

Chapter 2

Costa Rica's migration landscape

Economic growth and high living standards have attracted immigrants from countries in the region, making Costa Rica a net immigration country in a region characterised by emigration. Immigrants constitute 8.8% of the population, and an even higher share of the labour force. At the same time, emigration has also been on the rise since the 1990s, with about 130 000 Costa Ricans living abroad, mainly in the United States. This chapter paints a broad picture of the Costa Rican migration landscape, drawing from the literature, censuses and surveys. It gives a brief overview of the country's history of migration and current trends: its drivers, who the immigrants and emigrants are and where they have gone. Finally, it lays out the legal, policy and institutional framework relevant to migration.

Costa Rica is characterised by both immigration and emigration flows. Immigrants, mainly from neighbouring countries and particularly Nicaragua, constitute an important part of the population and workforce. Emigration from Costa Rica has also been on the rise since the late 1990s (OECD, 2016). It is estimated that more than 130 000 Costa Ricans live abroad, sending home over USD 500 million in remittances in 2015. While immigrants are mainly low-skilled, emigrants – particularly those leaving to the United States – are in general highly skilled (OECD, 2009).

Research on the migration phenomenon is relatively abundant in Costa Rica. However, there are significant knowledge gaps when it comes to the overall impact of migration, both immigration and emigration. The important role played by immigrants in the labour force has caused a shift in policy focus from border control and securitisation to human rights aspects, migration integration and development (Voorend, 2016).

This chapter explores some of these issues in Costa Rica, setting the scene for the chapters and analysis that follow. It outlines current trends in migration and reviews what the existing research tells us about the key issues linked to migration in the country. It also reviews the role of migration in national development policies, and outlines specific migration-related policies and the institutional framework for managing migration.

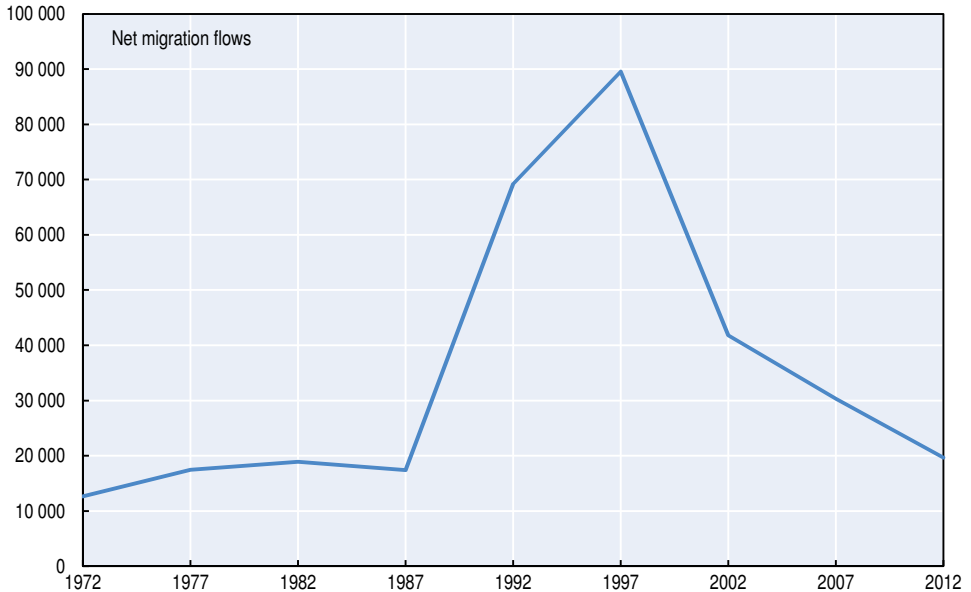
A brief overview of migration and remittance trends in Costa Rica

Due to its favourable economic development and political stability, Costa Rica has been attracting immigrants, particularly from neighbouring countries, for several decades. The country's relatively strong economic performance in the region has been an important pull factor for immigrants. In the 1980s and 1990s, political instability and safety concerns also pushed people from Nicaragua and Colombia to cross the border to Costa Rica. Improvements in Nicaragua's political situation following the end of the civil war dampened migration flows (Mazza and Sohnen, 2011), however Costa Rica still has the highest immigration rate in the region. In 2015, immigrants were estimated to constitute 8.8% of the population (UN DESA, 2015).

Despite being a net immigration country, Costa Rica also has significant emigration outflows, mainly to the United States. Figure 2.1 displays the net migration flows (immigrant flows minus emigrant flows) over time.

Figure 2.1. **Net migration flows peaked in the 1990s**

Net migration flows, 1972-2012



Note: Net migration flows is defined as the flow of immigrants minus the flow of emigrants.

Source: UN DESA (2015), *International Migration Stock: The 2015 Revision*, (database), www.un.org/en/development/desa/population/migration/data/estimates2/estimates15.shtml.

Most emigrants go to the United States

Despite being a net receiving country, Costa Rica also has a growing stock of emigrants living abroad (Figure 2.2). Some 133 000 Costa Ricans are estimated to live abroad, the large majority in the United States (Table 2.1). The number of emigrants almost doubled between 1990 and 2015 (Figure 2.2). Emigrants to the United States are in general highly skilled, and emigrate for employment reasons (OECD, 2009).

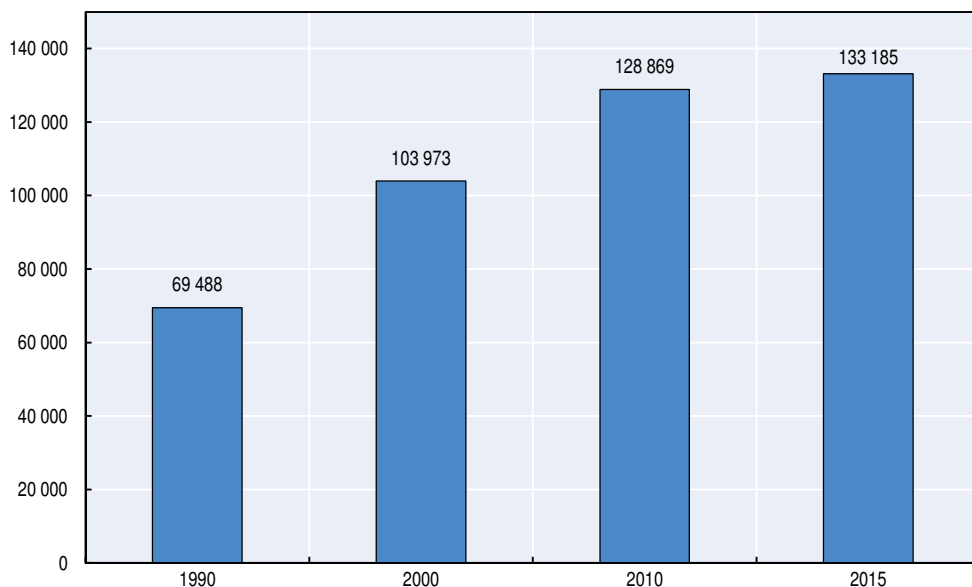
It is estimated that close to 100 000 Costa Ricans are living in the United States, representing around 65% of all emigrants (Table 2.1). There is also significant intraregional migration. Popular destination countries include neighbouring countries such as Nicaragua and Panama, together hosting close to 14% of Costa Rican emigrants. The most popular European destination country is Spain, which hosts the fifth largest share of Costa Rica's emigrant population (2.5% of emigrants).

Return migration has so far only received limited attention in studies on Latin America (CEPAL, 2014). Data on return migration are scarce. A study comparing census data from 2010/2011 across six Latin American countries shows that in absolute numbers, Mexico has the highest number of return migrants, while Costa Rica tops the list for return migrants as a share of the emigrant population (CEPAL, 2014; Table 2.2). The top three countries from which

migrants in the sample have returned are the United States, Canada and Spain. Costa Rican return migrants are most likely to have returned from the United States (about 60% of returnees), followed by Nicaragua and Canada. Most of the return migrants from the United States and Canada are male, while there is an equal share of men and women returning from Nicaragua (CEPAL, 2014).

Figure 2.2. **Emigrant numbers are steadily increasing**

Stock of emigrants, 1990-2015



Source: UN DESA (2015), *International Migration Stock: The 2015 Revision*, (database), www.un.org/en/development/desa/population/migration/data/estimates2/estimates15.shtml.

Table 2.1. **The United States is by far the most popular destination country for Costa Rican emigrants**

Number and share of emigrants by most popular migration destination countries

Countries	Number of emigrants		Share of total emigrants (%)
	1990	2015	2015
The United States	43 530	85 924	64.5
Nicaragua	5 959	10 772	8.1
Panama	3 919	7 760	5.7
Canada	1 304	5 039	3.8
Spain	644	3 339	2.5
Mexico	2 088	2 468	1.9
Germany	92	1 891	1.4
Italy	516	1 508	1.1
Guatemala	758	1 162	0.9
Venezuela	1 661	1 127	0.8

Source: UN DESA (2015), *International Migration Stock: The 2015 Revision*, (database), www.un.org/en/development/desa/population/migration/data/estimates2/estimates15.shtml.

Table 2.2. **Costa Rica has the highest share of return migration among countries where information on return is available**

Number and share of return migrants as share of emigrant stock (%) in six Latin American countries

Country	Census year	Number of return migrants	Return migrants as share of emigrant stock (%)
Brazil	2011	54 608	4.6
Costa Rica	2010	17 682	15.4
Ecuador	2010	72 272	7
Mexico	2010	860 707	7.2
Panama	2010	8 756	6.4
Uruguay	2011	17 280	5.2

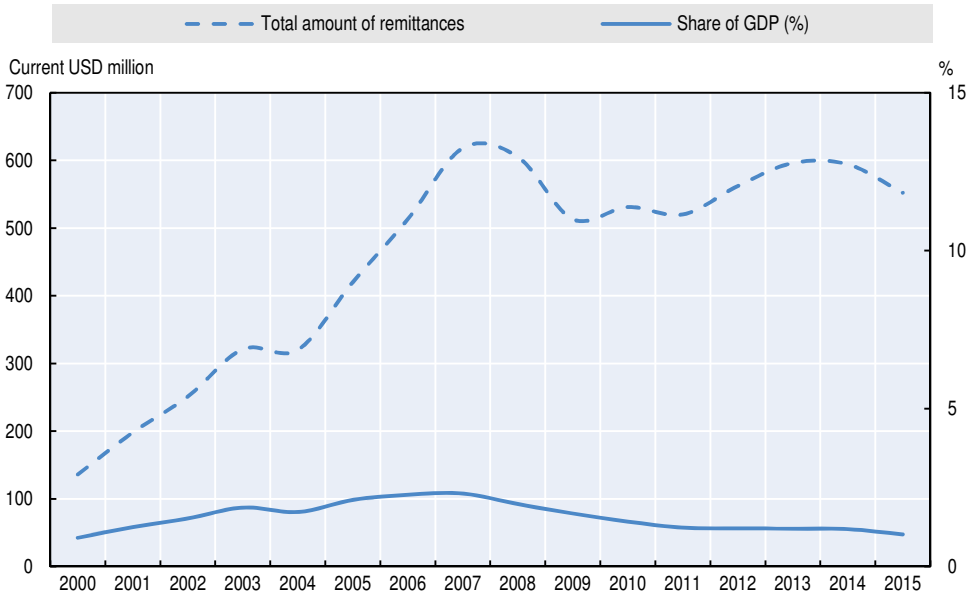
Note: Return migration for Mexico includes forced return.

Source: CEPAL (2014).

Remittances contribute a relatively small share to Costa Rica's GDP compared to other IPPMD countries

Costa Rica has the lowest share of emigrants across all partner countries in the IPPMD study (OECD, 2017). It also has the smallest share of remittances in relation to gross domestic product (GDP), at about 1.1% (Figure 2.3). However, with the exception of the 2009 economic crises and the years that followed, remittances have in general been increasing over time. In 2015, the country received USD 552 million from emigrants abroad.

Figure 2.3. **The volume of remittances continues to grow steadily**
Evolution of remittance flows over time, in USD and as share of GDP (%), 2000-15

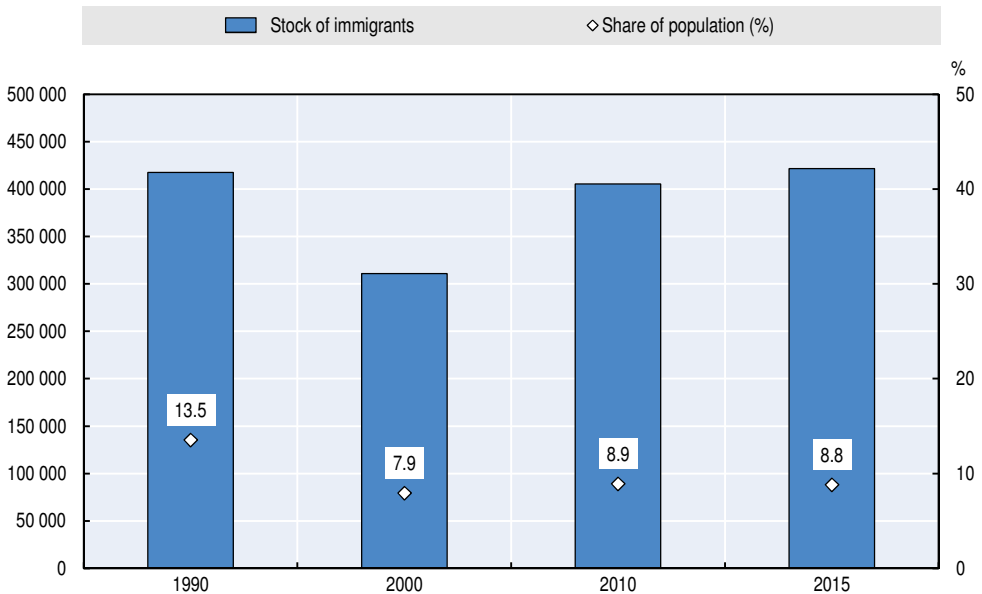


Source: World Bank (2016), Migration and Remittance Data (database), <http://data.worldbank.org/indicator/BX.TRF.PWKR.CD.DT> (accessed 27 March 2017)

Immigrants constitute close to 9% of the population

From the late 19th century the development of banana plantations in Costa Rica became a major draw card for foreign labour, mainly from Jamaica and Nicaragua. The share of foreign-born in the population remained stable at around 2-6% from the end of the 19th century up until the 1970s (Mazza and Sohnen, 2011). Household surveys conducted since 2000 show immigration flows to be stabilising or even decreasing, reflecting improved situations in neighbouring countries and tighter immigration policies with the introduction of a new migration law in 2005 (OECD, 2009). In 2015, the stock of immigrants in Costa Rica was estimated at about 422 000, or 8.8% of the population (Figure 2.4).

Figure 2.4. **Immigrants constitute close to 9% of the population**
Stock of immigrants and immigrants as share of population (%), 1990-2015



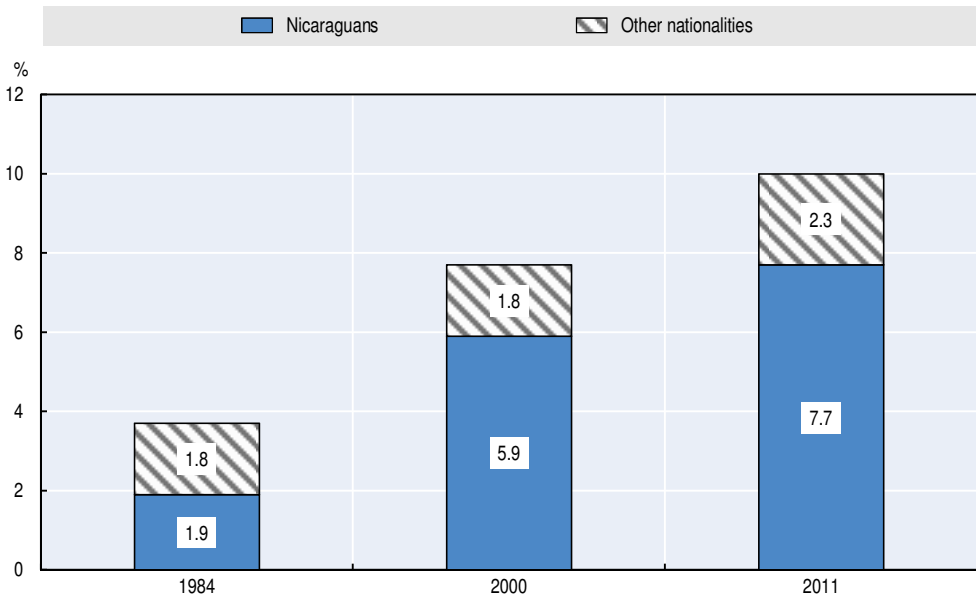
Source: UN DESA (2015), *International Migration Stock: The 2015 Revision*, (database), www.un.org/en/development/desa/population/migration/data/estimates2/estimates15.shtml.

Census data from 2011 confirm that Nicaraguans are the largest immigrant group in Costa Rica, making up 6.7% of the population in that year. While immigration from other countries has remained stable over time (1.8% in both 1984 and 2000), Nicaraguan immigration grew significantly during this period, driven by civil war and economic crises. The share of Nicaraguan immigrants

grew from 1.9% of the population in 1984 to 5.9% in 2000 (Figure 2.5). Today, Nicaraguans represent about two-thirds of all immigrants in the country. Recent immigration from Nicaragua is largely driven by economic factors, and labour force participation rates for Nicaraguan immigrants are higher than for native-born Costa Ricans. Nicaraguan immigrant workers are mainly concentrated in low-skilled occupations, and tend to work more hours and have lower wages than native-born workers (Gindling, 2008). Women tend to work in service sectors such as domestic services, hotel and restaurants, while men work in agriculture and construction.

Figure 2.5. **Census data show that Nicaraguans are the most important immigrant group**

Immigrants as share of population (%), 1984-2011



Source: Centro Centroamericano de Población, based on census data, <http://infocensos.ccp.ucr.ac.cr/index.php/grafico-poblacion-nacida-extranjero-costa-rica.html>.

In recent years, Costa Rica has also seen increasing numbers of irregular migrants entering the country, mainly from Haiti, but also from countries in Africa and Asia. Many migrants get stranded in the country on their way to the United States. The Costa Rican government has opened centres to provide basic assistance and shelter, but has struggled with sufficient capacity to host the increasing transit flows (IOM, 2016).

What are the key issues and knowledge gaps?

It is worth stressing that, although research on Costa Rican migration is relatively abundant, there are significant gaps in the overall picture. The impacts of migration on social and economic development are still not fully explored in the literature, partly due to the lack of appropriate data.

An element that has been central in developing migration statistics and studies is the inclusion of migration questions in the population census. The census data provide information on the number and identity of migrants, their social and employment characteristics, and their demographics. Other sources used to study migration in Costa Rica include household surveys and administrative data. Specific surveys on migration have the advantage of combining detailed migration data with other key information, such as socio-economic and labour characteristics. However, Costa Rica has never conducted a national migration survey. An alternative source is the annual household surveys conducted by the statistical office (INEC). These include some questions on migration, but do not provide a representative sample of the immigrant population in the country.

A limited number of studies have explored the impact of immigration and emigration

The impact of migration on the Costa Rican health and education system has received attention in recent years. A common perception is that Costa Rica is a “welfare magnet” for Nicaraguan immigrants, who are burdening the social security system. However, Voorend (2016) found very little evidence of an overrepresentation of migrants in the use of healthcare services. The study shows that most migrants contribute to health insurance, and that their use of health services is almost always lower than their share in the national population. Another study found that immigrants are also less likely to attend school than the native-born population (DGME, 2012).

As for the impact of immigration on the local labour market, Gindling (2008) finds little evidence that immigration from Nicaragua affects earnings, inequality or poverty in Costa Rica. A series of studies have also investigated the characteristics and employment dynamics of the immigrant population in Costa Rica (see for example IOM, 2001; Morales and Castro, 2006; Morales, 2008).

In addition, some attention has been devoted to remittances, both inflows and outflows. Chaves has investigated remittance patterns and the socio-economic characteristics of remittance receivers in Costa Rica in a number of studies (Chaves 2003; 2005; 2008). The project “Banking Remittances, Financial Democratization and Innovative Investment opportunities in Costa Rica and Nicaragua: South-South and South-North Comparative case” analyses remittances inflows from the United States as well as outflows to Nicaragua.

The final study compares the two types of flows, and the findings show, among other things, that remittance flows from north to south (the United States to Costa Rica) are four to five times higher than south-south flows (Costa Rica to Nicaragua) (Céspedes, Monge and Vargas, 2010).

What role does migration play in national development strategies?

The Costa Rican government has taken steps to include migration in its policy framework by developing policies specifically targeting migrants in the National Development Plan, as well as in sectoral policies related to key areas such as health, education and labour.

The policy framework has shifted focus from securitisation to integration

Migration has to some extent been included in the national development policy framework. The National Development Plan (NDP 2011-2014) focused on four main areas: social welfare, public safety and social peace, environment and land-use management, and competitiveness and innovation (MPNPE, 2010). Migration was mainly included in the first two focus areas of the NDP, and was largely concerned with social welfare and public safety. The NDP 2011-2014 outlined programmes specifically targeting vulnerable groups, including immigrants and refugees. This included the creation of nine development centres located in strategic communities to promote social integration. The current National Development Plan (NDP 2015-2018) has established several specific objectives related to migration, including a commitment to participate in international forums on the human rights of migrants and refugees, as well as establishing development programmes targeting migration in the border region with Nicaragua (MPNPE, 2014).

Costa Rican migration law has recently undergone two significant reforms. The 1986 law almost exclusively focused on border controls and other control mechanisms (López, 2012). An update of the law in 2005 treated migration as a national security issue, emphasising surveillance of the sex and drug trade. The law was heavily criticised for its lack of a human rights perspective (Voorend, 2016).

In 2009, a new migration law was approved (Law 8764) which came to effect in March 2010. The law had a much more integrated approach to migration policy, shifting focus from security to one which emphasises its role for development. The second article of the law specifically acknowledges migration as a subject of public interest for the development of the country (Voorend, 2016). A number of executive decrees to facilitate the regularisation of undocumented migrants were also adopted following the introduction of the new migration law.

Although the initial target was parents of minors and migrants with disabilities, it was later extended to include immigrants in key labour migration sectors (agriculture, construction and domestic services). However, it introduced some barriers to regularisation. These include the requirement for immigrants to sign up to the national social security system in order to obtain regular migratory status, and the imposition of fees for irregular stay in the country that need to be paid before the regularisation process can be initiated (Vorrend, 2016).

In addition, in 1995 a bilateral seasonal agricultural work permit programme for the sugar cane and coffee sectors was created between Costa Rica and Nicaragua (López, 2012; Borge, 2004). Its intention was to regulate migration flows, as well as to protect the labour rights of both immigrants and the national population (Borge, 2004). This agreement was however quite quickly abolished.

Migration is also addressed in other national social policies

Besides the national development plan and the specific migration policies, other national policies also address migration, including health. A first step to integrate migration into health policies was taken with the National Health Policy 2002-2006, which included several actions intended to improve institutional capacity to address migration and health in the country (Acuña et al., 2009). The current health policy, the National Health Policy 2011-2021, puts emphasis on diversity as a central element of society. Since its creation in the 1940s, Costa Rica's national health insurance scheme has been universal. However, there are still barriers to access. Access by immigrants depends on three factors: their migration status, their employment conditions, and the level of care they require. For foreigners to get health insurance they need a residency permit or a permit to work in the country (Voorend, 2016). The Ministry of Health has also developed awareness programs and trained care providers to adapt to multiculturalism.

Costa Rica also offers universal primary and secondary education, which is available to everyone regardless of migration status. Immigrant students have the right to educational aid, provided that their parents have a valid residency card, although immigrant students do not seem to benefit from scholarships to the same extent as their native-born peers (DGME, 2012).

What is the institutional framework governing migration?

There are several institutions and government bodies working in the area of migration in Costa Rica, and operating at a variety of levels. Most institutions are mainly oriented to labour immigration. The first-level institutions include:

- The General Directorate of Migration
- Ministry of Labor and Social Security

- Costa Rican Social Security Fund
- Ministry of Education
- Office of the Ombudsman

Besides these institutions, a number of other ministries also deal with migration directly and indirectly, including the Ministry of Interior and Police, Ministry of Public Security, Ministry of Health, Ministry of National Planning and Economic Policy and the Ministry of Foreign Affairs. This section describes only the functions of the main institutions however, as they are the most involved in serving the migrant population.

The **General Directorate of Migration (DGME)** is the institution responsible for implementing the migration policy and migration law. Its main functions are to authorise, reject and control the legal entry, stay and exit of foreigners; to approve changes in migration categories and sub-categories; and deport and expel foreigners. In addition, the institution produces statistical data on international movements. This information is exchanged with other government agencies. The DGME is responsible for including a detailed report on the implementation of migration policy and management in the Annual Report of the Ministry of Interior and Police.

The **Ministry of Labor and Social Security (MTSS)** is in charge of analysing labour demands, and a key player for immigration as it determines the need for foreign workers in the country. The MTSS provides the DGME with reports on the employment situation in the country, and authorises work permits for certain categories of migrants.

The **Costa Rican Social Security Fund (CCSS)** is an autonomous institution in charge of governing and managing social security. It manages the two main social security systems in the country: the pension and the health insurance schemes. The 2010 Migration Law stipulates that affiliation to the Costa Rican social security system is a requirement for regularisation. Consequently, CCSS plays a role in migration policy and has become a principle tool for migration control (Voorend, 2013).

The **Ministry of Public Education (MEP)** is the largest public institution, with over 24 regional directorates and about 5 000 schools of all levels and forms of education. As the coverage of primary public education is universal, the foreign population can access this service under the same conditions as nationals.

The **Ombudsman Office** has taken over a leading role in defending the rights of migrants, especially in the field of labour. This institution was created by Law N. 7319 of 17 November 1992. The Ombudsman Office institutionalised the Permanent Forum on Migrant and Refugee Population, in operation since 1995, which has representatives from government institutions, international agencies, the academia and non-governmental organisations.

The National Migration Council is the main institutional co-ordination body

The **National Migration Council** is one of the main bodies in charge of migration management, integration and co-ordination. It gathers representatives from a number of different government institutions, including the Ministry of Education, the CCSS, the Ministry of Foreign Affairs, as well as migrant associations.

The **National Network of Civil Organizations for Migration (RNCOM)**, sponsored by the International Center for the Human Rights of Migrants (CIDEHUM), co-ordinates regional organisations, such as the Regional Network of Civil Organizations for Migration (RNCOM), in offering legal assistance, training, and information on the rights of migrants.

The **Joint Program on Policies for Intercultural Inclusion and Opportunity Generation**, in place from 2008 to 2010, was executed by a number of United Nations agencies (UNESCO, UNDP, FAO, UNICEF and PAHO/WHO) in Costa Rica, along with government institutions such as the Ministry of National Planning and Economic Policy, the Ministry of Culture and Youth, the Ministry of Public Education, the Ministry of Health, the Ministry of Agriculture, and the Ministry of Economy, Trade and Industry. The programme sought to include populations at risk within the Costa Rican policy context.

The **National Forum on Migrant Population**, promoted by the Ombudsman Office, is one of the initiatives working toward the inclusion of migration in development of public policies. The forum was created in 1995 and works on a regular and permanent basis with representatives of public institutions, academia, civil society and international organisations. It provides a space for dialogue, information exchange and making recommendations to support the design of policies.

Moreover, the **Technical committee for the formulation of comprehensive migration policy of Costa Rica** has operated since 2012 as an advisory body to the Executive Branch, the Ministry of Interior and Police, and the General Directorate of Migration. It supports the design and development of migration policy and monitors its effective implementation. The Technical Committee is composed of the Ministry of National Planning and Economic Policy, the Ministry of Education, the Ministry of Health, the Ministry of Interior and Police, the Ministry of Public Security, the Ministry of Foreign Affairs, the Ministry of Labor and Social Security, the Costa Rican Tourism Institute, the Costa Rican Social Security Fund, the Center for Social Rights of Migrants (CENDEROS), and the Jesuit Service for Migrants. Other organisations affiliated with the Technical Committee include the National Council of Rehabilitation and Special Education, the National Institute of Women, the National Commission for Justice Improvement and Administration, the Ministry of Justice and Peace, and the National Children's Board.

Finally, as another instance of co-ordination of migration policies, the **National Coalition Against the Smuggling of Migrants and Trafficking in Persons (CONATT)** was created in 2013 with the objective to provide, define, co-ordinate and implement a plan of action for the prevention, fight against, punishment, and eradication of any actions violating the human rights of migrants.

Conclusions

Costa Rica is a net immigration country in a region mainly characterised by emigration. Immigrants constitute a significant part of the country's population and labour force. At the same time, emigration flows have also been on the rise in recent decades. Both inflows and outflows are mainly driven by employment. Immigrants, mainly from Nicaragua, are in general low-skilled and work in primary sectors such as construction and agriculture, while emigrants tend to be more highly-skilled and leave to seek employment mainly in the United States.

The high representation of immigrants in the population and labour force has slowly generated a shift in Costa Rica's migration policy – from primarily focusing on securitisation and border control to one of immigrant integration and the nexus between migration and development. However, the importance of migration for development is not fully reflected in the country's policy framework, and immigrants still face barriers in access to social services.

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