

Municipality of Desamparados (Costa Rica) |  
PROFILE 2022

# MIGRATION GOVERNANCE INDICATORS LOCAL



IOM is committed to the principle that humane and orderly migration benefits migrants and society. As an intergovernmental organization, IOM acts with its partners in the international community to: assist in meeting the operational challenges of migration; advance understanding of migration issues; encourage social and economic development through migration; and uphold the human dignity and well-being of migrants.

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LOCAL



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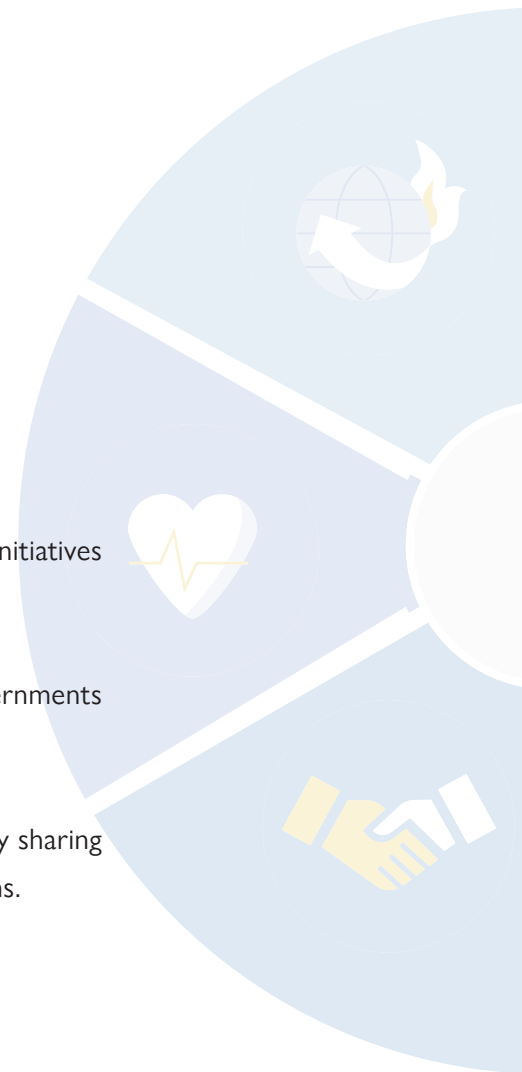
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## OBJECTIVES

- 1 Help local authorities take stock of the migration initiatives they have in place.
- 2 Foster dialogue on migration between national governments and local authorities.
- 3 Enable local authorities to learn from one another by sharing common challenges and identifying potential solutions.



“Rapid urbanization continues to transform the demographic landscape of many countries around the world. Cities are already home to the majority of international migrants, driven by opportunity as well as necessity, and local authorities are becoming leaders in finding creative solutions for rapid social change, supporting communities through innovation.”<sup>1</sup>

<sup>1</sup> António Vitorino, IOM Director General, [Report to the 109th Session of the IOM Council](#) (November 2018).

# ACRONYMS

CME	Municipal Emergency Committee ( <i>Comité Municipal de Emergencias</i> )
CMM	Municipal Migrant Centre ( <i>Centro Municipal para Migrantes</i> )
CNM	National Migration Council ( <i>Consejo Nacional de Migración</i> )
COVID-19	coronavirus disease 2019 (novel coronavirus disease, SARS-CoV-2)
DGME	General Directorate of Migration and Aliens ( <i>Dirección General de Migración y Extranjería</i> )
INEC	National Institute of Statistics and Censuses ( <i>Instituto Nacional de Estadística y Censo</i> )
IOM	International Organization for Migration
MEIC	Ministry of Economy, Industry and Trade ( <i>Ministerio de Economía, Industria y Comercio</i> )
MEP	Ministry of Public Education ( <i>Ministerio de Educación Pública</i> )
MGIs	Migration Governance Indicators
MiGOF	Migration Governance Framework
PANI	National Child Welfare Institute ( <i>Patronato Nacional de la Infancia</i> )



# INTRODUCTION

## The Migration Governance Indicators

The need to maximize the opportunities and face the challenges that mobility brings has been recognized with the inclusion of migration in the 2030 Agenda for Sustainable Development, and with the adoption of the Global Compact for Safe, Orderly and Regular Migration. The incorporation of target 10.7 into the 2030 Agenda created the need to define “planned and well-managed migration policies”. This is why, in 2015, the International Organization for Migration (IOM) developed the Migration Governance Framework (MiGOF). This Framework offers a concise view of an ideal approach that allows a State to determine what it might need to govern migration well and in a way that suits its circumstances. That same year, IOM in collaboration with Economist Impact developed the Migration Governance Indicators (MGIs), a set of almost 100 indicators that help States assess the comprehensiveness of their migration governance structures.

The indicators constitute a starting point to engage governments in a consultative process that allows them to identify areas that are well-developed and others that would benefit from further development, and most importantly, priorities that are in line with the specific challenges and opportunities that a given country is facing.

The MGIs are characterized by three main fundamental attributes:

1. The MGI process is a **voluntary** exercise: The MGIs are conducted in countries that have requested to be part of the process.
2. The MGIs are **sensitive to national** specificities: The MGIs recognize the different challenges and opportunities of each context, and therefore, do not propose a one-size-fits-all solution, but rather aim to spark a discussion on what well-governed migration can mean.
3. The MGIs constitute a **process**: The MGI process is not a static tool to collect data on countries' migration frameworks. It is rather the first step of a dynamic exercise that can enable governments to identify areas of their migration policy in need of further development, or that could benefit from capacity-building.

## Migration Governance Indicators: From national to local

The role of cities and municipalities in migration governance<sup>2</sup> has grown significantly in recent decades, given the rapid pace of urbanization and the importance of cities as destinations for all forms of migration and displacement. Researchers, policymakers and international development agencies have all highlighted the crucial role of cities and municipalities in both accommodating migrants and formulating sustainable responses to migration-related matters.

The role of local governments, not only in the management of migration at the local level, but also in realizing the urban dimensions of the 2030 Agenda, has been recognized in the New Urban Agenda at the Habitat III Conference in Quito (Ecuador), the Global Compact for Migration, and the Call to Local Action, to mention a few.

<sup>2</sup> “Migration governance” refers to the system of institutions, legal frameworks, mechanisms and practices aimed at regulating migration and protecting migrants. It is used almost synonymously with the term “migration management”, although the latter is also sometimes used to refer to the narrow act of regulating cross-border movement at the State level.

To support the discussion between levels of governments on migration governance, IOM has adapted the MGIs<sup>3</sup> to the local level. The Local MGIs seek to offer a more comprehensive picture of a country's migration governance landscape by juxtaposing a local dimension to MGI national assessments. The [Local MGIs](#) are based on a set of about 80 indicators helping local authorities take stock of local migration strategies or initiatives in place and identify good practices as well as areas with potential for further development. The aim of the exercise is to foster dialogue on migration between national governments and local authorities and enable local authorities to learn from one another by discussing common challenges and identifying potential solutions.

While the Local MGIs retain the attributes of the National MGIs, they are also anchored in the notion that cities and local authorities have different capacities, competencies and added value when it comes to governing migration. Therefore, the methodology has been adapted to reflect the fact that the degree of fiscal and political autonomy of participating cities influences the kind of migration governance they can practically and legally engage in. Furthermore, new indicators of the level of autonomy and capacities have been added to give some context to the results of the assessment.

Given the differences outlined between the MGIs at the national and local levels, the purpose of the Local MGIs is to be a tool for government authorities to use in taking an introspective look at the measures they have in place to manage migration, as well as to share their experiences. Furthermore, the Local MGIs recognize that good practices can take different forms depending on the division of competencies between local and national authorities. Therefore, the Local MGI analysis should not be interpreted as an invitation to change the division of competencies, but rather be understood as a catalyst to open dialogues on what cities can do with regard to migration within the scope of their mandate. A comprehensive picture of migration governance can be captured only by looking at the different levels of government.

## Start of work with the municipality of Desamparados

In the framework of the work done, IOM proposes to introduce the MGIs in the municipality to gauge local migration governance. Two local MGI assessments were carried out simultaneously in 2021 for the municipalities of San José<sup>4</sup> and Heredia<sup>5</sup> in Costa Rica, which complement the national MGI assessment of 2019.<sup>6</sup> Three local MGIs were done in the municipalities of La Cruz, Coto Brus and Desamparados in 2022. Cooperation began between IOM and the municipality of Desamparados in 2018 as specific projects were mounted in communities that were hosting migrants, to improve both their quality of life and life together in the communities.

This report is the outcome of the local MGI process conducted in the municipality of Desamparados (in the canton of the same name<sup>7</sup> in San José Province). This profile summarizes key examples of well-developed migration governance structures as well as those with potential for further development.

<sup>3</sup> The [Migration Governance Indicators](#) were developed in 2015 by IOM in collaboration with Economist Impact.

<sup>4</sup> The 2022 Migration Governance Profile for the municipality of San José is available [here](#).

<sup>5</sup> The 2022 Migration Governance Profile for the municipality of Heredia is available [here](#).

<sup>6</sup> The 2019 Migration Governance Profile for the Republic of Costa Rica is available [here](#).

<sup>7</sup> Under Article 3 of the Municipal Code, the territorial jurisdiction of the municipality is its respective canton, the capital of which is the seat of the municipal government.



CONTEXT

## Migration trends

### National context

Since the twentieth century, Costa Rica has been a country of destination for intraregional migration flows, especially from Central America, Colombia and the Bolivarian Republic of Venezuela. Over the past decade, it has become a country of transit for migration movements from outside the region, especially from countries in Africa and Asia, and over recent years, for regional migrants from Haiti, the Bolivarian Republic of Venezuela and Cuba.

According to official Costa Rican government data, up to December 2020, there were approximately 557,351 regular immigrants registered in the country, coming mainly from Nicaragua (66% of the total, with 367,984 migrants), Colombia (5% with 28,887) and the United States of America (5% with 28,731) (Chaves-González and Mora, 2021). Of the remaining 24 per cent of the migrant population, one half comprises people from other countries of Latin America,<sup>8</sup> while the other half consists of people from other countries, including European countries.<sup>9</sup>

Similarly, recent years have witnessed an increase in the percentage of migrants in Costa Rica, who are in situations of human mobility across the Americas, originating mainly from Cuba and several African countries. Their numbers rose from 8,961 in 2016 to 19,628 in 2018. The main language of communication among migrants is Spanish (64%); other languages are also in use, albeit to a lesser extent, including Portuguese, French, Haitian Creole (*Kreyòl*) and English (IOM, 2019a).

As pertains to migrants under international protection, a total of 59,450 applications for asylum were received in 2021, of which 561 were approved. Some 32,593 refugee applications were received between 1 January 2022 and 31 May 2022, and 526 were approved (233 Nicaraguans, 247 Venezuelans, 20 Salvadorans, 11 Hondurans, 3 Colombians and 12 Cubans).<sup>10</sup> These numbers do not include approvals in the complementary category;<sup>11</sup> between 1 February 2021 and 30 April 2022, a total of 3,934 requests of this kind were approved (60% Nicaraguans, 34% Venezuelans and 6% Cubans) (Chaves-González and Mora, 2021).

The Municipal Migrant Centres (CMMs) operate, with IOM's support, in municipalities in the cantons of Desamparados, La Cruz, Mora, Upala and Talamanca. They provide services for returning Costa Ricans and the migrant population in general. CMMs are also spaces for outreach to communities, and they assist with the implementation of various measures to strengthen local migration governance.

### Local context

The canton of Desamparados is in the province of San José, which in turn is part of the central region. The canton has an area of 118.26 sq km,<sup>12</sup> which amounts to 0.2 per cent of the national territory (MIDEPLAN, 2016). This canton comprises 13 districts,<sup>13</sup> and its projected population for the year 2022 is 249,367 inhabitants; 50.1 per cent (124,952) are women, and the remaining 49.9 per cent are men (124,415) (INEC, 2018). This population makes up 16.3 per cent of the total population of the province of San José (1,529,084 people) and 4.8 per cent of the national population (5,213,362) (*ibid.*).

<sup>8</sup> Especially from El Salvador (13,631 migrants), the Bolivarian Republic of Venezuela (12,480), Cuba (9,357), Panama (7,541), Honduras (6,519), Mexico (6,509), Peru (5,439) and Guatemala (4,525).

<sup>9</sup> The category "other countries" does not provide data disaggregated by region.

<sup>10</sup> See the 2021 and 2022 annual reports of the General Directorate of Migration and Aliens.

<sup>11</sup> The complementary category was created to assist persons whose asylum claim had been denied. This category was available over a specific period, namely from February 2021 to March 2022.

<sup>12</sup> More information is available [here](#).

<sup>13</sup> The districts are Centro, San Miguel, San Juan de Dios, San Rafael Arriba, San Antonio, Frailes, Patarrá, San Cristóbal, El Rosario, Damas, San Rafael Abajo, Las Gravilias and Los Guido.

According to the 2021 National Household Survey,<sup>14</sup> 10,491 residents of the Central Region (canton of Desamparados) come from other countries. Among these, 55 per cent are men, and the remaining 45 per cent are women. Altogether, foreign residents account for 0.4 per cent of the region's total population (2,782,609). The data are not broken down by nationality.

The province of San José is itself home to 39 per cent (149,206) of Costa Rica's migrant population.<sup>15</sup> Of this total, 69.5 per cent come from Nicaragua, 11 per cent from South America,<sup>16</sup> 6 per cent from North America, 3 per cent from El Salvador and 3 per cent from Europe, and the remaining 8 per cent comprise people from Asia, Africa, the Caribbean, Honduras, Guatemala and Belize.

The 2011 census showed the canton of Desamparados to have a population of 18,632 foreign migrants (9% of the canton's total population), of which 54.3 per cent (10,109) were women and 45.7 per cent (8,523) were men.<sup>17</sup> Furthermore, Desamparados recorded a population of 42,434 internal emigrants (20% of the canton's total population), of which 51.5 per cent (21,852) were women and 48.5 per cent (20,582) were men. This canton was home to 77,342 internal immigrants (37% of the canton's total population), comprising 53.9 per cent (41,663) women and 46.1 per cent (35,679) men (INEC, 2016a).

While the 2011 census (INEC, 2016b) contains no data disaggregated by nationality for migrants in the canton of Desamparados, two census update reports produced in 2013 in the *25 de Diciembre* and *Las Palmas* settlements provide data on the number of migrants residing in these municipal settlements.<sup>18</sup> In 2013, the population of migrants made up 33 per cent of the total population in the *25 de Diciembre* settlement, and 22 per cent of the total in the *Las Palmas* settlement. Most prominent in both communities are people of Nicaraguan nationality.

According to a 2020 assessment conducted by the Costa Rican Supreme Electoral Tribunal's Institute for Training and Studies in Democracy (*Instituto de Formación y Estudios en Democracia del Tribunal Supremo de Elecciones*) (Castro Ávila, 2020) in municipalities across the country to provide information on local policies and examine asymmetries in development opportunities, equality and well-being, Desamparados recorded a high score in cantonal human development<sup>19</sup> (ranking 49th among the country's 81 cantons) and scored low in cantonal poverty (27th of 81). This same assessment showed Desamparados to be a canton with considerable social development, according to the 2017 Social Development Index (ranking 24th out of 81); and good municipal management (86.1 of 100), according to the 2018 Municipal Management Index (ibid.).

<sup>14</sup> The survey is carried out annually.

<sup>15</sup> This is followed by Alajuela with 22.8 per cent, Heredia with 11.2 per cent, Limón with 8.7 per cent, Guanacaste with 7 per cent, Puntarenas with 6.3 per cent and Cartago with 5.3 per cent.

<sup>16</sup> There are no data disaggregated by country for South and North America, Europe, Asia, Africa and the Caribbean.

<sup>17</sup> This is the most recent INEC census; the next one is scheduled for 2022.

<sup>18</sup> Not available online.

<sup>19</sup> Although Costa Rica has 84 cantons, the municipal assessment or cantonal file presents just 81. This is because it is based on *Costa Rica's Atlas of Cantonal Human Development for 2016* (Violence Observatory, 2016), when the eighty-second canton (Rio Cuarto) had not yet been created. This canton was created in 2017 by Law No. 9440.

## Competencies of the municipality

### Level of decentralization of local authorities

Costa Rica has two levels of government, namely the national and the local. Local governments or municipalities are the political structures of public administration at the cantonal level. These structures enjoy political, administrative, regulatory and financial autonomy in the pursuit of their aims, goals and objectives. They also maintain ties of coordination and cooperation with higher-ranking bodies, such as central government institutions.

Costa Rica is territorially and administratively divided into seven provinces and 84 cantons. The cantons are divided into districts, which are in turn subdivided into neighbourhoods, and represent the smallest planning and operational unit of urban management. After the national Government, the cantons constitute the country's next most important administrative unit, as they have local governments, known as municipalities. There is a direct relationship between canton and municipality, as there is necessarily and automatically a municipality for each canton. Under Article 3 of the Municipal Code (1998), the territorial jurisdiction of the municipality is the respective canton, the capital of which is the seat of the municipal government. Furthermore, Article 170 of the Political Constitution of Costa Rica (1949) states that the municipal corporations are autonomous.

According to Article 4 of Law No. 7794 (Municipal Code) (1998), the municipality's functions include the following: (a) issuing the autonomous organizational and service regulations, as well as any other provision that is authorized under the legislation; (b) approving and executing its budgets; (c) managing and providing municipal public services, and ensuring their oversight and control; (d) approving rates, prices and municipal contributions, and also putting forward proposed municipal tax rates; (e) as the tax administration, collecting and managing taxes and other municipal revenues; (f) entering into covenants, agreements or contracts with national or foreign persons or entities, as required for the discharge of its functions; (g) convening popular consultations in the municipality, for the purposes stipulated in the above-mentioned Law and its regulations; (h) promoting participatory and inclusive local development that takes into account the diversity of the population's needs and interests; and (i) implementing local public policies to advance women's rights and citizenship, as well as gender equality and equity.

The General Law on the Transfer of Powers from the Executive to the Municipalities (Law No. 8801) (2010) created the Cantonal Councils for Institutional Coordination and the District Councils for Institutional Coordination to coordinate the formulation, implementation and oversight of public policy with local implications. For these purposes, the executive power coordinates the municipality or District Municipal Council and public bodies with cantonal or district-level representation, as appropriate. In this case, it is called the Desamparados Municipal Council.

### The competencies of municipalities in relation to migration

Under the General Law on Migration and Aliens (Law No. 8764) (2009), migration policy design and formulation fall within the remit of the General Directorate of Migration and Aliens (DGME), in conjunction with other constituent institutions of the National Migration Council (CNM). Article 11 provides for municipalities to participate in a consultative capacity, should the CNM so decide. However, despite the opportunity for local participation in the formulation of such policies, there is no evidence that this is currently taking place.

Costa Rica's Comprehensive Migration Policy (2013) aims to lay out the State's commitments for the purpose of managing and controlling migration flows, adequately integrating migrants, and promoting national development by creating a system that regulates and coordinates inter-agency activities relating to migration. The Policy comprises three main strategic planks: developing and strengthening migration services, fostering the integration and personal development of migrants, and ensuring that their human rights are protected. The aims of the National Integration Plan for Costa Rica 2018–2022 (2017) include integration and social inclusion for the country's migrant and refugee communities. The Migration Policy and the Comprehensive Plan for Managing Mixed Migration Flows 2018–2022 (2017) envisage a possible role for local governments in executing some of their strategic priorities and implementing activities or programmes with local ramifications. The Comprehensive Plan is therefore transversal to the National Integration Plan for Costa Rica, and it is intended to pave the way for dealing effectively with as many scenarios as may arise in the context of mixed migration flows. The Comprehensive Plan expressly provides for municipal participation, thus opening the door to local government involvement in institutional efforts in this area.

The DGME is the competent body with respect to the return, reintegration and inclusion of Costa Rican nationals. Article 13(34) of the Law on Migration and Aliens tasks the DGME with the following: "Repatriate Costa Ricans from abroad, when this is warranted on humanitarian grounds, and also with repatriating the mortal remains of Costa Ricans, provided that the families are unable to meet the costs of transporting the body, owing to extreme necessity. Both cases are subject to a reasoned decision." Furthermore, Article 243 states: "Likewise, the humanitarian repatriation of Costa Ricans shall be the responsibility of the General Directorate and shall be paid for with funds from the Migration Social Fund, which belongs to said Directorate. If the funds are lacking, this obligation shall be covered by the institution's own resources." Repatriation implies the reintegration and inclusion of migrants, these being matters contemplated under the National Integration Plan. Costa Rica stands out for its endeavours to include the migrant population in its various development policies, and to promote their economic contributions to the country, in a framework of respect for human rights.



There are no migration-related public policy areas in which the national Government has formally delegated authority to local authorities. The municipalities and other players support the various central government institutions in national migration matters through cooperation or inter-agency coordination.

Local governments serve the different segments of the population, including migrants, albeit subject to legal constraints (regarding irregular migrants, for example), as well as financial ones, in that they lack the requisite resources. Moreover, the available national legal instruments allow local governments to offer programme-related inputs into these public policies. More specifically, Article 4(h) of the Municipal Code reads: “Promote participatory and inclusive local development that takes into account the diversity of the population’s needs and interests.” The Municipal Code further stipulates in Article 13(a) that the Municipal Council may “[s]et the municipality’s development policy and priorities, in keeping with the government programme registered by the mayor of the municipality for the term of office to which he was elected, and with the participation of citizens”.

#### Local financing mechanisms and the restrictions on their use

The local governments are funded through two mechanisms – namely, through current transfers from the central Government pursuant to Article 170 of the Political Constitution, and through the collection of territorial taxes or rates for municipal services, as prescribed in Title IV of the Municipal Code. These budget allocations are reflected in the ordinary budgets approved by the Municipal Council (the highest-ranking collegiate body in local governments or municipalities) and by the Office of the Comptroller General of the Republic, which is the subsidiary body of the Legislative Assembly responsible for the oversight of public funds.

On the website of the municipality of Desamparados is an open-data page where public budgets may be viewed.<sup>20</sup> The municipality’s public budget is available for viewing on the website of the Office of the Comptroller General of the Republic.<sup>21</sup> It is worth noting that the annual budget allocated by the local government to the strategic aspect of social policy for 2022 is USD 1,079,283,<sup>22</sup> or 5 per cent of the municipality’s total budget.<sup>23</sup> The aforementioned aspect of social policy includes job opportunities (Labour Intermediation Office), social development (education grants, health fairs), cultural development (organizing sports and artistic activities), and citizens’ rights (psychological support and legal advice).

<sup>20</sup> For more information, visit the [Transparency Portal of the municipality of Desamparados](#).

<sup>21</sup> For more information, see the Office of the Comptroller General of the Republic’s [consultations on the public budget](#).

<sup>22</sup> This is equivalent to 699,213,492 colons (the exchange rate was USD 1 = CRC 647.85 on 29 April 2022).

<sup>23</sup> This information is from the 2022 Annual Operating Plan of the municipality of Desamparados (not available online).



## KEY FINDINGS

The Local MGIs are composed of approximately 80 indicators grouped under the six different dimensions of migration governance that draw upon the MiGOF categories:<sup>24</sup>



#### MIGRANTS' RIGHTS PAGE 20

Indicators in this category look at the extent to which migrants have access to certain social services such as health, education and social security. They also examine measures to ensure integration and access to work.



#### WHOLE-OF-GOVERNMENT APPROACH PAGE 22

Indicators in this category assess the institutional frameworks of cities, municipalities or states for migration. This area also examines the existence of migration strategies consistent with development objectives, as well as institutional transparency and coherence in migration management.



#### PARTNERSHIPS PAGE 24

Indicators in this category focus on cities', municipalities' or states' efforts to cooperate on migration issues with the national government as well as other cities and relevant non-governmental actors, including civil society organizations and the private sector.



#### WELL-BEING OF MIGRANTS PAGE 26

Indicators in this category assess cities', municipalities' or states' initiatives in terms of international student mobility, access to the labour market and decent working conditions for migrant workers. Aspects related to diaspora engagement and migrant remittances are also included in this domain.



#### MOBILITY DIMENSION OF CRISES PAGE 28

Indicators in this category examine the type and level of readiness of cities, municipalities or states to deal with aspects of mobility crises. The questions focus on the processes in place for citizens and non-citizens in relation to disasters and climate change, especially whether humanitarian assistance is available for migrants and citizens.



#### SAFE, ORDERLY AND REGULAR MIGRATION PAGE 30

Indicators in this category look at the cities', municipalities' or states' approaches to migrant safety as well as return and reintegration policies and the fight against trafficking in persons.

<sup>24</sup> IOM Council, *Migration Governance Framework*, 106th Session, C/106/40 (4 November 2015).



## 1

## ADHERE TO INTERNATIONAL STANDARDS AND FULFIL MIGRANTS' RIGHTS

### 1.1. Migration governance: Examples of well-developed areas

While primary and secondary education services are provided by the Ministry of Public Education (MEP) at the national level, the municipality of Desamparados has its own initiatives for the general public, and they are also applicable to migrants. Attached to MEP, the Desamparados Regional Directorate of Education is responsible locally for primary and secondary education. In its Cantonal Plan for Local Human Development 2015–2025 (2015), the municipality sets as an overall objective the training of human talent by generating opportunities to enable the canton's residents to access knowledge – to which end it operates two scholarship programmes for primary and secondary students who are unable to complete their studies owing to their socioeconomic situation. Both scholarship programmes<sup>25</sup> are accessible to all migrants, irrespective of their migration status. The two programmes fall under the municipality's Social, Cultural and Economic Development Management Service and may deliver the benefit by cheque or cash, when the legal guardian of the minor is an irregular migrant.<sup>26</sup> Lastly, Desamparados has Childcare and Development Centres (*Centros de Cuido y Desarrollo Infantil*, CECUDIs) which, besides providing care, also see to the aspects of health, nutrition and early childhood education, and are accessible to all migrants.

The municipality of Desamparados has specific mechanisms to provide legal advice on civil, family and labour law, as well as counselling, legal representation, and psychological care for foreign women who are victims and survivors of domestic violence. The Legal Aid Clinic of the University of Costa Rica, the Office for the Support and Protection of Victims of Crime (*Oficina de Atención y Protección a la Víctima del Delito*), and the House of Justice (*Casa de Justicia*) provide free legal advice to migrants in matters of family, civil and labour law, as well as support and protection for victims, witnesses and other parties involved in criminal proceedings. The House of Justice provides in-person attention at the Civic Centre for Peace (*Centro Cívico por la Paz*) and is in effect in a partnership with the Vice Ministry of Justice. In addition, the Women's Affairs Office also provides counselling in civil, family and labour matters, as well as psychological care for women victims and survivors of domestic violence. These services are free of charge for all users.<sup>27</sup>

All residents of the municipality, including migrants, enjoy access to municipal services, regardless of their migration status. The authorities therefore organize activities to support migrants on various issues. In 2021, for example, local authorities worked with the General Directorate of Migration and Aliens to coordinate visits by the *Migramóvil* programme to several settlements in the canton to provide information on migration procedures and regularization. Additionally, in 2019 the Municipal Migrant Centre (CMM)<sup>28</sup> organized training for 300 people on migrants' rights, covering topics such as access to health care, education and the labour system.

The municipality deploys a range of strategies to combat hate crimes, violence, xenophobia and discrimination against migrants. The Office for the Support and Protection of Victims of Crime provides assistance and protection services free of cost for the canton's entire population, regardless of migration status. The Comprehensive Policy to Combat all Forms of Discrimination (2017) of Desamparados "consists of eradicating all forms of discrimination on grounds of age, colour, race, ethnicity, sex, nationality, religion,

<sup>25</sup> Both scholarship programmes are run by the Municipal Department of Social Services, which is under the Municipality's Social, Cultural and Economic Development Management Service.

<sup>26</sup> An irregular migration status implies that the person does not have a bank account.

<sup>27</sup> The Women's Affairs Office is a programme specific to the Municipal Department of Social Services, itself falling under the Municipality's Social, Cultural and Economic Development Management Service.

<sup>28</sup> The Centre has been operational since 2018 and is a regional project, coordinated at the municipal level through the Social, Cultural and Economic Development Management Service and promoted by IOM.

physical or psychological condition, gender and sexual orientation". The Strategy on Prevention Committees to Promote Community Life (*Estrategia para Comités de Prevención en Convivencia Comunitaria*) (2019) aims to "set up cantonal task forces and support networks through which to promote healthy lifestyles". Moreover, in 2019, 2020 and 2021, the Women's Affairs Office collaborated with CMM to organize empowerment courses for women victims of violence in the canton. Lastly, CMM has an infographic of the road map for the care of women victims of migrant smuggling and violence; also, in 2020 and in conjunction with the Youth without Borders Network (*Red de Jóvenes Sin Fronteras*), it staged a workshop on "Women in migration", with the goal of helping to end violence against migrant women. Through the Cantonal Council for Institutional Coordination, the municipality supported the Ciudades de Libertad Foundation (*Fundación Ciudades de Libertad*) in mounting the project "*Huellas*" *Ponte en sus zapatos* ("Footprints" – Put yourself in their shoes), designed to raise awareness of the rights of minority groups, including migrants, by making use of open spaces, film screenings and discussion groups.

## 1.2. Areas with potential for further development

The municipality of Desamparados has not yet drawn up measures to facilitate access for foreign nationals to Government-funded health services. No such measures to facilitate access for foreign nationals to health services have been described either in the Municipal Strategic Plan 2020–2025 (2020), the Cantonal Plan for Local Human Development 2015–2025, or on the municipality's website. However, since CMM came into being, it has collaborated with the School of Nursing of the University of Costa Rica to provide low-cost health services, and with the municipality itself to organize three health fairs for the general public. Under national legislation, all migrants, irrespective of migration status, can access the health services provided by the municipalities. The Costa Rican Social Security Fund provides basic care for migrants, regardless of their migration status. Health care is also accessible for persons in transit, irregular migrants, smuggled migrants and victims of human trafficking who are in the national territory.<sup>29</sup>

Local cultural mediation services to resolve disputes within migrant communities, and between local residents and migrant communities, are provided by national institutions. Run by the Ministry of Justice and Peace, the national Houses of Justice programme aims to develop mechanisms for settling neighbourhood conflicts, with special emphasis on community mediation, and provides assistance and mediation free of cost in appropriate cases, pursuant to the Law on Alternative Dispute Settlement and Promotion of Social Peace (Law No. 7727) (1997). Irrespective of their migration status, migrants may access the services provided free of charge upon presentation of an identity document. Similarly, the Desamparados House of Justice branch undertakes dissemination and mediation work on the subject and trains public servants, community leaders and interested persons as mediators.

<sup>29</sup> For more information, consult the General Health Law (Law No. 5395) (1973), the General Law on Migration and Aliens (Law No. 8764) (2009), the section on access to services and the right to health in the Comprehensive Migration Policy for Costa Rica (2013), Guideline No. 046-S on the obligation to provide health care and treatment to migrants (2016), and the Organic Regulations of the Executive Branch (Decree No. 41187) (2018).



## 2

## FORMULATE POLICY USING EVIDENCE AND WHOLE-OF-GOVERNMENT APPROACH

### 2.1. Migration governance: Examples of well-developed areas

The Desamparados Municipal Migrant Centre (CMM) coordinates the provision and management of local services for migrants. CMM was created in the framework of the municipality's Social, Cultural and Economic Development Management Service. In coordination with this Management Service, the General Directorate of Migration and Aliens, and other municipal social programmes such as the Civic Centre for Peace and the House of Rights (*Casa de Derechos*), it works to provide a rapid, effective and bold response to the canton's migration-related needs.

Since 2018, the Desamparados Civic Centre for Peace has been carrying out a range of activities and learning processes aimed at preventing violence and promoting social inclusion. The learning processes made available to the entire community encompass languages, sculpting, drawing, painting, music, sports, dance and theatre. By acquiring and honing skills, people can develop in a peaceful and inclusive culture. Most of the participants are migrants.

In addition, the book launch of *The Tale of the Lion and the Coyote* (IOM, 2019b), an illustrated story for children that creates awareness of the importance of migrating in an informed, safe and regular manner, took place in 2019 at the Civic Centre for Peace. The launch was attended by more than 250 children and their families from different sectors of the canton.

Furthermore, CMM organizes information sessions, training workshops, meetings of local networks, prevention activities with respect to human trafficking and migrant smuggling, and exercises to raise awareness regarding migration issues, and it also supports health fairs.

CMM is responsible for streamlining migrant counselling services in the municipality. Since July 2018, CMM has been providing advice on migration processes, data and information management, referrals to organizations or foundations, comprehensive migrant care, referrals to relevant organizations for cases involving refugees, referrals for psychosocial support and referrals to job centres. CMM provides these services in person and virtually, free of charge and regardless of the migration status of the migrants.

As part of the local offer of information regarding migrants' rights and access to municipal public services, CMM has a road map for accessing the education system, which includes the referral of students aged 6 to 18 to day schools, and referrals to alternative educational facilities for students aged 15 and over who are working or have special educational needs. In addition, CMM has designed a road map for the Labour Intermediation Office's referral system, which includes the referral of regular migrants with work permits and the referral of irregular migrants without work permits; it has also prepared a road map for the care of women victims of violence, including referrals to legal counselling services and psychological care. This information is available in Spanish, which is understood by most migrants in the municipality.

### 2.2. Areas with potential for further development

Desamparados does not have a programme document or manifesto that lays out a migration strategy that includes a plan for the integration of migrants. The mission of the Department of Strategic Institutional Planning is to coordinate institutional and strategic planning processes and undertake monitoring and internal control by facilitating the requisite methodologies, tools and mechanisms for streamlining processes to provide the Municipal Mayor's Office and its departments with the information they need for timely decision-making. To date, however, there is no evidence that strategic plans have been prepared or

implemented addressing migration in a comprehensive manner. At the national level, the National Migration Council is the body responsible for elaborating and executing Costa Rica's migration policy. The Council's working baseline comprises the Comprehensive Migration Policy for Costa Rica (2013) and the National Integration Plan 2018–2022 (2017), but there is no process of formal coordination between the political, technical and operational levels of the municipality.

No evidence has been found of concrete action to improve the vertical coherence of policies on migration-related issues. In drafting the Cantonal Plan for Local Human Development 2015–2025 (2015), however, consultations took place at different levels, with community organizations, residents and local government representatives, while workshops were held across all districts in the canton. Furthermore, there is no clear legal mandate specifically investing any local entity with the responsibility of improving the vertical coherence of policies in this regard.

The municipality does not regularly collect or publish data on migration or migrants. However, the Social, Cultural and Economic Development Management Service has conducted regular censuses since 2007 and partial censuses in 2013 in some of the canton's informal settlements (such as the *25 de Diciembre* and *Las Palmas* settlements). These censuses cover several variables relating to the migrant population, their nationality, sex and migration status. Up to February 2022, censuses had taken place in 4 of the 26 areas with informal settlements, but the information collected is not publicly available. This task will continue, with IOM collaborating, in 2022 and 2023 in informal settlements with high percentages of migrants. Furthermore, the Accountability Reports from 2015 to 2021, which include information on institutional actions effected each year, are available on the [municipality's website](#).

## 3

## ENGAGE WITH PARTNERS TO ADDRESS MIGRATION AND RELATED ISSUES

## 3.1. Migration governance: Examples of well-developed areas

The municipality of Desamparados cooperates actively with IOM and other United Nations agencies on migration matters. Through a letter of understanding, IOM supported the establishment of the Municipal Migrant Centre (CMM) in 2018 as a municipal facility in the framework of the municipality's Social, Cultural and Economic Development Management Service.

In 2018, CMM deployed a communication strategy to foster sociocultural exchange in the community of Desamparados and thereby promote inclusion and non-discrimination among migrants. As a result of this, the municipality staged the artistic festival *Pura Vida sin Fronteras* in 2018 at the Villa Olímpica in Desamparados as a way of providing a space in which migrants and the community could interact in harmony, thus sending a message regarding community life and the cultural enrichment resulting from migration. Moreover, CMM and IOM are working with the *Fundación Valores Saprissa* and the National Skating Federation to run two sports programmes revolving mainly around football and skateboarding, with 180 participating migrant children and young people from the Desamparados community; this is a way of putting the focus on rights and the advancement of gender equity and integration.

In 2007, the municipality of Desamparados joined efforts with the Office of the United Nations High Commissioner for Refugees, the United States Embassy, the Dutch Embassy, and the Association of International Consultants and Advisors (*Asociación de Consultores y Asesores Internacionales*) to set up the House of Rights; it is a space in which to serve the municipality's migrant and refugee communities and still functions today under its direction. It is headquartered in the Central District of Desamparados and receives public funds from the local government.

The municipality of Desamparados collaborates, as necessary, with civil society organizations in setting the migration agenda and the implementation of migration-related programmes.<sup>30</sup> In 2020, CMM collaborated with the Youth without Borders Network to organize a dialogue on “Women in migration”, aimed at ending violence against migrant women. In that same year, CMM and the Refugee Education Trust (RET International) jointly organized three-day workshops on migration, covering issues relating to health, entrepreneurship, legal advice, psychological and migration counselling, access to education, and labour rights. Some 300 migrants, refugees and asylum-seekers attended these workshops. Lastly, the municipality also forms part of several local inter-agency coordination bodies such as the Cantonal Council for Institutional Coordination, in which civil society organizations participate.<sup>31</sup> CMM has been an active member of the Council since 2018.

## 3.2. Areas with potential for further development

The Municipal Strategic Plan 2020–2025 (2020) states the aim of “fostering public–private partnerships and other innovative management and development systems to promote new value-added services that generate new funds for the municipal corporation”. Despite this, the setting of the agenda or the implementation of migration-related strategies and programmes in partnership with the private sector constitutes an area with potential for further development.

<sup>30</sup> More specifically, the Social, Cultural and Economic Development Management Service, the House of Rights, and the Department of Social Services are the entities collaborating with these organizations.

<sup>31</sup> They include the Red Cross, Asociación Desampa Inclusivo, Fundación Ciudades de Libertad, Fundación DEHVI, Hogar Ofelia Carvajal, IOM, Organización Soy Niña, Parroquia Nuestra Señora de los Desamparados, Unión Cantonal de Asociaciones de Desarrollo Integral and Visión Mundial.



The municipality still has no formal collaboration with academia to inform migration-related policies and programmes. There is a branch of the State Distance Learning University in the canton of Desamparados. Yet there is no evidence of any formal collaboration with this branch. At the national level, the University of Costa Rica has set up legal aid clinics, which operate in the House of Rights of the municipality of Desamparados. These clinics provide free legal advice, with the assistance of students of family, civil and labour law. The municipality collaborates with these legal clinics by providing office space, supplies and equipment to facilitate the delivery of the aforementioned services.

There are no local programmes for bilateral cooperation among Costa Rican cities on international migration. At the national level, neither the Comprehensive Migration Policy (2013) nor the National Integration Plan 2018–2022 (2017) makes mention of cooperation programmes among cities in the country. This notwithstanding, the Comprehensive Migration Policy sets the aim of developing “a system of inter-institutional coordination by the Costa Rican State designed to promote the effective management of the realities of migration, in a manner consistent with the country’s overall development needs, with national security imperatives and respect for human rights”.



## 4

ADVANCE THE SOCIOECONOMIC WELL-BEING  
OF MIGRANTS AND SOCIETY

## 4.1. Migration governance: Examples of well-developed areas

The Department of Economic Innovation of the municipality of Desamparados conducts ad hoc assessments of the labour market demand for immigrants. In 2020, and in collaboration with IOM, the municipality drew up a study titled *Estudio de Prospección de mano de obra migrante para el Cantón de Desamparados, con enfoque territorial y de género* (Prospective study of migrant labour for the Canton of Desamparados, with a focus on territory and gender). The purpose of this study was to explore the job market prospects of the canton's migrant population by mapping public policies and institutions, available educational and vocational training opportunities, non-public bodies, and current and projected business activity, all of which are factors that impact the canton's rural and urban job markets.

The municipality takes steps to promote the ethical recruitment of migrant workers. The Labour Intermediation Office is accessible to migrants and aims to provide “an intermediation, guidance and job placement service in the canton, so that jobseekers and employers in need of human talent can be brought together in a timely manner”. In 2021, the Municipal Migrant Centre (CMM) also partnered with the chambers of commerce to train coffee producers so that they could be certified as employers, free of discrimination. Furthermore, there are *Casas de la Alegría* in many rural districts of Desamparados that help facilitate the stay of migrants coming to the country as temporary workers. Finally, although it is not a measure specifically targeting migrants, the municipality uses its Municipal Strategic Plan 2020–2025 (2020) to highlight the “promotion and fostering of the capabilities and skills of residents that enhance their employment and social development prospects”.

CMM in Desamparados has brought in measures to combat the exploitation of migrant workers. In 2019, CMM trained the Desamparados Chamber of Commerce in matters such as preventing xenophobia as well as anticipating and addressing labour exploitation; it also certified participating companies as free of labour exploitation. CMM carries out specific programmes to promote and facilitate the integration of migrant labourers into the workforce. Furthermore, it operates a platform with data on migrants requesting help with seeking jobs locally. CMM meets regularly with representatives of different chambers in the private sector to put forward the profiles of these migrants and ensure that they are integrated into the workforce. Additionally, CMM has an infographic of the road map for the referral system used by the municipality's Labour Intermediation Office; the document is accessible to migrants. At the national level, the National Learning Institute has been partnering with the local Labour Intermediation Office since 2018 to refer job-seeking migrants, depending on their occupational profile, to training courses available at no cost. This enables migrants to build a training curriculum while regularizing their migration status and awaiting a job opportunity. The municipality of Desamparados has also been collaborating with the non-profit AFS Costa Rica since 2018 to offer work internships through which foreign students can be received in the municipality.

The municipality implements ad hoc initiatives to support entrepreneurship on the part of foreign residents. In 2020, for example, CMM ran a training exercise on technology tools for migrants from a community with established businesses. Twenty Costa Rican and foreign entrepreneurs participated, all residents of the canton of Desamparados.<sup>32</sup> Similarly, in 2019, CMM put National University Planning students in touch with entrepreneurs as a way of assisting them in structuring and developing their

<sup>32</sup> This activity was framed within the Regional Programme on Migration and funded by the Bureau of Population, Refugees, and Migration (PRM) of the United States Department of State.

businesses. Between 2018 and 2022, CMM also conducted several training courses covering areas such as project planning, e-commerce and the prevention of xenophobia, among others. The municipality won the 2021 Entrepreneurial Cantons Award conferred by the Ministry of Economy, Industry and Trade (MEIC) for accomplishments in entrepreneurship and business ventures in the beneficiary districts.<sup>33</sup>

## 4.2. Areas with potential for further development

No regular nationwide assessments are undertaken to monitor the local labour supply and the effects of emigration on the local labour market. Nor are there any assessments to monitor the demand for migrant labour in the local labour market.

Because it is not a local function, the municipality of Desamparados still has no programmes to improve the financial acumen of migrants and their families or that of persons receiving remittances. The National Financial Education Strategy (2019), which is under the responsibility of MEIC, does not identify strategies for the financial inclusion of migrants. This is clear from the low level of migrant participation in the financial system (38%) (BCCR, 2018). Similarly, the substantial level of informal work done by migrants in Costa Rica results in low levels of participation in the banking system and limited access to the country's financial services and products. Coordination between competent institutions and local governments is deemed an area with potential for further development, for the purpose of undertaking possible joint action locally.

The Municipal Gender Equality and Equity Policy 2020–2030 sets the following employment and entrepreneurship goals: have an economic feasibility study to facilitate the creation of sources of employment and business ventures for women, enhance the employability of women in the canton, and work towards creating at least two Gender Secretariats (*Secretarías de Género*) each year in the Community Development Associations (*Asociaciones de Desarrollo Comunal*). However, acting specifically to improve gender equality for migrants in the workforce is regarded as an area that is still open to improvement. This has prompted the Women's Affairs Office to devise training courses for women entrepreneurs (promoting inclusion, even though not specifically targeting migrants) and to organize entrepreneurship fairs as promotional forums in which migrant women have participated.

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<sup>33</sup> These were San Antonio, San Rafael Arriba, San Rafael Abajo, San Miguel, Frailes, El Rosario, Isla Damas, Las Gravilias, Los Guido, San Juan de Dios, San Cristóbal, Patarrá and the Central District.



## 5

## EFFECTIVELY ADDRESS THE MOBILITY DIMENSIONS OF CRISES

## 5.1. Migration governance: Examples of well-developed areas

The National Law on Emergencies and Risk Prevention (Law No. 8488) (2005) regulates the national governance of emergency and crisis management. The Law expressly lays down national policy and establishes the National Risk Management System. Under this structure, municipalities coordinate the Municipal Emergency Committees (CMEs), with this responsibility falling to the Mayor of the municipality.

The National Risk Prevention and Emergency Response Commission manages the early warning system both nationally and locally. The National Communications Network is a system of radio communication via the CMEs, which links up various institutions as observation and surveillance posts throughout the country, to speed up the sharing of information for decision-making purposes during emergencies or states of alert. The National Risk Management Plan 2021–2025 (2021) lays out a programme to enhance local organization for emergencies by establishing one CME per canton, complete with warning systems that emphasize community and civil participation; it embodies other operational elements such as measuring and monitoring instruments, in addition to communication, activation, response and training. The canton of Desamparados has 16 Community Emergency Committees, located in areas that are highly prone to landslides or flooding. In 2021, they collaborated with IOM to organize emergency prevention workshops, and donated emergency response equipment.

Emergency management falls within the remit of the CME, which is an institutional coordination body under the responsibility of the Municipal Mayor's Office. Its functions include prevention, preparedness, response and recovery in disaster situations in the canton of Desamparados. The Committee comprises the following institutions: the Ministry of Health, the Public Force (*Fuerza Pública*), the Fire Department, the Red Cross, the Inter-agency Institute for Social Assistance, the National Child Welfare Institute (PANI) and the Costa Rican Social Security Fund, among other entities.

## 5.2. Areas with potential for further development

At the national level, the National Risk Management Policy 2016–2030 (2015) underlines that State sectors and institutions should include risk management in sectoral, institutional, regional and municipal plans. It further stipulates that migrants should be considered and included in all phases of the process, from the planning to the formulation, implementation and coordination of said plans. The Desamparados Land Use Plan (2007) lays down procedures and actions to be effected in coordination with the governing bodies to anticipate the consequences of an environmental threat or event, thereby avoiding or mitigating it. This local strategy fails to address human mobility or the specific needs of migrants and displaced persons. Nevertheless, in 2021 the Municipal Migrant Centre and IOM organized several workshops with different institutions of the CME so that the specific needs of migrants and displaced persons could be factored in to local emergency management.

There is no evidence of any local post-crisis recovery strategies in place. The municipality effects the ad hoc disaster recovery measures laid out in the Cantonal Risk Prevention and Emergency Response Plan 2017–2021 (2017) – namely, information gathering on damage caused; rebuilding infrastructure (dams, embankments, roads, canals); preparing technical, hydrological and anthropological studies in vulnerable areas; replacing and upgrading run-off systems; and relocating houses to safe areas, among other measures. Formulating a local post-crisis recovery strategy with a migration dimension is an area with potential for further development.

PANI and the General Directorate of Migration and Aliens are the institutions with nationwide responsibility for implementing specific procedures or measures to ensure the protection of unaccompanied migrant children and adolescents and those left behind in times of crisis. These bodies rely on the Protocol for the care and protection of unaccompanied or separated foreign minors, outside their country of origin (2012) and the Protocol for the detection, care and comprehensive protection of minors in need of international protection, whether they are applicants for refugee status, refugees or stateless persons (2014). However, the design of municipal-level procedures and measures to ensure the protection of unaccompanied migrant children and adolescents in times of crisis is considered an area with potential for further development.



## 6

## ENSURE THAT MIGRATION TAKES PLACE IN A SAFE, ORDERLY AND REGULAR MANNER

## 6.1. Migration governance: Examples of well-developed areas

At the local level, there are specific mechanisms to guarantee migrants' access to justice. The House of Rights programme provides legal advice and representation for victims of gender-based violence and in proceedings on family matters. It was set up in 2007 as a space in which to assist the refugee community and, given the results, is still operating and serving the migrant community in general, under the leadership of the municipality. Furthermore, there is an Office for the Support and Protection of Victims of Crime attached to the municipality and tasked with aiding and protecting all victims, witnesses and other parties involved in criminal proceedings.

Since its inauguration in July 2018, the Municipal Migrant Centre has been providing all-round assistance for migrants and refugees, including information and advice regarding migration processes and referrals to organizations or foundations. These services include assistance by the Centre in effecting the formalities for obtaining regular migration status. Between July 2018 and May 2022, the Centre assisted approximately 5,420 migrants, mainly from Nicaragua (70%) and the Bolivarian Republic of Venezuela (15%); 61 per cent were women, and 39 per cent were men.

The policy framework of the Citizen Safety Directorate embodies the rules on access to justice for vulnerable people, known as the Brasilia Rules,<sup>34</sup> which create the conditions for effective and discrimination-free access to justice for persons in vulnerable situations, such as migrants. The National Commission for the Improvement of the Administration of Justice has elaborated the Institutional Policy on Access to Justice for the Migrant and Refugee Population (2011), with a view to training judges, prosecutors and defenders in the realm of migration and human rights. It has also prepared documentation on national regulations and made it accessible to migrants and refugees so that they are informed about legal procedures.

## 6.2. Areas with potential for further development

The design of municipal programmes for reintegrating migrants is an area with potential for further development, as no programme exists to date in this regard. In the national context, migration policies on the integration, return and reintegration of migrants are implemented based on the General Law on Migration and Aliens (2009), the Comprehensive Migration Policy (2013) and the National Integration Plan 2018–2022 (2017). The Regional Conference on Migration also published the *Guiding Principles for the Development of Migration Policies on Integration, Return and Reintegration of the Regional Conference on Migration* (2014). In addition, there is the “Analysis of emigration by Costa Ricans and their reintegration in the country” (2018), which reviews current policies and explores the main challenges of integration. This Analysis identifies the principal challenges as follows: the lack of statistical data on return migration, the lack of legislation on return migration, the absence of the issue of return migration in public policies, the scant inclusion of return migration in the Comprehensive Migration Policy, and the absence of the topic from the agendas of local governments and the private sector.

The Municipal Police of Desamparados is not given specific and regular training in migration-related issues. In July 2021, ad hoc training was organized for some 30 municipal officers in “Emotional containment techniques for dealing with victims of gender violence” (*Técnicas de contención emocional para atender víctimas de violencia de género*), with the collaboration of the United States Embassy and Glasswing International.<sup>35</sup>

<sup>34</sup> These rules were an outcome of the XIV Ibero-American Judicial Summit, held in Brasília, Brazil.

<sup>35</sup> Municipality of Desamparados, *32 funcionarios (as) municipales cuentan desde hoy con habilidades para la atención de personas víctimas de violencia* (July 2021).

The municipality of Desamparados has not yet established an agency or formulated a strategy to combat human trafficking. It does, nonetheless, conduct a variety of activities and training exercises on an ad hoc basis to combat this problem. The municipality took part in the project “Towards a Central American civil society strengthened against violence and organized in the fight against human trafficking and migrant smuggling” (*Hacia una sociedad civil centroamericana fortalecida frente a la violencia y organizada en la lucha contra la trata de personas y el tráfico ilícito de migrantes*),<sup>36</sup> coordinated by the Ministry of Justice and Peace and the Ministry of Public Security. This programme was implemented in the course of 2018 by the PANIAMOR Foundation, and it trained more than 1,600 people, including adolescents and young people, community leaders, tourism enterprises staff, and municipal staff. Specific cooperation in the form of information-sharing takes place on an ad hoc basis between the judiciary and the Municipal Police when situations of possible trafficking are identified. The National Coalition against the Smuggling of Migrants and Trafficking in Persons exists at the national level to combat organized crime. Likewise, for the purposes of prevention and prosecution in Costa Rica, the General Law on Migration and Aliens and the Comprehensive Migration Policy form the basis of the strategy to combat trafficking in persons. They go hand in hand with the Law against Trafficking in Persons and the Creation of the National Coalition against the Smuggling of Migrants and Trafficking in Persons (Law No. 9095) (2013),<sup>37</sup> making for a comprehensive approach to organized crime in the country. IOM also provided training in matters of human trafficking in the framework of the Cantonal Councils for Institutional Coordination.

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<sup>36</sup> Ministry of Justice and Peace, *Proyecto dará herramientas a adolescentes y jóvenes para luchar contra trata de personas*, 4 July 2018.

<sup>37</sup> For more information, consult the 2018 Reform to the Criminal Code and the Law against Trafficking in Persons and the Creation of the National Coalition against the Smuggling of Migrants and Trafficking in Persons (CONATT).



## PREPAREDNESS AND RESPONSE PROTOCOLS ON THE RISKS OF THE NOVEL CORONAVIRUS (COVID-19)

This annex summarizes key local COVID-19 policy responses in the municipality of Desamparados from a migration governance perspective. It is based on 11 questions that were added to the standard [Migration Governance Indicators \(MGIs\)](#) assessment in the municipality, to effectively assess local migration governance in the context of the COVID-19 pandemic.

Broadly speaking, the COVID-19 pandemic response has been managed by the central Government of Costa Rica. The municipality of Desamparados, for example, is not directly responsible for health services, nor does it grant financial or other assistance to residents of the municipality.



Migrants living in the canton can access Government-run COVID-19 health services through the Costa Rican Social Security Fund.<sup>1</sup> All migrants are eligible for the vaccine, irrespective of their migration status, provided they can prove that they are based in the country.<sup>2</sup> Furthermore, the municipality has operated as a vaccination centre and uses its social media networks to disseminate information on vaccination.

In 2021, the municipality of Desamparados provided training for coffee farmers from the canton's rural districts, with respect to the guidelines set by the Ministry of Health in response to the health crisis. The migrant population increases in these districts during the coffee-harvesting season, making it necessary to apply health and hygiene protocols to prevent infection. Between 2020 and 2021, the Municipal Emergency Committee (CME) also distributed food packages to persons and families affected by COVID-19. These packages were provided by the National Risk Prevention and Emergency Response Commission.



The municipality shares information relating to COVID-19 in Spanish, which is understood by most migrants, and ensures that migrants can communicate their needs through migrant associations or groups. The municipality also has a Comptroller of Services, to whose office migrants may turn to ask questions about procedures or the services provided by the municipality, report the misuse of municipal funds or misconduct by its officers, express dissatisfaction with the municipality's services, or suggest ideas for improvement.<sup>3</sup>

<sup>1</sup> Legislative Assembly of the Republic of Costa Rica, *Ley constitutiva de la Caja Costarricense de Seguro Social* (1943).

<sup>2</sup> SWI swissinfo.ch, *Costa Rica abre la vacunación contra COVID-19 a migrantes irregulares* (Costa Rica makes COVID-19 vaccination available to irregular migrants). 18 September 2021.

<sup>3</sup> Municipality of Desamparados, *Municipalidad habilita trámites en línea* (2020).





## PREPAREDNESS AND RESPONSE PROTOCOLS ON THE RISKS OF THE NOVEL CORONAVIRUS (COVID-19)



There are no specific mechanisms for compiling health statistics at the municipal level, as this is a function of the central Government.<sup>4</sup> The Ministry of Health collects and disseminates health statistics relating to COVID-19. The data are disaggregated by canton (political and administrative unit) and district (administrative unit of the canton), which provides local authorities with local information, though the statistics are not broken down by migration status. The statistics furthermore reflect cumulative case numbers, recoveries, deaths and active COVID-19 cases, disaggregated as nationals or non-nationals.<sup>5</sup>

The municipality does not compile or disseminate statistics on the social and economic impacts of COVID-19, nor are data disaggregated specifically by individual migration status.<sup>6</sup> At the national level, the Ministry of Labour and Social Security has at its disposal an assessment of the impact of the *Bono Proteger* (temporary financial aid) on the poverty rate expected to result from the economic shock caused by the COVID-19 emergency measures and the associated costs. There is, however, no specific information on the impact of the pandemic broken down by migration status, or on measures taken with specific regard to migrants.<sup>7</sup>



Measures are in place in the canton to ensure physical distancing and proper precautions, and these are applied in settings with a high concentration of migrants and asylum-seekers, such as accommodation centres. In this connection, the municipality participates in the management model *Costa Rica trabaja y se cuida* (Costa Rica is working and looking after itself), the purpose of which is to identify and control COVID-19 cases in the canton. The model is implemented by the CME, which assesses the cantonal risk index and the canton's Risk Management Plan.<sup>8</sup> The municipality also has a General Health Protocol designed to "prevent and contain COVID-19 infections in the municipality's facilities, with priority being given to staff and outside users".<sup>9</sup>

<sup>4</sup> Municipality of Desamparados, [Home page](#).

<sup>5</sup> Ministry of Health, [Situación nacional COVID-19](#) (2022).

<sup>6</sup> Municipality of Desamparados, [Portal de Transparencia](#).

<sup>7</sup> Ministry of Labour and Social Security, [Impacto del COVID-19 sobre las tasas de pobreza de Costa Rica y el rol mitigante del Bono Proteger](#) (Impact of COVID-19 on Costa Rica's poverty rates and the mitigating role of the Bono Proteger) (2020).

<sup>8</sup> The entities assessing the model include the National Commission for Risk Prevention and Emergency Response, the Ministry of Health, the Institute for Municipal Development and Advisory Services, the National Union of Local Governments, and the Ministry of Public Security.

<sup>9</sup> Municipality of Desamparados, [Protocolo Sanitario General](#) (General Health Protocol) (2020).





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2014	<a href="#">Política Nacional para Una Sociedad Libre de Racismo, Discriminación Racial y Xenofobia 2014–2025</a> .
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2016	<a href="#">Marco de acciones rectoras para el derecho a la salud de las personas migrantes</a> .
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2009	<a href="#">Política para la Igualdad y Equidad de Género</a> .
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# ANNEXES

## MiGOF: Migration Governance Framework<sup>38</sup>

In an attempt to define the concept of “well-managed migration policies”, the International Organization for Migration (IOM) devised a Migration Governance Framework (MiGOF), which was welcomed by the IOM Council in November 2015. For the purposes of the Migration Governance Framework, IOM defines governance as “the traditions and institutions by which authority on migration, mobility and nationality in a country is exercised, including the capacity of the government to effectively formulate and implement sound policies in these areas”.

The Framework sets out the essential elements of “good migration governance” – three principles and three objectives which, if respected and fulfilled, would ensure that migration is humane, safe and orderly, and that it provides benefits for migrants and societies.<sup>39</sup> IOM’s view is that a migration system promotes migration and human mobility that is humane and orderly and benefits migrants and society:

When it:

- (i) Adheres to international standards and fulfils migrants’ rights;
- (ii) Formulates policy using evidence and a “whole-of-government” approach;
- (iii) Engages with partners to address migration and related issues;

As it seeks to:

- (i) Advance the socioeconomic well-being of migrants and society;
- (ii) Effectively address the mobility dimensions of crises;
- (iii) Ensure that migration takes place in a safe, orderly and dignified manner.

The MiGOF does NOT create new standards or norms. In drafting the Framework, IOM relied on its expertise and analytical work, as well as on existing commitments, non-binding declarations and statements. It does NOT address global migration governance that is the international architecture for dealing with issues related to migration and human mobility. Instead, the focus is on the governance and management of migration from the point of view of the State as the primary actor. It does NOT propose one model for all States. The Framework presents a “high road” or ideal version of migration governance, to which States can aspire.

The MiGOF is based on the understanding that, as the primary actor in migration, mobility and nationality affairs, a State retains the sovereign right to determine who enters and stays in its territory and under what conditions, within the framework of international law. Other actors – citizens, migrants, international organizations, the private sector, unions, non-governmental organizations, community organizations, religious organizations and academia – contribute to migration governance through their interaction with States and each other.

<sup>38</sup> IOM Council, [Migration Governance Framework](#), 106th Session, C/106/40 (4 November 2015).

<sup>39</sup> [Migration Governance Framework infosheet](#), 2016.

## The MGI process



### 1 Launch of the Local MGI process

The first step of the process is to explain to key national and local government officials what the Local MGIs entail, in order to ensure full understanding of the project and complete buy-in at both levels.



### 2 Data collection

The second step of the process is to start the collection and analysis of data based on adapted indicators from the MGIs. A draft local migration governance profile based on analysis of the findings is then shared with the government counterparts.



### 3 Multi-stakeholder discussions on the results of the MGIs

The third step of the process is to convene a consultation where local and national government officials and other stakeholders discuss the good practices and main gaps identified in the draft local migration governance profile. It is also an opportunity for them to comment on and provide suggestions to the draft profile.



### 4 Final report

The last step is to finalize the local migration governance profile, obtain final validation from the local authorities, and publish a printed version of the report as well as an online version on the [Migration Data Portal](#) and upload it on the [IOM Publications Platform](#).







[www.migrationdataportal.org/mgi](http://www.migrationdataportal.org/mgi)

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