la migración* (Geneva: IOM, 2019), 17.

107 Grupo Interagencial sobre Flujos Migratorios Mixtos (GIFFM) and R4V, *Preguntas y respuestas. Estatuto Temporal de Protección para Venezolanos. Colombia 2021* (N.p.: GIFFM and R4V, 2021), 16.

108 Author interview with a representative of the Latin American Faculty of Social Sciences (FLACSO) Costa Rica, November 16, 2020.

109 Author interview with a representative of FLACSO Costa Rica, November 16, 2020.

110 Author interview with a representative of the municipality of La Cruz, December 2, 2020; author interview with a high-level representative of the Refugee Unit, December 23, 2020; author interview with a representative of FLACSO Costa Rica, November 16, 2020.

111 Central American Integration System, “El Convenio Centroamericano de Libre Movilidad (CA-4),” accessed March 21, 2021.

regular transit through both countries.¹¹² The policy's objectives are to safeguard the human rights of migrants in transit while mitigating the smuggling of migrants (*coyotaje*) and organized crime. Prior to pandemic-related border closures, Costa Rica allowed the controlled entry of 100 migrants per day; they underwent a security check in the southern border and were then bused to the Temporary Care Center for Migrants (Centro de Atención Temporal para Personas Migrantes, or CATEM) along the northern border.¹¹³ Furthermore, Panamanian and Costa Rican leaders have confirmed that a Binational Police Coordination Center (Centro de Coordinación Policial Binacional) will be created in the municipality of Paso Canoas on the border between the two countries. Once migrants pass through Costa Rica, however, many are subject to *coyotaje* and extortion as they cross into Nicaragua and make their way through other Central American countries. The close cooperation between Costa Rica and Panama that has brought transparency and heightened security to transit movements could be a point of reference for efforts elsewhere in Central America.

Within Costa Rica, the government could improve coordination between the Greater Metropolitan Area (GAM) and border provinces. Although Costa Rica has a robust immigration legal framework, these policies are more unevenly applied outside the GAM. As a result, agricultural businesses (which are heavily dependent on migrant labor) are a chief actor in managing labor migration and transnational recruitment. The repercussions of this situation have become evident during the pandemic, when inspections carried out by the Ministry of Labor and public-safety workers in farms located in cantons along the border found that day laborers, many of them Nicaraguan, were often working informally, not receiving the minimum wage or compensation for extra hours, and living in overcrowded conditions.¹¹⁴

This and experiences such as the regularization campaigns described above signal the importance of treating the private sector as a key ally in improving immigrant integration. According to DGME officials, it was not until 2020 that stronger relationships with agricultural employers began to be established.¹¹⁵ This could be an advantageous moment to build on this momentum by replicating these efforts in other work sectors in which migrants are well represented.

Outreach and Communication

In terms of communication, the government of Costa Rica has employed several strategies to increase access to information about regularization options for the irregular migrant population and to combat xenophobia. These efforts have included massive radio and bus messaging campaigns, although interviewees expressed different views on how successful they were. One strategy worth highlighting is Migramóvil: In this DGME initiative, migration officials use buses with traction control to travel to the

The government of Costa Rica has employed several strategies to increase access to information about regularization options for the irregular migrant population and to combat xenophobia.

112 EFE, "Panamá y Costa Rica pactan un plan para encarar el flujo irregular de inmigrantes," EFE, February 20, 2019.

113 Caitlyn Yates, "As More Migrants from Africa and Asia Arrive in Latin America, Governments Seek Orderly and Controlled Pathways," *Migration Information Source*, October 22, 2019.

114 Diego Bosque, "Pandemia desnuda injusticias laborales en fincas de la zona norte," *La Nación*, June 24, 2020.

115 Author interview with a high-level representative of the Directorate of Migration and Foreigners, December 23, 2020.

most far-flung corners of the country to provide information on the requirements involved in regularization schemes to potential beneficiaries.¹¹⁶ Such efforts have the potential to reduce information gaps and make integration services more accessible to immigrants in rural areas who do not have the means to travel to San José, where most such services are located.¹¹⁷

One barrier to building trust in the Costa Rican immigration system, identified by a government official, is related to the limited support applicants for refugee status receive during the process. According to a Refugee Unit official, just 10 percent of protection seekers are arriving for their scheduled interviews during the pandemic, a share even lower than the already-low 40 percent of applicants who appeared pre-pandemic.¹¹⁸ The interviewee described this as being the case because protection applicants have no kind of counsel and the information provided by the authorities is quite basic. The Refugee Unit has called on other agencies to support applicants in this regard, but they only do so occasionally. Moreover, considering that the moment when claimants first submit their applications can be overwhelming, they may only think of questions they should have asked after they have left the Refugee Unit's office. It would therefore be useful to establish formal information channels that take into account the moments in the refugee status application process when applicants most need support and are most likely to be receptive to it. This has the potential to improve not only applicants' understanding of and compliance with the system, but perhaps also case approval rates, since many applications are currently denied because of applicants' lack of information.¹¹⁹

Civil-society organizations have taken on responsibility for filling some of these information voids. For example, when the decree on complementary protection was published in late 2020, different civil-society actors met with representatives of the DGME so the latter could clarify aspects of the directives, and then civil society could spread the word among the immigrant population.¹²⁰

The lack of engagement between government entities and the immigrant population is worsened by the inaccessible language often employed in government communications. Although a law or decree may hold benefits for immigrants, the problem lies in how the information it contains is presented.¹²¹ For example, the notice to those who are denied refugee status explains that they can appeal the decision in very technical language.¹²² Similarly, the decrees and directives the DGME issues do not always clearly state the requirements for regularization. In an interview, one civil-society representative highlighted the need for the government to provide safe spaces in which migrants can access this information in clear, simple, and effective formats.¹²³

In addition, although Costa Rican laws set out a strong institutional framework, there is a need to raise awareness among public servants about the details of these frameworks and the country's agreements and commitments. Currently, such communication is not fluid and consequently does not reach all public

116 IOM, "Migramóvil' presta servicios en la frontera sur de Costa Rica."

117 Author interview with a high-level representative of the Directorate of Integration, November 11, 2020.

118 These numbers are based on information shared by a government official with the authors in an interview on December 23, 2020.

119 Author interview with a high-level representative of the Refugee Unit, December 23, 2020.

120 Author interview with a representative of Asociación SOS Nicaragua DD. HH., S.A., November 12, 2020.

121 Author interview with a representative of the Labor Rights Center, December 11, 2020.

122 Author interview with a high-level representative of the Administrative Tribunal for Migration, December 18, 2020.

123 Author interview with a representative of the Labor Rights Center, December 11, 2020.

servants. The resulting gaps in officials' knowledge and awareness may instead be filled by outdated information or biases about the immigrant population, which abound in Costa Rican society. For example, according to civil-society organizations, migrants may be charged different fees for the same services depending on how much the official knows about current directives.¹²⁴ In this sense, it would be very advantageous for the government to conduct vertical communication campaigns to reach the frontline officials who deal directly with immigrants.

Finally, because employers are fundamental parts of regularization processes for irregular migrant workers and of supporting immigrants' integration into Costa Rican society and the labor market, they are an important audience for government awareness-raising and communication efforts. Numerous cases have been reported in which construction and agricultural companies do not accept the work permit granted to migrants with pending refugee status cases as valid, even after the migrants have shown them the official statement explaining that is the case.¹²⁵ In order to support immigrants' insertion into the formal labor market, the government must provide the private sector with information on the rights of immigrants who hold different statuses.

Social Cohesion

Disseminating information and building trust and social cohesion are distinct if complementary principles. According to a representative of a civil-society organization, the government's Migramóvil communication strategy has not built trust among the country's immigrant population, and there have reportedly been cases in central San José, Cartago, and Los Santos of first the Migramóvil visiting, then the migration police.¹²⁶ This has led some communities to distrust of the Migramóvil. And even without these cases, the fact that this strategy is operated by the DGME is probably enough to spark fear among the irregular immigrant population, given that the Professional Migration Police is also part of the DGME.¹²⁷ It could be useful for the Migramóvil, or similar future initiatives, to be affiliated with another institution (one not also responsible for immigration enforcement) or for the government to partner with civil-society organizations to have the latter deliver such efforts as they often have relationships of trust in the communities they work with.

Health

The CCSS is one of the fundamental and unique elements of the Costa Rican institutional landscape, and it is governed by principles of universalism and solidarity. The CCSS has three levels of care.¹²⁸ The first level is the Basic Comprehensive Health Care Teams (Equipos Básicos de Atención Integral en Salud, or EBAIS). To date, there are more than a thousand EBAIS across the country. The second level includes peripheral clinics and regional hospitals, and the third is national hospitals. Given that contributing to the CCSS is a prerequisite for any legal status, all regular immigrants should have access to state health care and its three levels of care.

124 Cortés Ramos and Fernández Calderón, "¿Cobertura universal?" 272.

125 Author interview with a representative of Asociación SOS Nicaragua DD. HH., S.A., November 12, 2020; author interview with a high-level official of the Ministry of Labor and Social Security, December 16, 2020.

126 Author interview with a representative of the Labor Rights Center, December 11, 2020.

127 Costa Rican Legislative Assembly, *Ley General de Migración y Extranjería*, Article 15.

128 Cortés Ramos and Fernández Calderón, "¿Cobertura universal?" 268.

Nonetheless, this principle of universalism does not extend to the vast majority of Costa Rica's immigrants, given the country's high irregularity rates. And like irregular immigrants, applicants for refugee status are not legally entitled to health care and need to have insurance through the CCSS to access services.¹²⁹ These two populations, however, can get emergency and prenatal care.¹³⁰ Other exceptions are immigrant minors, who through the Code of Childhood and Adolescence have the right to care regardless of their immigration status.¹³¹ On top of these restrictions, research has shown that significant legal, institutional, and practical barriers can prevent migrants from accessing health care, even where they have a right to do so.¹³²

This principle of universalism does not extend to the vast majority of Costa Rica's immigrants, given the country's high irregularity rates.

Accessibility

The current legal framework is not particularly inclusive of the foreign population when it comes to health. When the *General Migration and Foreigners Act* came into effect in 2010, this hindered noncitizens' access to health care.¹³³ Legal regulations on migration state that one of the basic prerequisites for applying for all legal immigration statuses is being insured through the CCSS.¹³⁴ Additionally, migrants with a special status must show their uninterrupted contributions to the CCSS in order to renew their residence in the country.¹³⁵ This means that access to health care is intrinsically linked to the formal labor market, as holding a formal job is necessary to access the CCSS.¹³⁶ And since a significant portion of the immigrant population works in the informal sector, they cannot cross this institutional filter to access care.¹³⁷

Also, two years after the law came into effect, the CCSS began requiring that foreign nationals who wished to be insured show their valid residence permit or prove that their regularization had been approved.¹³⁸ This created conflicting regulations: while the CCSS asked for proof of regularization for insurance, the DGME asked for proof of insurance for regularization. This predicament was officially solved when the Constitutional Court ordered the DGME to provide provisional residence documents to migrants in order to enable them to get insured. In practice, this pair of interconnected prerequisites continues to limit access to health care since many migrants are not informed of their right to this provisional document.¹³⁹ According

129 IACHR and OAS, *Migración forzada de personas nicaragüenses a Costa Rica*.

130 Andrew Selee and Jessica Bolter, *An Uneven Welcome: Latin American and Caribbean Responses to Venezuelan and Nicaraguan Migration* (Washington, DC: MPI, 2020), 41–42.

131 Costa Rican Legislative Assembly, "Código de la Niñez y la Adolescencia," Article 41.

132 Selee and Bolter, *An Uneven Welcome*, 42.

133 Cortés Ramos and Fernández Calderón, "¿Cobertura universal?" 269; Costa Rican Minister of the Presidency, Minister of National Planning and Economic Policy, Minister of Labor and Social Security, Minister of Public Security, Minister of Government and Police, and the Minister of Foreign Affairs and Worship, "Sobre la atención integral del fenómeno migratorio en el país" (Directive No. 010-MP-MIDEPLAN-MTSS-MSP-MGP-MRREE, December 6, 2018).

134 Costa Rican Legislative Assembly, *Ley General de Migración y Extranjería*, Article 7.

135 *Reglamento de Extranjería* (2009): Article 31.

136 Author interview with a representative of the Costa Rican Social Security Fund, December 15, 2020.

137 Koen Voorend, "¿Universal o Excluyente? Derechos sociales y control migratorio interno en Costa Rica" (Working Paper Series No. 32, Red de Posgrados, CLACSO, Buenos Aires, 2013).

138 Cortés Ramos and Fernández Calderón, "¿Cobertura universal?" 270.

139 Cortés Ramos and Fernández Calderón, "¿Cobertura universal?" 268.

to 2011 census data, while 13 percent of Costa Ricans were not insured, 35 percent of Nicaraguans in the country were not insured.¹⁴⁰

These institutional barriers extend to the population under international protection, and this vulnerable group does not have access to state-funded medical services.¹⁴¹ The Inter-American Court of Human Rights reported that in 2019, out of 152 Nicaraguan applicants for refugee protection surveyed, 42 percent expressed a need for medical services but only 10 percent could access those services.¹⁴²

Economic barriers also prevent some immigrants from accessing care. A “voluntary insurance” officially exists under the CCSS that informal workers can access. That said, the monthly cost of this insurance is high relative to most such workers’ salary, making paying for this insurance an unsustainable option for many.¹⁴³ These legal and economic barriers produce a disparity in access to health services between nationals and foreigners. According to data from the Organization for Economic Cooperation and Development, while 69 percent of the Costa Rican population visits health centers, a smaller share of the migrant population (54 percent) accesses these services.¹⁴⁴

Coordination

Despite efforts to address the CCSS’s significant financial and capacity issues, the institution has not yet fully recovered. To bridge the gaps, the Costa Rican state has sometimes looked to coordinate with other actors. This is one of the reasons the government has sought external financing to cover health care for humanitarian migrants. In December 2019, President Carlos Alvarado secured an agreement between UNHCR and the CCSS to insure 6,000 applicants for refugee status for a one-year period.¹⁴⁵ In early 2021, the Costa Rican government signed a new agreement with UNHCR to provide medical insurance to 10,000 people who had applied for or received refugee status.¹⁴⁶ This agreement will expand the coverage given to the first 6,000 people and extend it to 4,000 more in 2021. However, even though this is a significant step, the protection-seeking population is nearly 100,000 people, which means that 90 percent is still uninsured and without access to health care.¹⁴⁷

Examples of coordination can be seen in other settings as well. The existence of collaborative bonds between the DGME and the CCSS is evident, given the CCSS’s presence in the DGME-run CATEMs for migrants in transit.¹⁴⁸ The DGME also has a contract with the Red Cross to provide health services in these CATEMs.¹⁴⁹

140 Mora Román and Guzmán, “Aspectos de la migración nicaragüense,” 29.

141 IACHR and OAS, *Migración forzada de personas nicaragüenses a Costa Rica*, 145.

142 IACHR and OAS, *Migración forzada de personas nicaragüenses a Costa Rica*.

143 Voorend, “¿Universal o Excluyente?” 16.

144 OAS, *Costa Rica: caracterización y análisis de las políticas en materia de migración internacional y refugiados*, 76.

145 United Nations High Commissioner for Refugees, “6.000 solicitantes de la condición de refugiado serán inscritos en el sistema de salud pública en Costa Rica” (press release, December 16, 2019).

146 United Nations High Commissioner for Refugees, “Costa Rica y ACNUR extienden seguro médico a 10.000 refugiados y solicitantes de la condición de refugiado” (press release, February 11, 2021).

147 Author interview with a representative of Asociación SOS Nicaragua DD. HH., S.A., November 12, 2020.

148 IOM, *Costa Rica 2019 Perfil de Gobernanza sobre Migración* (Geneva: IOM, 2019), 16.

149 IOM, *Costa Rica 2019*, 16.

Outreach and Communication

The authors' analysis identified important areas for improvement in communication on matters of health. Since June 2018, a directive has been in effect¹⁵⁰ that establishes that when foreign nationals without the financial means to receive care from an EBAIS access services, an invoice will be issued in their name but it will ultimately be paid by the state.¹⁵¹ According to civil-society organizations who work directly with immigrants, whether this policy is implemented depends on whether the health official involved knows and understands this directive. On some occasions, when officials are unaware of the regulation migrants have reportedly had to assume the cost regardless of their ability to pay. In other cases, public servants are guided by the Fund Regulations (Reglamento de la Caja) and issue the invoice to the DGME, which assumes the cost by taking resources from the Migration Social Fund.¹⁵²

Similarly, in 2019, the CCSS released a memo dictating that people seeking or granted refugee status must show a passport, identification card, or document issued by the DGME to receive services at an EBAIS. However, because of an intra-agency communication failure, some CCSS public servants were unaware that the card issued to refugee status applicants is a legitimate identity document. Thus, public servants' lack of knowledge of migration-related aspects of the regulatory framework and of key directives can translate to a denial of services.¹⁵³ In fact, instances have been documented in which it is the immigrant who informs the public servant about the directive that should grant them access to care.

Finally, there are no clear, efficient communication channels between the government and the immigrant population for sharing health-related information. According to civil-society organizations, the DGME and CCSS sometimes release directives and memos that contradict one another or that do not make clear how they connect to one another, and the language used can sometimes be confusing to nonexperts. As in other sectors where government outreach is limited, nongovernmental organizations play an important role in disseminating information about immigrants' rights and options for accessing health services.¹⁵⁴

Social Cohesion

Attitudinal barriers that hinder immigrant integration are prevalent in the public-health arena. In the local population's collective imaginary, immigrants (and especially Nicaraguans) overuse the country's social services, particularly those provided by the CCSS.¹⁵⁵ This perception does not match statistical reality: In 2002, the immigrant share of people using CCSS services (4 percent to 6.3 percent) was smaller than the migrant share of the country's population at the time (7 percent), suggesting immigrants are less likely than the native born to use CCSS services.¹⁵⁶ More broadly, CCSS data show that Nicaraguan migrants generally do not exceed 6 percent of service users, slightly less than their share of the population in 2017.¹⁵⁷

150 Cortés Ramos and Fernández Calderón, "¿Cobertura universal?" 272.

151 Cortés Ramos and Fernández Calderón, "¿Cobertura universal?" 272.

152 Cortés Ramos and Fernández Calderón, "¿Cobertura universal?" 272.

153 Cortés Ramos and Fernández Calderón, "¿Cobertura universal?" 276.

154 Cortés Ramos and Fernández Calderón, "¿Cobertura universal?" 276.

155 Voorend, "¿Universal o Excluyente?" 6.

156 Voorend, "¿Universal o Excluyente?" 14.

157 Voorend, "El mito del imán de bienestar."

The CCSS's fiscal crisis of 2011, from which it has not yet recovered, has only heightened the hostility many Costa Ricans hold towards Nicaraguan immigrants and their potential use of health services.¹⁵⁸ As discussed in Section 2, this phenomenon has existed since the 1980s, when the structural reforms that had a negative impact on the CCSS's quality and efficiency occurred during the same period as large-scale arrivals of Nicaraguans, leading many Costa Ricans to connect the two.¹⁵⁹ This common view has led some CCSS public servants to perceive access to health service by foreign nationals as illegitimate.¹⁶⁰ It is important to highlight these narratives, since they can become barriers to immigrant integration if public servants' prejudice limits immigrants' access to services to which they are entitled. In one qualitative study, for example, applicants for refugee status reported that the CCSS was the institution in which they faced the most discrimination and mistreatment.¹⁶¹

Employment

As noted previously, Costa Rica's legal framework indicates that labor migration should be governed by the principle of complementarity—that is, that migrant workers should complement rather than replace resident workers. As the entity in charge of issuing recommendations to the DGME about what the country's labor needs are, which sectors are experiencing a deficit of resident workers, and which occupations could benefit from foreign workers, the MTSS uses statistics published each year by the INEC's Continuous Employment Survey for the 2nd Quarter (Encuesta Continua de Empleo del INEC del II Trimestre) to determine the occupations in which unemployment surpasses 7 percent and to perform an analysis of national unemployment conditions.¹⁶² Additionally, the MTSS performs technical analyses by activity (e.g., sowing, harvesting, and packing) with the aim of determining the complementary labor needs of businesses during harvesting and production seasons in the agricultural sector.

Nicaraguan immigrants have historically worked primarily in sectors where jobs are low paid, with notable concentrations in agriculture, construction, domestic work, and trade.¹⁶³ By contrast, less than 5 percent of Nicaraguans work in the professional or technical-professional sectors, whereas 24 percent of their Costa Rican counterparts hold such jobs.¹⁶⁴ In 2016, it was reported that the Nicaraguan immigrant population's labor market participation and occupation rates had surpassed those of the national population and of migrants of other nationalities.¹⁶⁵ A key challenge for this

A key challenge for this population is thus not whether they can access work but whether they are able to access good-quality employment and the formal labor market.

158 Voorend, "¿Universal o Excluyente?" 6.

159 Voorend, "¿Universal o Excluyente?" 14.

160 Voorend, "¿Universal o Excluyente?" 14.

161 Cortés Ramos and Fernández Calderón, "¿Cobertura universal?" 280.

162 Author interview with a high-level representative of the Ministry of Labor and Social Security, December 16, 2020.

163 Mora Román and Guzmán, "Aspectos de la migración nicaragüense," 15.

164 Mora Román and Guzmán, "Aspectos de la migración nicaragüense," 16.

165 In 2016, the labor market participation rate for Nicaraguans was 73 percent while it averaged 59 percent for Costa Ricans and 61 percent for immigrants from other nationalities. See Mora Román and Guzmán, "Aspectos de la migración nicaragüense," 14.

population is thus not whether they can access work but whether they are able to access good-quality employment and the formal labor market.

The demographic and skills profile of immigrants of other nationalities, particularly Venezuelans, makes their labor market integration prospects significantly different. According to the Organization of American States, as of 2020, 72 percent of the Venezuelan population in Costa Rica had a higher education.¹⁶⁶ In addition, 85 percent were living in San José, which indicates that they do not work in the agricultural sector, as many Nicaraguans do. Therefore, any assessment of how to improve the labor market integration of the country's immigrant population should take into account the differentiated characteristics and needs of each group.

By law, people granted refugee status or with a pending application have the right to work and take up any lawful economic activity, but they are subject to the same membership requirements to professional associations as nationals are.¹⁶⁷ For instance, in the health sector, the *Organic Law of the Association of Doctors* stipulates that the association's executive board is the only body authorized to allow the temporary hiring of foreign doctors in the country.¹⁶⁸ In practice, however, there are also numerous barriers that limit refugee status holders' and applicants' access to unchartered professions in the formal employment sector.¹⁶⁹

Accessibility

In labor matters, there are important institutional barriers that can hinder immigrant integration. The responsibilities granted to the MTSS mean that, along with the DGME and CCSS, it is one of the most important institutions for migration management and integration in the country.¹⁷⁰ Officially and in practice, the legal framework places the responsibility for migration control, protection, and social integration on institutions such as the MTSS, even though migration management is not their primary mandate.

At present, the MTSS does not have the capacity to carry out frequent or rigorous studies.¹⁷¹ For example, in 2014, deficits in the transportation sector were evaluated using data from 2008. The result was a quota of permits for foreign bus drivers that was insufficient to meet demand.¹⁷² According to the International Organization for Migration (IOM), the ministries theoretically involved in the assessment of the labor market and migration do not, in practice, evaluate which vacancies exist that can be filled by foreign workers.¹⁷³

As to immigrant professionals and those under international protection, barriers to entering the labor market include restrictions on which jobs migrants and refugees can formally hold and the absence of an effective mechanism for recognizing foreign-earned degrees and other credentials. The Costa Rican legal and institutional framework is simply not prepared for this kind of migration. With the latest influx of

166 OAS, *Situación de los migrantes y refugiados venezolanos en Costa Rica*.

167 Petra Petry and Carlos Salas L, *Estudio sobre el mercado laboral para personas refugiadas y solicitantes de refugio en el Valle Central (San José, Alajuela, Heredia y Cartago), Upala y Los Chiles, Costa Rica* (Silver Spring, MD: Hebrew Immigrant Aid Society, 2020).

168 Costa Rican Legislative Assembly, *Ley Orgánica del Colegio de Médicos y Cirujanos*, No.3019 (1962).

169 IACHR and OAS, *Migración forzada de personas nicaragüenses a Costa Rica*.

170 Mora Román and Guzmán, "Aspectos de la migración nicaragüense," 26.

171 Sojo-Lara, "Business as Usual?"

172 Sojo-Lara, "Business as Usual?"

173 IOM, *Costa Rica 2019*, 15.

Nicaraguans and the arrival of large numbers of Venezuelans, many of these immigrants have come with a socioeconomic profile that is different from previous migrant cohorts, including high levels of educational attainment.

This has raised new integration questions that were not previously on the discussion table. Considering the conditions under which humanitarian migrants leave their countries, it is difficult for many to get their degrees or professional titles authenticated. In the case of Nicaraguans, the state erased the university records of students who participated in protests, and it has been unwilling to collaborate in recognizing degrees from state-run universities.¹⁷⁴ This makes validating academic degrees extremely difficult, and as a result can present a barrier to newcomers seeking jobs that require higher levels of education. As of 2019, the Inter-American Court of Human Rights reported that 76 percent of Nicaraguans who immigrated to Costa Rica in 2018 had not obtained formal employment and were in situations of financial vulnerability.¹⁷⁵

In addition, the barrier created by the requirement that applicants for refugee status, like the local population, be a member of a chartered professional association to work in certain professions is exacerbated by resistance within the country's professional associations to accepting immigrants as members.¹⁷⁶ The most visible case is that of Nicaraguan medical doctors who are seeking refugee protection, who have reportedly been unable to join the Association of Doctors. Foreign doctors need to pass the University of Costa Rica's medical exam to become chartered members and be able to practice medicine. The association oversees this labor insertion process and the DGME is uninvolved. Immigrants, thus, face particular challenges to working in the chartered professions. To support the labor market insertion of high-skilled immigrants and refugees in fields that require membership in professional associations, structural reforms would be necessary.¹⁷⁷

A final challenge to labor market access exists for newly arrived humanitarian migrants. Because they must wait 90 days after submitting a refugee status application before they can request a work permit, some representatives of civil-society organizations have raised concerns about the initial three-month period, during which time they may be left in an economically precarious situation.¹⁷⁸

Coordination

In terms of coordination, there is a need for more government efforts to improve the relationship among entities involved in immigrants' labor market integration. For example, the authority responsible for validating and certifying professional degrees is the National Learning Institute (Instituto Nacional de Aprendizaje, or INA), not the MTSS or the DGME. However, because all three entities are involved in the labor market

Improved communication channels and interoperability between systems could lead to better integration outcomes.

174 Carlos C. Nassar and Catalina Benavides, "El refugio nicaragüense en Costa Rica, 2018-2019: Desafíos de su integración" (Cuaderno de Ciencias Sociales 165, FLACSO Costa Rica, November 2019), 63–64; María Jesús Mora, "Upwardly Mobile Nicaraguans Faring with Stigma in Costa Rica," in *Inquiry: A Journal of Undergraduate Research* XXIV (2020), 54.

175 IACHR and OAS, *Migración forzada de personas nicaragüenses a Costa Rica*, 91.

176 Author interview with a high-level representative of the Ministry of Labor and Social Security, December 16, 2020.

177 Author interview with a high-level representative of the Ministry of Labor and Social Security, December 16, 2020.

178 Author interview with representative of Asociación SOS Nicaragua DD. HH., S.A., November 12, 2020.

insertion of foreign nationals, improved communication channels and interoperability between systems could lead to better integration outcomes. Similarly, coordination between the MTSS and the DGME could be improved.

Besides general technical studies, the MTSS is also responsible for technical analysis in individual cases, at the request of the DGME; the MTSS may be asked to provide information on an employer's status in terms of their responsibilities towards the state, or about the qualities and competencies a person would need to have to perform an indicated activity. However, once the MTSS issues the results of its analysis and makes its recommendations to DGME, the ministry no longer tracks how the case is moving forward; when people get in touch with the ministry to check on their case's progress, the MTSS reportedly often not have the capacity to answer.¹⁷⁹

In recent years, the MTSS has relied on international cooperation agencies to improve the foreign-born population's employability and access to the job market. Among the initiatives in this area is a collaboration with the IOM to improve institutional coordination and communication between the MTSS and the DGME. With this purpose, an overarching digitized data system is about to be launched that will facilitate coordination and communication between these bodies by providing electronic access to case information in real time.

Additionally, initiatives such a *Vivir la Integración* that are rooted in cooperation stand out positively. This particular initiative is the product of efforts by UNHCR and its partners, as well as the Costa Rican Ministry of Labor and Social Security, the DGME, the Entrepreneurial Alliance for Development (*Alianza Empresarial para el Desarrollo*, or AED), and the Costa Rican Chamber of Commerce. It entails three main activities: the Livelihood and Economic Inclusion program, activities for promoting employability for refugees (such as entrepreneurial meetings, fairs, and awareness-raising activities for businesses), and the creation of the *Vivir la Integración* seal that provides recognition to entities that maintain standards of inclusion for the population under international protection.¹⁸⁰

Outreach and Communication

As in other sectors, this study identified a need to solidify vertical communication channels between high-ranking government officials and public servants who implement migration and labor market policies, and intersectoral communication between the public and private sectors. Inadequate communication with the private sector, for example, may result in potential employers of applicants for refugee status not understanding this population's rights or failing to recognize their identification documents and work permits as valid. During the first year of the pandemic, the Refugee Unit stopped renewing protection applicants' identity cards and instead directed that expired IDs would have extended validity allowing their holders to work legally. In this context, UNHCR warned the MTSS that applicants for refugee status were facing difficulties getting jobs due to the pandemic-induced economic contraction, and expired identity cards were creating another layer of difficulty. This approach of extending rather than renewing cards created difficulties for labor market insertion as government officials did not complement it with

¹⁷⁹ Author interview with a high-level representative of the Ministry of Labor and Social Security, December 16, 2020.

¹⁸⁰ Author interview with a representative of the United Nations High Commissioner for Refugees in Costa Rica, January 27, 2021.

a communication outreach strategy to the private sector.¹⁸¹ On the one side, employers, afraid of being fined, may let go of employees whose identity cards expire and, on the other side, potential employers may hesitate to hire someone with an expired identity card.

In light of this revelation, internal memos were reportedly sent out in the National Directorate of Labor Inspection instructing inspectors not to fine employers who have employees on their payrolls with expired identity cards. Additionally, the MTSS in collaboration with UNHCR planned to disseminate information from this memo among the country's refugee population so they can exercise their rights.¹⁸² This initiative could be beneficial, since a lack of official information on topics such as these can create a gap between what jobs immigrants have access to according to the legal framework and in practice.¹⁸³

There are also other areas where internal vertical communication could be further improved. For a long time, the MTSS's Department of Labor Migration has not worked as closely with the reality of migration as would be expected.¹⁸⁴ In 2019, the International Labor Organization (ILO) held workshops for MTSS and Labor Migration officials, job inspectors, and those in charge of legal matters. One official described in an interview how, at the time, these actors were found to lack information regarding the MTSS's role in the migration policy arena and other more general areas. To correct this, the National Directorate of Labor Inspection started working with the ILO to develop an instrument and protocols for job inspection that are sensitive to migration matters and with a gendered lens that they are hoping will become a directive.¹⁸⁵

Social Cohesion

The various institutional and communications-based barriers discussed above are at times amplified by attitudinal barriers. In the Costa Rican collective imaginary, refugee status and violent characteristics are often linked.¹⁸⁶ In addition, some employers (e.g., in business and regulated fields) may doubt that refugees and applicants for refugee status have the work authorization or skills to be hired. Informational campaigns and other efforts, such as the Vivir la Integración seal, to counter people's prejudices could thus improve immigrants' labor market access.

Education

In terms of education, the national legal framework is governed in part by the political constitution, the Childhood and Adolescence Code (Código de la Niñez y Adolescencia), and the *Youth Law (Ley de la Persona Joven)*.¹⁸⁷ This legal framework states that an individual cannot be denied enrollment in primary and secondary school because of a lack of legal migration status or previous school transcripts.¹⁸⁸ In this sense, access to education is officially guaranteed for the immigrant population. Additionally, the government

181 Author interview with a high-level representative of the Ministry of Labor and Social Security, December 16, 2020.

182 Author interview with a high-level representative of the Ministry of Labor and Social Security, December 16, 2020.

183 Petry and Salas L, *Estudio sobre el mercado laboral*, 44.

184 Author interview with a high-level representative of the Ministry of Labor and Social Security, December 16, 2020.

185 Author interview with a high-level representative of the Ministry of Labor and Social Security, December 16, 2020.

186 Petry and Salas L, *Estudio sobre el mercado laboral*, 42.

187 Esteban Mata Fonseca, *Población Refugiada en el Sistema Educativo Costarricense* (San José: Ministry of Public Education, Department of Intercultural Education, Directorate of Curricular Development, 2018).

188 IOM, *Costa Rica 2019*, 9; Costa Rican President and Minister of Public Education, "Reglamento de matrícula y de traslados de los estudiantes" (Decree No. 40529-MEP, July 28, 2017), Article 5.

The government has taken steps to improve the foreign-born population's access to educational at all levels, but most robustly for primary and secondary schooling.

has taken steps to improve the foreign-born population's access to educational at all levels, but most robustly for primary and secondary schooling.¹⁸⁹ For example, this is one of the objectives of the Comprehensive Migration Policy for Costa Rica 2013–23 (Política Migratoria Integral para Costa Rica 2013–23), a document that lays out the government's migration policy priorities during that timeframe.

With regards to translating policy into practice, the Ministry of Public Education's efforts to integrate refugees, applicants for refugee status, and immigrants into the country's educational systems and ensure they enjoy their right to education stand out positively. In late 2018, in the context of the most recent period of large-scale Nicaraguan migration, the state issued a decree that outlines measures and guidelines on how the educational sector should handle placement tests, psychosocial care, and efforts to tackle dropout rates for foreign students.¹⁹⁰ Thanks to this decree, refugees, refugee status applicants, and migrants can submit sworn declarations in place of identity documents, should they lack them. Furthermore, it delineates the obligation of educational institutions to promote an intercultural education by fostering knowledge of foreign sociocultural backgrounds and roots.

The impacts of this generous regulatory framework and government efforts are reflected in empirical data. In 2019, out of 259 Nicaraguan applicants for refugee status interviewed, only 11 percent reported difficulties in accessing education.¹⁹¹ This suggests that the majority of displaced students in the country have been able to exercise their right to an education. However, the foreign-born population may face other barriers when seeking to access education, and those enrolled may experience challenges to completing their studies. These barriers take different shapes in basic and higher education.

Accessibility

The Costa Rican legal framework states that enrollment processes are set at the discretion of the academic institutions themselves.¹⁹² According to a representative of the Ministry of Public Education, this allows educational institutions to make individualized decisions that respect the particularities of each case.¹⁹³ The Department of Intercultural Education within that ministry dictates that in order to place foreign-born students, they must show proof of the last grade they passed. Refugees are, however, exempted from this requirement, and schools make an internal decision about the appropriate placement of students who cannot provide this sort of documentation, based in part on a placement test.¹⁹⁴

While this flexibility has some benefits, in practice the absence of a standardized way of enrolling newcomer students can result in differentiated decisions that disproportionately harm some migrant children.¹⁹⁵ For

189 IOM, *Costa Rica 2019*, 9.

190 Ministry of Public Education, "Directriz N° DM-45-08-2018-MEP" (August 22, 2018).

191 IACHR and OAS, *Migración forzada de personas nicaragüenses a Costa Rica*, 154.

192 Mata Fonseca, *Población Refugiada en el Sistema Educativo Costarricense*, 24.

193 Author interview with a representative of the Ministry of Public Education, January 8, 2021.

194 Mora Román and Guzmán, "Aspectos de la migración nicaragüense."

195 Mora, "Upwardly Mobile Nicaraguans," 54.

example, there are many unfavorable stereotypes within the national population about the intelligence and levels of education of Nicaraguans, and cases have been documented in which a school's governing body has wanted to hold back certain students because the level of education they acquired in Nicaragua is disputed.¹⁹⁶ By leaving enrollment decisions to school administrators whose actions may unconsciously be shaped by prevailing biases, this can limit migrant children's access to an appropriate education. In addition, there are reported cases of parents being asked to fulfill requirements that are not pertinent, such as that they present official documents with an apostille.¹⁹⁷ A study showed that the validation of school transcripts is an access barrier, and that migrant families have been asked to show bank, legal, and school documents.¹⁹⁸

It should also be noted that the government's valuable efforts to support immigrants' access to education, including the 2018 decree, have focused on basic education. Much more ambiguity remains in terms of integrating migrants and applicants for refugee status into higher education. For example, the 2018 decree simply urges universities to implement measures that improve Nicaraguans' access to higher education. Universities such as the Universidad de Costa Rica¹⁹⁹ and the Universidad Latinoamericana para la Ciencia y la Tecnología²⁰⁰ have taken steps to extend enrollment to university students applying for refugee status, but efforts such as these are decentralized and still scarce.

This relative scarcity of immigrant-focused initiatives in higher education is partially rooted in the stereotype of Central American migrants—especially Nicaraguans—as uneducated and, as a result, the view that these kinds of efforts are unnecessary. While it may have been true that previous cohorts of immigrants had relatively low levels of education,²⁰¹ those who have arrived in more recent years have had more diverse socioeconomic profiles and levels of education. There is therefore an increased need for integrating measures in higher education.

Compared to other foreign-born populations, applicants for refugee status face more significant institutional barriers in higher education. The Ministry of Public Education requires people with or seeking refugee status to present to the Directorate for Management and Evaluation of Quality (Dirección de Gestión y Evaluación de la Calidad) their original certificate stating they concluded secondary studies.²⁰² For Nicaraguans, this requirement is very difficult to comply with. Universities and state colleges in Nicaragua have blacklisted students who participated in protests and will not provide academic transcripts or proof of their former students' titles. As noted above, there have also been cases of such students' academic records

196 Mora, "Upwardly Mobile Nicaraguans," 54.

197 IACHR and OAS, *Migración forzada de personas nicaragüenses a Costa Rica*.

198 Mora Román and Guzmán, "Aspectos de la migración nicaragüense," 32.

199 Roy Barrantes, "#NoComaCuenta: UCR no le está dando becas totales a refugiados nicaragüenses," *La Nación*, August 10, 2018.

200 Nayira Valenzuela, "Ofrecen becas a universitarios nicas exiliados en Costa Rica," *Confidencial*, April 12, 2021.

201 According to the most recent census, from 2011, about 4 percent of Nicaraguan migrants had a tertiary education. A report by the Inter-American Development Bank puts the share slightly higher, at 6 percent. More recent arrivals have included considerably higher shares of university students and professionals, as discussed in Section 2.A. of this report. See Natalia Campos-Saborío et al., "Psychosocial and Sociocultural Characteristics of Nicaraguan and Costa Rican Students in the Context of Intercultural Education in Costa Rica," *Intercultural Education* 29, no. 4 (2018): 450–469; Mora Román and Guzmán, "Aspectos de la migración nicaragüense," 11.

202 Mata Fonseca, *Población Refugiada en el Sistema Educativo Costarricense*, 27.

being intentionally deleted.²⁰³ Refugees and applicants for refugee status coming from other countries can face similar difficulties to obtaining these types of documents. As a common issue in refugee-receiving countries, Costa Rica could analyze other countries' initiatives to broaden accessibility for this particularly vulnerable population.

Coordination

In an interview, a representative from the Costa Rican Ministry of Public Education acknowledged that having an irregular migration status can negatively affect a student's educational opportunities. For example, without regular status, a student may have fewer options to receive scholarships or incentives for continuing with their educational career if they will later find it difficult to access the formal labor market.²⁰⁴ In this context, the 2015–21 Childhood and Adolescence Agenda developed by the National Council of Childhood and Adolescence identified as an objective the drafting of a coordination protocol between the Ministry of Public Education and the DGME to regularize migrant children in public education.²⁰⁵ In January 2021, this protocol was approved, and it promises to allow migrant children to access more scholarships and degrees, which could reduce school dropout rates. Minors were to present their applications for regular status before April 30, 2021, and if approved, they would obtain a legal status under the special category of "students."²⁰⁶

Outreach and Communication

The regulatory framework for educational matters is governed by the principle of universality. However, in interviews with representatives from the Ministry of Public Education, it became clear that the lack of intra-institutional and interdepartmental communication poses challenges for the implementation of this framework and principle. Immigrants' access to education is limited when administrative and teaching staff do not have adequate information about how to incorporate them and their families into the educational system. Moreover, because of the amount of flexibility in enrollment, regulations may be applied differently over time and depending on the staff involved (and their particular views of and biases against the immigrant population). For this reason, it is important to raise awareness among school staff of appropriate procedures and to work to dismantle these biases.

In addition, there is considerable room to improve how the Ministry of Public Education's staff is counseled or trained on integrating foreign-born students into the country's education system. For example, a lack of knowledge prevails among administrative staff on different enrollment processes, which negatively affects immigrants' school registration.²⁰⁷ Additionally, it would be beneficial to create official communication and outreach channels between relevant actors, such as by creating an interdepartmental work group that includes the Department of Intercultural Education, the Department of Health and the Environment, the Comptrollership of Student Rights, and the Directorate of International Affairs and Cooperation.

203 Mora, "Upwardly Mobile Nicaraguans," 54.

204 Author interview with a representative of the Ministry of Public Education, January 12, 2021.

205 DGME, "N° DJUR-0019-01-2021-JM," *La Gaceta* (January 29, 2021).

206 DGME, "N° DJUR-0019-01-2021-JM."

207 Author interview with a representative of the Ministry of Public Education, January 8, 2021.

Social Cohesion

In 2003, the Ministry of Public Education established cross-cutting measures to provide migrant children with an intercultural education.²⁰⁸ Still, these students (particularly those from Nicaragua) have faced constant barriers, including discrimination and racism.²⁰⁹ Whereas 9 percent of Costa Rican students reported feeling rejected in the classroom, 57 percent of Nicaraguans reported that feeling in a study published in 2018.²¹⁰ The same study also showed that Nicaraguan students were 3.5 times more likely to have had suicidal thoughts and 2.9 times more likely to repeat an academic year. In this sense, government efforts to integrate immigrants into schools—looking beyond enrollment to the environment in classrooms—have been insufficient.

Costa Rican academic institutions' curricula tend to exclude or distort the participation of Nicaraguans in historical events that took place in Central America. According to a study, Costa Rican social studies textbooks and lessons, and schoolwide civic acts, only tell the Costa Rican side of war and liberation stories and exclude the Nicaraguan side. When the Nicaraguan side is not excluded, it is often linked to “oppressing forces” from which Costa Ricans fought hard to liberate themselves.²¹¹ This formalizes an “us vs. them” narrative that makes it hard for Nicaraguan immigrant children to feel proud of their identities. Studies have also noted that Nicaraguan children learn about general Nicaraguan undesirability in the classroom and that many hide their identities starting in elementary school.²¹²

Furthermore, several factors affect immigrant students' desire to continue their studies. In the same study from 2018, 18 percent of Nicaraguan students reported they did not want to continue studying, whereas only 9 percent of Costa Rican students reported feeling like this.²¹³ Another study from 2007–08 showed a widening enrollment gap as children got older: Among children ages 7 to 12, 83 percent of Nicaraguans and 96 percent of Costa Ricans attended school. This gap was wider in secondary school, where 47 percent of Nicaraguans and 69 percent of Costa Ricans attended.²¹⁴ According to a representative from a civil-society organization, besides bullying and discrimination, higher dropout rates among immigrant children are also frequently related to the fact that some have no school supplies or that they have to help their families economically by working.²¹⁵

4 Conclusions and Recommendations

The migration dynamics Costa Rica is experiencing demand a renewed approach to immigrant integration—one that encompasses the many policy areas shaping migrant inclusion and that takes into consideration the diversity within the country's immigrant population. While many of those who are

208 Campos-Saborío et al., “Psychosocial and Sociocultural Characteristics,” 450–469.

209 Steven Locke and Carlos Ovando, “Nicaraguans and the Educational Glass Ceiling in Costa Rica: The Stranger in Our Midst,” *Power and Education* 4, no. 2 (2012): 127–138.

210 Campos-Saborío et al., “Psychosocial and Sociocultural Characteristics,” 450–469.

211 Ana Solano-Campos, “The Nicaraguan Diaspora in Costa Rica: Schools and the Disruption of Transnational Social Fields,” *Anthropology and Education Quarterly* 50, no. 1, 48–65.

212 Mora, “Upwardly Mobile Nicaraguans,” 54.

213 Campos-Saborío et al., “Psychosocial and Sociocultural Characteristics,” 450–469.

214 Laura Paniagua Arguedas, “Más allá de las fronteras: Accesibilidad de niños, niñas y adolescentes nicaragüenses a la educación primaria en Costa Rica,” *Anuario de Estudios Centroamericanos, Universidad de Costa Rica* 33-34 (2007–08).

215 Author interview with a representative of the Labor Rights Center, December 11, 2020.

arriving in this third migration period have left their countries because of sociopolitical crises, this is a mixed migration composed of migrants and refugees from several countries and with diverse profiles. At the same time, the country is a destination for economic migrants in various sectors, businesspeople, and retirees. Newcomers during this period also arrive with a range of intentions: Some of them are in transit, others view Costa Rica as a permanent or semi-permanent destination, and still others engage in circular migration, particularly in provinces along the country's borders with Nicaragua and Panama. Adding to the complexity of supporting these many groups' integration into Costa Rican society are a fiscal crisis and the COVID-19 pandemic, which represent barriers for migrants and refugees as well as for the Costa Rican institutional apparatus that aims to support them.

Yet, this mixed migration holds opportunities as well as challenges. With more newcomers arriving with higher levels of education and professional experience than past migrant and refugee cohorts, Costa Rica stands to benefit from this influx of human capital—if these immigrants' credentials can be recognized and they can find jobs that make full use of their skills and experience. This new migration reality calls for rethinking some aspects of the current legal framework. The policy recommendations that follow highlight ways to update the Costa Rican legal framework and its implementation. Building on the findings of this study, they focus on immigrants' registration and regularization and their access health care, employment, and education.

With more newcomers arriving with higher levels of education and professional experience than past migrant and refugee cohorts, Costa Rica stands to benefit from this influx of human capital.

A. *Registration and Regularization*

Financial barriers appear to be a major factor that impedes the efficient and accessible implementation of policies to grant regular status to immigrants and refugees. In particular, stretched finances have contributed to technical and technological limitations and insufficient human resources to meet the demands the migration system is experiencing. Another factor that contributes to the system's capacity challenges is the fact that, in practice, the international protection system is the only mechanism that migrants can count on to gain permission to remain in the country regularly. To address this challenge and alleviate pressures on the refugee protection system, Costa Rican policymakers could consider creating new durable regularization mechanisms; these should come with requirements that are accessible to the target population and be accompanied by strong outreach and communication to ensure potential applicants understand the process.

The overburdening of the international protection system has also led Costa Rica to rely heavily on coordination with international cooperation organizations such as UNHCR. While invaluable in handling large-scale arrivals of humanitarian and other vulnerable migrants, this has also meant that the country has not strengthened its own institutional capacity to deal with such migration. The international community could rethink how it works with the Costa Rican authorities and bodies, helping its institutions grow in ways that allow for more efficient and agile registration and regularization processes, for example by making use of advanced information systems.

Robust training processes for public servants on how to efficiently implement registration and regularization procedures, all while respecting migrants' rights, are needed to more fully implement laws in this area. To create such learning opportunities, the government should design tools and compile good practices that can be leveraged now and built upon in the future. This training process must begin with a comprehensive introduction for new public servants and periodic refresher courses for existing staff to help them stay informed about changes to the country's institutional and legal framework.

Stronger communication and outreach to immigrant populations would also be beneficial and help improve social cohesion. For migrants, this includes sharing information about how to take up registration and regularization opportunities and measuring the impact of these communication campaigns. To improve the uptake of regularization measures and build trust between migrant communities and the authorities involved, it is recommended that these processes take place in safe spaces where immigrants are less likely to view state institutions as security entities and instead as an ally that can facilitate their socioeconomic integration.

B. Health

The accessibility of health care, long an important aspect of integration, has become even more so since the onset of the COVID-19 pandemic. To both support the health of individual immigrants and pursue broader public-health goals, it will be important to adapt the legal framework so that the migrant population—the majority of which works in the informal sector—can meet and maintain the requirements to contribute to and hold insurance through the CCSS. Improved coordination between entities (notably, the CCSS and the DGME) is also needed to ensure that the requirements of different bodies do not contradict each other and result in limited access to health care.

Better interinstitutional coordination could improve communication channels between the different entities involved in implementing migration and health-care initiatives (both national and subnational, governmental and nongovernmental actors). There is also a need for communication campaigns that gather and disseminate information to the immigrant population in formats that make it easy to access and understand. According to expert interviews, this has been considered on numerous occasions, but such campaigns have not been efficiently implemented, which means that in practice there is no consolidated information for immigrants on what care they are entitled to under law and how to access it.

C. Employment

In matters of labor, there is a need to improve coordination mechanisms among institutions and with private-sector actors. This is particularly important between government agencies that share or shift responsibilities for migration management (such as the DGME and the MTSS) as a lack of coordination can limit their capacity to effectively implement work insertion programs.

In order to more fully and accurately implement the principle of complementarity between native- and foreign-born labor, as envisioned in Costa Rica's legal framework, updated sectorial studies should be carried out. These are essential tools for bringing the realities of labor demand and supply closer together,

and for identifying the occupations and sectors that would most benefit from the presence of immigrant workers. This would also help identify migrants' valuable skills and foster their effective integration into the labor market and local economies, including pathways to better-paid jobs. To enable receiving communities to make the most of the education and skills immigrants (and particularly those who have arrived in recent years) are bringing with them, Costa Rica must create agile, transparent means by which migrants can validate professional and technical degrees from their countries of origin. Some countries in Latin America have taken a creative approach by offering recognition processes through provincial universities, which has encouraged immigrant professionals to leave capital cities and settle in other provinces where their abilities are in high demand. Creating accelerated degree-validation pathways for applicants who wish to settle in an area of the country where their abilities are needed could also help fill gaps in the labor market.

Improved communication and outreach mechanisms would also help reduce barriers that limit the employability of immigrants and refugees. In many cases, barriers result from a lack of understanding on the part of employers and employees about the rights of migrant and refugee workers. Although there have been advances in addressing knowledge gaps, further effort is needed to disseminate such information widely. This communication strategy should be accompanied by tools to counteract other problems observed in conjunction with immigrant employment, such as employer discrimination and exploitation of workers.

D. Education

Costa Rica has made the valuable decision to offer primary and secondary education to all students regardless of their migration status, but to ensure that immigrant students can exercise this right there is a need for clear, accessible enrollment practices and ongoing support. Such measures are critical to prevent a generation of young people from growing up without an education and to help the country take advantage of the human capital potential of this population, since many immigrant children will grow up in the country and later join its labor force. Given the flexibility to set their own enrollment procedures, some schools require children and their families to furnish documents that can be difficult to obtain, particularly for people seeking or granted refugee status—something that can prevent some parents from registering their children in schools. It would be valuable to create general guidelines to schools on good practices for the enrollment of foreign-born children and to encourage greater flexibility in documentation requirements, where families have trouble meeting them.

In matters of social cohesion and communication, there is an urgent need to work with schools on policies, procedures, and study plans that facilitate the integration of migrant children, who may face challenges when adapting to a new school and need additional support. Academia and other nongovernmental actors could collaborate with the Costa Rican government to build a curriculum that teaches about the history of immigration to the country and topics related to the countries from which large numbers of immigrants come as a way to foster greater mutual understanding within the general population.

Finally, thought should be given to how to improve immigrants' access to university, particularly as larger shares of newcomers in recent years have arrived with higher levels of education. Currently, higher education can be out of reach for immigrants and refugees who cannot furnish the required documents.

Bringing greater flexibility into this system could help mitigate the risk of wasting the skills and knowledge of immigrants aspiring to professional and technical careers.

E. Looking Ahead

In all of the sectors analyzed, state institutions have found it difficult to balance their obligations to guarantee migrants' rights with the need to manage challenges also facing the local population. There is no doubt that the arrival of thousands of migrants and refugees within a short period in recent years has challenged Costa Rica and its citizens. The global economic contraction produced by the COVID-19 crisis has added to the challenges of receiving and integrating newcomers into Costa Rica's institutions and labor market.

But this migration can also be an opportunity for the country, as shown by World Bank predictions about future of economic growth fueled in part by immigration expanding the country's labor market.²¹⁶ Costa Rica must stay focused on the long-term benefits that migration can bring, even while public services work to overcome the challenges inherent to the sudden arrival of so many people. Public policymakers can help orient the public debate on migration by highlighting its potential long-term benefits and designing policies to help reach them, but they must also recognize the real tensions and challenges involved in effective migration and integration management, lest their communications come across as disingenuous or out of touch with the current migration reality. In crafting both policies and messaging around them, it will be important to avoid fanning the flames of xenophobia by appearing to give immigrants special treatment or opportunities that are not available to the native population. If done well, improvements to how Costa Rica supports immigrant integration will make it easier for the country's institutions to balance their competing obligations and strengthen society as a whole.

Costa Rica must stay focused on the long-term benefits that migration can bring, even while public services work to overcome the challenges inherent to the sudden arrival of so many people.

²¹⁶ World Bank, *Moving for Prosperity: Global Migration and Labor Markets* (Washington, DC: World Bank, 2018).

Appendices

Appendix A. Systematization and Analysis of Information

This study gathered qualitative information about the state of migration policy in Costa Rica through interviews with governmental and nongovernmental stakeholders as well as through a review of the relevant literature. This appendix explains how this information was synthesized and analyzed.

Methodology

This study's methodology involves information collected through semi-structured interviews and a review of relevant literature that, once compiled into an index, makes it possible to identify areas where policy or its implementation is falling short, where there are bottlenecks and opportunities for improvement, and where good practices can be found.

The first step in developing this methodology was to determine which dimensions should be used to examine the state of Costa Rican migration policy: accessibility, coordination, outreach and communication, and social cohesion. With these high-level indicators defined, the next step was to define variables that could concretely measure each of the dimensions. Based on interviews and the literature review, scores were assigned to each variable across a set of four areas of integration: regularization and registration, health, employment, and education. From there, a set of four compound indicators or subindexes were calculated for each dimension by calculating the mean score for each area of integration. The final step was to synthesize these subindexes across all four dimensions into four total indexes, one for each area of integration. Table A-1 visualizes the structure of the index.

TABLE A-1
Structure of the Study Index

Dimensions	Variables	Subindexes	Index
Accessibility	Variable 1	Accessibility Index $IA = f(\text{var1}, \text{var2}, \dots, \text{var5})$	
	Variable 2		
	Variable 3		
	Variable 4		
	Variable 5		
Coordination	Variable 1	Coordination Index $IC = f(\text{var1}, \text{var2}, \dots, \text{var5})$	Index of Integration
	Variable 2		
	Variable 3		
	Variable 4		
	Variable 5		
Outreach and Communication	Variable 1	Outreach and Communication Index $IDC = f(\text{var1}, \text{var2}, \dots, \text{var5})$	$IDE = f(IA, IC, IDC, ICS)$
	Variable 2		
	Variable 3		
	Variable 4		
	Variable 5		
Social Cohesion	Variable 1	Social Cohesion Index $ICS = f(\text{var1}, \text{var2}, \dots, \text{var5})$	
	Variable 2		
	Variable 3		
	Variable 4		
	Variable 5		

The following steps were used to construct the index:

- 1 Standardization.** In order to synthesize all of the information gathered during the interviews and literature review into a single measurement, standardization procedures were chosen: rescaling and interval definition. This way, all the variables that form part of the index were expressed as a number between 0 and 1, where 0 means there is an absence of a positive aspect or an excess of a negative one (e.g., an identified obstacle) and 1 means that the law has been fully implemented or that there is an absence of obstacles to the law's implementation. Considering the scores were calculated from a qualitative, nonrepresentative sample, they were divided into five intervals and assigned qualitative labels. The interval endpoints were calculated by adding and subtracting standard deviation units from the mean of all scores until reaching the minimum and maximum score values (see Table A-2).

TABLE A-2
Scoring Used in the Creation of the Index

Score	Description
0.00–0.14999	The extent to which a variable in a given dimension promotes integration is low , meaning aspects that favor integration are entirely absent, there is an excess of aspects inhibiting integration, or some need is not being met.
0.15–0.34999	The extent to which a variable in a given dimension promotes integration is medium low , meaning aspects that favor integration are nearly absent or needs are only slightly met.
0.35–0.54999	The extent to which a variable in a given dimension promotes integration is medium , meaning aspects that favor integration are somewhat present or needs are partially met.
0.55–0.7499	The extent to which a variable in a given dimension promotes integration is medium high , meaning aspects that favor integration are partially present or needs are being almost completely met.
0.75–1.00	The extent to which a variable in a given dimension promotes integration is high , meaning aspects that favor integration are present or needs are being completely met.

Note: These are exclusive class intervals.

- 2 **Weighting.** For simplicity, the researchers granted all variables that compose this index an equal weight.
- 3 **Aggregation.** The final step was to aggregate the standardized and weighted variables and dimensions. For simplicity, the arithmetic mean was used. This method allowed for two types of aggregations to be made:
 - Calculating the simple average of the variables analyzed for each dimension. This creates a dimensional index for each area of migration policy; for example, the accessibility index for health.
 - Calculating the simple average using all dimensions of analysis for each area of migration policy; for example, the overall index for health.

Sample Calculation: Accessibility Index

The following is an example of how calculations were done using the study methodology. It looks at the accessibility index and the overall index for health.

The criteria for accessibility are considered met if in a given policy area (in this case, health): (1) there is an institutional framework; (2) there are pathways and protocols with internal procedures to facilitate the implementation of the relevant measures to serve the migrant population; (3) there are no entry barriers; and (4) strategies have been designed to eliminate, overcome, or counteract obstacles or barriers that could hinder migrants' access to these resources (physical, financial, or related to government officials' training).

A subindex is created for each of these elements of accessibility, starting from the selection of variables that measure the different elements. Appendix B shows the variables included for each of the elements of accessibility (as well as the other dimensions). The next step is to calculate the value for each of the variables. This is done by giving numerical values to the information found in the literature review and the interviews.

Once the values of the variables are calculated, the next step is to calculate the overall value for each dimension within a policy area (i.e., an accessibility score for health). As stated before, the aggregation of variables is done through the arithmetic mean. For example, the dimension of accessibility for the health sector is obtained from the following calculation using the values of the dimension's constituent variables.

Accessibility score for health =

$$\frac{1.00 + 0.50 + 0.25 + 0.25 + 0.25 + 0.25 + 0.50 + 0.25 + 0.25 + 0.25 + 0.25 + 0.25 + 0.00 + 0.25 + 0.25 + 0.25 + 0.25 + 0.25 + 0.25}{19} = 0.29$$

The final step is to calculate an overall index score for health, which again is the simple average of the values of the dimensions (accessibility, outreach and communication, coordination, and social cohesion), as can be seen in the following calculation:

$$\text{Overall index score for health} = \frac{0.29 + 0.63 + 0.25 + 0.38}{4} = 0.43$$

Since the index runs from 0 and 1, this score of 0.43 falls in the medium high range. This indicates that needs are being partially met.

Appendix B. Results of the Analysis

Table A–3 shows a breakdown of the values assigned to the information gathered through the interviews and literature review.

TABLE A–3
A Breakdown of Values Used to Compile the Integration Index

Dimension	Variable	Registration, Regularization	Health	Employment	Education
Accessibility	Institutional framework	1.00 + 1.00 + 0.25 + 0.50 + 0.25 + 0.50 + 0.75	1.00 + 0.50 + 0.25 + 0.25 + 0.25(Lit)	1.00 + 0.25 + 0.25 + 0.25 + 0.25 + 0.50(Lit)	1.00 + 1.00 + 1.00
	Legal pathways	1.00 + 0.50 + 0.50 + 0.00 + 0.25 + 0.75	0.25 + 0.50 + 0.25	0.00 + 0.25 + 0.25 + 0.25 + 0.25	0.25 + 0.00 + 0.25
	Entrance barriers	0.25 + 0.25 + 0.00 + 0.00	0.25 + 0.25(Lit)	0.25 + 0.25 + 0.25 + 0.50 + 0.50 + 0.25 + 0.25(Lit) + 0.25(Lit)	0.75 + 0.00 + 0.50 + 0.25 + 0.25(Lit)
	Financial barriers	0.25 + 0.25 + 0.00 + 0.00 + 0.25 + 0.25 + 0.25 + 0.25 + 0.50 + 0.25 + 0.25(Lit)	0.25 + 0.25 + 0.00 + 0.25	0.25 + 0.25 + 0.00 + 0.25 + 0.25(Lit)	0.25 + 0.00 + 0.25 + 0.25 + 0.25
	Attitudinal barriers	0.00 + 0.50 + 0.25 + 0.25	0.25 + 0.25 + 0.25 + 0.25(Lit)	0.25 + 0.25 + 0.25 + 0.25	0.25 + 0.50 + 0.25(Lit)
	Barriers in government officials' training	0.50 + 0.25	0.25	0.00	0.25 + 0.25 + 0.25
	Subtotal		0.35	0.29	0.24
Coordination	Between national entities	0.50 + 0.25 + 0.75 + 0.25 + 0.50 + 0.50	0.50(Lit)	0.25	0.75 + 0.50 + 0.25 + 0.50(Lit)
	Between national and provincial entities	0.50 + 0.50 + 0.50 + 0.25	N/A	0.00	N/A
	Between national government, NGOs, and international cooperation agencies	1.00 + 1.00 + 1.00 + 1.00 + 0.75 + 0.50 + 1.00	0.75 + 0.75	0.75 + 0.75	0.75 + 0.50
	Subtotal		0.6	0.63	0.38

TABLE A-3 (cont.)

A Breakdown of Values Used to Compile the Integration Index

Dimension	Variable	Registration, Regularization	Health	Employment	Education
Communication and Outreach	Strategies for outreach	0.50 + 0.25 + 0.50 + 0.25 + 0.25 + 0.50 + 0.25	0.25 + 0.25 + 0.25(Lit)	0.25 + 0.25 + 0.25 + 0.25 + 0.25(Lit)	0.25 + 0.25 + 0.25
	Barriers to outreach	0.25 + 0.25	0.25 + 0.25 + 0.25(Lit)	0.25 + 0.25 + 0.25 + 0.25 + 0.25(Lit)	0.25 + 0.25 + 0.25
	Differentiated approaches to disseminating information to different audiences	0.50	0.25 + 0.25 + 0.25(Lit)	0.25 + 0.25 + 0.25 + 0.25 + 0.25(Lit)	0.25 + 0.25 + 0.25
	Subtotal	0.43	0.25	0.25	0.25
Social Cohesion	Existence of strategies	0.50 + 0.25 + 0.50	0.50	N/A	0.25(Lit)
	Social obstacles	0.25 + 0.25 + 0.25	0.25 + 0.25 + 0.25(Lit)	0.00 + 0.25 + 0.25 + 0.25	0.25 + 0.25
	Attitudinal barriers	0.25	N/A	0.00	0.25(Lit)
	Subtotal	0.31	0.38	0.19	0.25
Total for Each Policy Sector		0.42	0.43	0.27	0.50

Notes: In this table, 0 is the minimum value and 1 is the maximum value. N/A indicates topics that were not sufficiently covered in interviews or the literature to produce a score, whether from lack of relevance to the sector or to limitations in existing research or interviewees' experience.

Source: Authors' analysis based on information collected through semi-structured interviews and a literature review.

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