

Migration Policies in Costa Rica 2014-2017

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Veröffentlichungsversion / Published Version

Forschungsbericht / research report

Zur Verfügung gestellt in Kooperation mit / provided in cooperation with:

GIGA German Institute of Global and Area Studies

Empfohlene Zitierung / Suggested Citation:

Pedroza, L., Palop-García, P., & Chang, S. Y. (2022). *Migration Policies in Costa Rica 2014-2017*. (IMISEM Case Report). Hamburg: German Institute for Global and Area Studies (GIGA) - Leibniz-Institut für Globale und Regionale Studien. <https://doi.org/10.57671/imisem-22008>

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IMISEM

EVERY IMMIGRANT IS AN EMIGRANT
How Migration Policies Shape
the Paths to Integration

IMISEM CASE REPORT
Migration Policies in

Costa Rica


2014-2017

Coordinated by:


Luicy Pedroza
Pau Palop-García
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January 2022

G I G A

German  Institute for Global and Area Studies
Leibniz-Institut für Globale und Regionale Studien

Imprint

The IMISEM CASE REPORTS are Open Access publications licensed under the CC BY 4.0  available for download free of charge at our Project Website: www.imisem.info as well as in the Social Science Open Access Repository, which will also host the IMISEM Dataset.

“Every Immigrant is an Emigrant” (IMISEM) is a 4-year project that was funded by the Leibniz-Gemeinschaft and developed at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. The IMISEM project was led by Dr. Luicy Pedroza.

The case reports were authored by a multinational team of researchers coordinated by Luicy Pedroza, Pau Palop-García and So Young Chang. The team of authors (i.e., data collectors) comprised 18 persons (3 core researchers plus 15 student assistants and interns), in alphabetical order: Daniel Braga Nascimento, So Young Chang, Natalia Chudoba, Jenny García Ruales, Belén Goyeneche, Paula Koller, Elena Korshenko, Zihao Lin, Charlotte Metzger, Eduardo Pagés, Pau Palop-García, Luicy Pedroza, Barbara Pilz, Neslihan Önder, Mayya Solonina, Béla Soltész, Arnaz Tejakusuma, and Girindra Wiratni Puspa. For their commitment in the final editing phase, we acknowledge the valuable contributions of Great Uchechukwu Udochi and Micaela Lincango. We are also grateful for the institutional support of the GIGA, especially Peter Peetz, Petra Brandt, Sabine Barth, Jan Lüth, Bert Hoffmann and Verena Schweiger. We also thank Sonia Octavio and Bertram Richter for their support in the cover design and Andrew Crawford for his work in programming the website for the publication of these reports in addition to all the visualizations linked to the IMISEM dataset. Authors alone are responsible for the content of the reports. GIGA and the editors cannot be held liable for any errors and omissions, or for any consequences arising from the use of the information provided.

The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. For maximal transparency, this report follows the structure of the original questionnaire which the team used to collect the information. That tool -an empty questionnaire- is also available in our Project Website for anyone who would like to work further, either to update the cases in the IMISEM sample, or to collect information for cases which were not included in the IMISEM sample. The IMISEM Team encourages both kinds of extensions, which would be very valuable contributions to the scholarly community working on comparative migration policies.

This report you are about to open has been automatically created based on the information contained in the IMISEM dataset, with an R script (version 2.0) coded by Pau Palop-García. Editors of the IMISEM Case Reports: Dr. Luicy Pedroza & Dr. Pau Palop-García.

How to cite this report:

Pedroza, Luicy; Pau Palop-García, and So Young Chang (2022), *Migration Policies in Costa Rica 2017-2019*, IMISEM Case Report, German Institute for Global and Area Studies (GIGA), January, <https://doi.org/10.57671/imisem-22008>, (access date).

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About IMISEM

“Every Immigrant is an Emigrant (IMISEM)” is a 4-year project that was funded by the Leibniz-Gemeinschaft and hosted at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. Its main distinctive feature is that it adopts a comprehensive view of migration policy. This includes not only the policies that regulate the stages of entry, immigrant residence and integration to citizenship access, but also encompasses the stages of emigration, emigrant rights abroad, and retention of citizenship. Thus, this project bridges for the first time the two sides of migration policy which both the policy and research communities have assumed to exist, but which so far have not been systematically analyzed in their connections. By collecting information on a vast array of information for policies across these six areas (three “stages” * two “sides”) for 32 cases from three world regions, we hope to offer the scholarly and policy communities the resources to discover connections between the different areas of migration policy within and across cases as well as noteworthy migration policy innovations in so far little-known cases in the world. The IMISEM project was led by Dr. Luicy Pedroza. The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. This report has been created based on the information contained in the IMISEM dataset.

The IMISEM case sample

The sample of 32 cases across Asia, Europe, and Latin America were selected based on heterogeneity in the level of economic development, levels of both flows and stocks of emigrants as well as immigrants, and then finally chosen upon taking into consideration the linguistic abilities and other pragmatic concerns that were decisive for the research team’s ability to explore and understand legal sources and policy regulations of the polities. The cases included in the sample are Argentina, Austria, Bolivia, Brazil, Chile, People’s Republic of China, Colombia, Costa Rica, Dominican Republic, East Timor, Ecuador, El Salvador, France, Germany, Guatemala, Hong Kong, Hungary, Indonesia, Ireland, Japan, Macau, Malaysia, Mexico, Peru, Philippines, Portugal, Singapore, South Korea, Spain, Taiwan, Trinidad and Tobago, and Uruguay.

We use the terms “country” and “state” in all the reports for purposes of consistency, but we are aware that some of the *politie*s that we have included in the sample would require a different treatment because of situations of subordination to a higher-level political community (as in the cases of Hong Kong and Macau as Special Administrative Regions) or contested sovereignty issues (as in the case of Taiwan). We kindly ask our readers to bear in mind these important characteristics for any interpretation of the data presented.

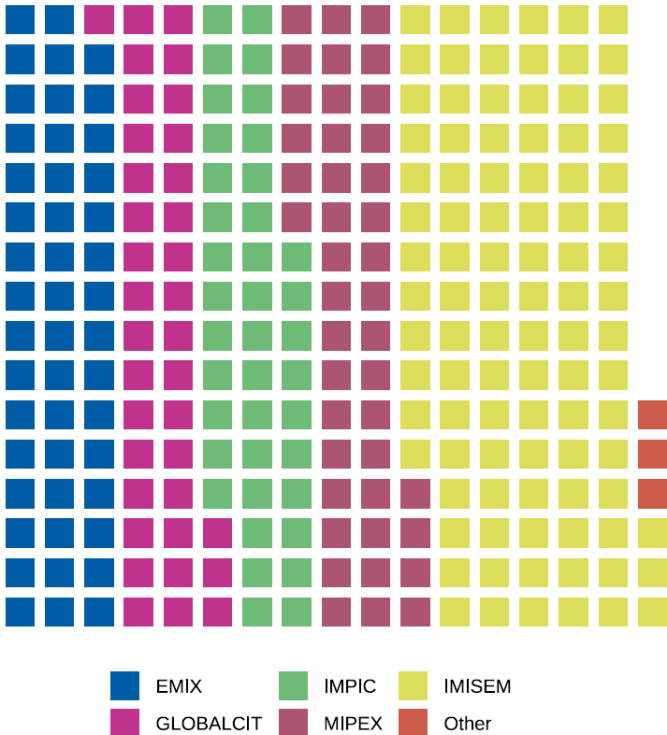
About the IMISEM Questionnaire

For maximal transparency, this report follows the same structure of the IMISEM Data Collection Tool (a questionnaire) which the team used to gather the information. This questionnaire was not distributed to experts to be filled in, but rather served as a systematic tool with which the data collectors/authors were able to collect information in an orderly, systematic, and comparable manner across cases. A template of the IMISEM Data Collection Tool is available for download on our website. It is important for us, the IMISEM Team, to acknowledge how the IMISEM Data Collection Tool builds on previous efforts in

data collection on migration policies. The strategy behind the selection of questions was the following: first, based on a wide survey of the literature, we decided which dimensions and sub-dimensions of policies were relevant for our research goals and noted down the questions that we deemed necessary to gather the information for each of the IMISEM dimensions. Second, we did a thorough review of all the questionnaires produced by previous projects and selected from them those that covered the policy dimensions identified in our initial literature review. As a final step, we came up with new questions that covered those areas that had not been addressed by previous projects and yet seemed crucial to understand migration policies comprehensively and across the three regions that we cover.

The final version includes 288 main questions (and over 800 sub-questions), 90 of which (31.3 %) are original formulations of the IMISEM project and 198 are based on questions developed previously by projects such as [IMPIC](#), [EMIX](#), [GLOBALCIT](#) and [MIPEX](#). The first draft of our Data Collection Tool was piloted on a case from each region and thereafter went through several revisions to refine and modify the wording of questions. As none of the existing tools we drew on had included Asian cases in their original sample, it was important that our tool itself reflected policies that we might encounter in the broader sample pool with their apparent priorities and specificities. An example of this is the addition of questions on broker agencies that assist potential migrants with emigration and immigration, which are highly visible actors in several Asian cases. Adapting questions coming from projects that had originally focused on European cases only also meant discarding items that captured regulations applicable only for European migrants/citizens (i. e. for the European cases in our sample we collect information that applies to “third-country nationals”). The iterative process of piloting and refining questions led to the final version of the IMISEM Data Collection Tool. Figure 1 shows the origin of the questions that are included in our questionnaire.

Figure 1: Origin of the questions included in the IMISEM Data Collection Tool



Each square represents a main question of the IMISEM Questionnaire/Data Collection Tool.

Source: Own elaboration.

Format of the answers contained in this report

The format of the answers that we present in this report follows the needs of the team to have comparable answers, so that we could more easily assign a numerical code later and therefore produce a dataset which lends itself to different analyses. Yet, we also wanted to include an explanation of the answer in some detail so that our readers can understand how we interpreted the sources and why we assigned a certain code. The importance of including an explanation for each answer cannot be understated. The explanations allow us to add nuance to the instances where there is room for debate and contestation over the interpretation of regulations. By explaining our answers, we hope to increase the transparency of the steps between data collection and data coding, and to invite other researchers to draw their own interpretations and conclusions, which may differ from our own.

Each of the answers in this report is composed of four fields:

Answer: this field contains the qualitative answer to the given question (for instance, “yes” or “no”).

Code: this field contains the quantitative answer to the given question. This reflects how we translated the qualitative answer into a number or code (for instance, “yes” can be coded as 0, and “no” as 1). The codes allow us to create composite indicators and compare across cases. The transformation of the qualitative answers into codes have been carried out following the IMISEM Codebook, the free access to which is also available on our website.

Explanation: this field contains the interpretation for the answer. It is meant to help the reader understand the logic behind the qualitative answer given by the coder. It often refers to the regulations -or lack thereof- and explains how we understood it.

Sources: this field contains a description of the sources consulted by the collector/author to come up with the answer and the explanation. Usually, primary sources (such as laws, all kinds of regulations and official government websites) are provided first, followed by consultations with official authorities (if the team considered necessary to corroborate information or decide for an interpretation), and secondary sources.

Format of the sources

We used a shortened version of the Chicago style for the citation of the different sources to reduce the length of the reports. The sources include the name of the web page, publication, report or legal document in the original language, followed by the translation in English within “[]”. Given the complexity of the questions, answering many of them required using more than one source. Therefore, in a single question, several references appear in the same paragraph. They are separated by the following sign: “/”.

For example, the following format was used for legal documents, the most used type of source:

Name of regulation in original language [Name of regulation in English]. Year of enactment (Year of the version). Art. X.

Example: Constitución Española [Spanish Constitution]. 1978 (1992). Art. 78.

Varieties of Standard English

In accordance with the diversity of nationalities and backgrounds in our team, we decided against homogenizing the use of English, which means that readers will find different spelling norms being applied across reports. We followed the use that is customary in the case we collected information for or that which our collectors felt at ease with. The same principle applies to other languages, such as Spanish or German.

Contact

We sincerely hope that our dataset proves useful for your purposes. Please let us know if you have any feedback at: lpedroza@colmex.mx or find us through our ORCID numbers:

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1. Emigration policies

1.1. General

EMIGRATION_1. The attempt to leave the country is punishable by law.

Answer: No

Code: 1

Explanation: No. The Law 8764, which regulate migration affairs in Costa Rica, do not include provisions forbidding emigration.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

EMIGRATION_2: Exit fees.

Prospective emigrants need to pay a fee before emigrating.

Answer: No

Code: 1

Explanation: No, there is only a general tax for leaving the country (Impuesto de salida del territorio nacional).

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Ministerio de Hacienda República de Costa Rica. "Impuesto de salida del territorio nacional [Tax on Exit from the National Territory]". Accessed April 3, 2019.

<https://www.hacienda.go.cr/contenido/13053-impuesto-de-salida-del-territorio-nacional>. Dirección General de Migración y Extranjería. "Portal-Inicio [Portal-Homepage]". Access date not available. <https://www.migracion.go.cr/SitePages/Inicio.aspx>.

Amount of the fee in country of origin currency:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Amount of the fee in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Prospective emigrants need to make a deposit before emigrating:

Answer: No

Code: 1

Explanation: No, there is only a general tax for leaving the country (Impuesto de salida del territorio nacional).

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Ministerio de Hacienda República de Costa Rica. "Impuesto de salida del territorio nacional [Tax on Exit from the National Territory]". Accessed April 3, 2019.

<https://www.hacienda.go.cr/contenido/13053-impuesto-de-salida-del-territorio-nacional>. Dirección General de Migración y Extranjería. "Portal-Inicio [Portal-Homepage]". Access date not available. <https://www.migracion.go.cr/SitePages/Inicio.aspx>.

Amount of the deposit in the currency of the country of origin:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Amount of the deposit in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_3: Citizens can only stay abroad for a given maximum of days.

Citizens can only stay abroad for a given maximum of days

Answer: No

Code: 1

Explanation: No. No provision in the main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

Maximum number of days that citizens can stay abroad:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

1.2. Documentation

1.2.1. Passport

EMIGRATION_4: Cost of ordinary passport.

Cost of ordinary passport in country currency (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):

Answer: 56

Code: 56

Explanation: According to the website of the General Direction of Migration and Foreign Affairs, the cost for the passport is of USD 56.

Sources: Ley N° 8764 [Law 8764]. 2009. / Dirección General de Migración y Extranjería. "Pasaportes y Permisos de Salida [Passports and Departure Permits]". Accessed March 25, 2019. <http://migracion.go.cr/Paginas/Pasaportes-y-Permisos-de-Salida.aspx>.

Cost of ordinary passport in US Dollars (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):

Answer: 56

Code: 56

Explanation: According to the website of the General Direction of Migration and Foreign Affairs, the cost for the passport is of USD 56.

Sources: Ley N° 8764 [Law 8764]. 2009. / Dirección General de Migración y Extranjería. "Pasaportes y Permisos de Salida [Passports and Departure Permits]". Accessed March 25, 2019. <http://migracion.go.cr/Paginas/Pasaportes-y-Permisos-de-Salida.aspx>.

EMIGRATION_5: Maximum length of procedure to process passport.

Maximum length of procedure to process passport is specified in the regulations or information on the average length is provided by official sources (if there are different lengths, use the minimum):

Answer: Yes

Code: 1

Explanation: 10 days.

Sources: Dirección General de Migración y Extranjería. "Pasaporte por primera vez/Renovación de Pasaporte [First Time Passport/Renewal of Passport]". Accessed March 25, 2019.
<http://migracion.go.cr/Documentos%20compartidos/Pasaportes/Renovaci%C3%B3n%20de%20Pasaporte.pdf>.

Maximum length of procedure to process passport (in days):

Answer: 10

Code: 10

Explanation: 10 days.

Sources: Dirección General de Migración y Extranjería. "Pasaporte por primera vez/Renovación de Pasaporte [First Time Passport/Renewal of Passport]". Accessed March 25, 2019.
<http://migracion.go.cr/Documentos%20compartidos/Pasaportes/Renovaci%C3%B3n%20de%20Pasaporte.pdf>.

Maximum length of procedure to process passport (by categories):

Answer: From 0 to 2 months

Code: 1

Explanation: 10 days.

Sources: Dirección General de Migración y Extranjería. "Pasaporte por primera vez/Renovación de Pasaporte [First Time Passport/Renewal of Passport]". Accessed March 25, 2019.
<http://migracion.go.cr/Documentos%20compartidos/Pasaportes/Renovaci%C3%B3n%20de%20Pasaporte.pdf>.

EMIGRATION_6. Renewal of passport from abroad is possible:

Answer: Yes

Code: 1

Explanation: Yes. The renewal is possible through embassies and consulates.

Sources: Decreto N° 37990-G [Decree 37990-G]. 2013. Art. 323 and 324. / Embajada de Costa Rica Berlín-Alemania. "Solicitudes de Pasaportes [Passport Applications]". Accessed March 25, 2019.
http://www.botschaft-costarica.de/index.php?option=com_content&view=article&id=131%3Asolicitudes-de-pasaportes&catid=36%3Amenu-principal&Itemid=180&lang=es.

1.2.2. Other requirements

EMIGRATION_7. Local police certificate is necessary to emigrate:

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 36769-G [Decree 36769-G]. 2011.

EMIGRATION_8. Superior/employer's permission is necessary to emigrate:

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 36769-G [Decree 36769-G]. 2011.

EMIGRATION_9. Proof of income is necessary to emigrate:

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 36769-G [Decree 36769-G]. 2011.

EMIGRATION_10. Registration abroad is mandatory.

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36769-G [Decree 36769-G]. 2011.

1.3. Quotas and restrictions

EMIGRATION_11. Quotas to emigrate based on ethnicity.

Quotas to emigrate based on ethnicity exist in the country:

Answer: No

Code: 1

Explanation: No provision in the main regulation.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

Quota to emigrate for 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_12: Quotas to emigrate based on income.

Quotas to emigrate based on income exist in the country:

Answer: No

Code: 1

Explanation: No provision in the main regulation.

Sources: Ley N° 8764 [Law 8764]. 2009.

Quota to emigrate for 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_13. Those who are liable for military conscription are allowed to emigrate:

Answer: Not applicable (no military conscription in country of study)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_14: Banned countries for emigration.

There are countries that are banned as destination for emigrants:

Answer: No

Code: 1

Explanation: No provision in the main regulation.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36769-G [Decree 36769-G]. 2011.

List of countries banned for citizens in 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of countries banned for citizens in 2017:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_15. Higher education graduates must pay an education “tax” (or compensation) to be able to emigrate:

Answer: No

Code: 1

Explanation: No provision in the main regulation

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36769-G [Decree 36769-G]. 2011.

EMIGRATION_16. Recipients of state scholarship are banned from emigrating:

Answer: No

Code: 1

Explanation: When reviewing i.e. scholarships for Argentina, Thailand and India there is not mention of recipients banned from emigrating for a given period.

Sources: Ministerio de Relaciones Exteriores y Culto. "Becas disponibles [Scholarships Available]". Accessed March 25, 2019. <http://www.rree.go.cr/>.

EMIGRATION_17: Ban for specific civil professional groups.

There is an emigration ban for specific professional group(s):

Answer: No

Code: 1

Explanation: No provision in the main regulation.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36769-G [Decree 36769-G]. 2011.

There is a ban for medical doctors:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

There is a ban for other professions:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_18. The ban can be overcome by a letter signed by a supervisor:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_19. The ban can be overcome by a letter signed by an official authority.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

1.4. Policy incentives

EMIGRATION_20. Existence during 2017 of campaigns to encourage emigration:

Answer: No

Code: 0

Explanation: No campaigns found.

Sources: Presidencia de la República de Costa Rica. "Presidencia de la República de Costa Rica [Presidency of the Republic of Costa Rica]". Accessed September 2018. <https://www.presidencia.go.cr/>. / Ministerio de Relaciones Exteriores y Culto. "Ministerio de Relaciones Exteriores y Culto [Ministry of Foreign Affairs and Worship]". Accessed September 2018. <http://www.rree.go.cr/>. / Ministerio de Cultura y Juventud de Costa Rica. "Ministry of Culture and Youth of Costa Rica". Accessed September 2018. <https://mcj.go.cr/>. / Trece Costa Rica Televisión. "Trece Costa Rica Televisión [Thirteen Costa Rica Television]". Accessed September 2018. <https://www.facebook.com/SinartTreceCostaRica/>.

EMIGRATION_21. Existence during 2017 of campaigns to discourage emigration:

Answer: No

Code: 0

Explanation: No campaigns found.

Sources: Presidencia de la República de Costa Rica. "Presidencia de la República de Costa Rica [Presidency of the Republic of Costa Rica]". Accessed September 2018. <https://www.presidencia.go.cr/>. / Ministerio de Relaciones Exteriores y Culto. "Ministerio de Relaciones Exteriores y Culto [Ministry of Foreign Affairs and Worship]". Accessed September 2018. <http://www.rree.go.cr/>. / Ministerio de Cultura y Juventud de Costa Rica. "Ministry of Culture and Youth of Costa Rica". Accessed September 2018. <https://mcj.go.cr/>. / Trece Costa Rica Televisión. "Trece Costa Rica Televisión [Thirteen Costa Rica Television]". Accessed September 2018. <https://www.facebook.com/SinartTreceCostaRica/>.

EMIGRATION_22. Existence of license system to recognize and authorize emigration brokers (i.e. persons or companies dedicated to facilitating the immigration process to emigrants):

Answer: No

Code: 0

Explanation: No provision in main regulation.

Sources: Ley N° 8764 [Law 8764]. 2009.

EMIGRATION_23: Emigration lump sum.

State of origin pays a lump sum incentive to citizens willing to emigrate:

Answer: No

Code: 0

Explanation: No provision in main regulation.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36769-G [Decree 36769-G]. 2011.

Register the amount of the sum in country currency:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Register the amount of the sum in US Dollars:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_24. State of origin allows citizens willing to emigrate the withdrawal of accumulated social benefits (e.g. unemployment benefits) in a single transfer.

Answer: No

Code: 0

Explanation: There are no unemployment benefits in Costa Rica.

Sources: Consultation with expert, Caja del Seguro Social. July 8, 2019.

1.5. Penalties

EMIGRATION_25: Loss of private property.

Risk of losing real state in case of emigration:

Answer: No

Code: 1

Explanation: The Constitution (Art. 23 and 25) protect the right to private property. No exceptions are made in case of emigration.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 23 and 25.

Risk of losing bank accounts in case of emigration:

Answer: No

Code: 1

Explanation: The Constitution (Art. 23 and 25) protect the right to private property. No exceptions are made in case of emigration.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 23 and 25.

EMIGRATION_26: Re-entry ban.

Existence of a re-entry ban after residence abroad for nationals by naturalization:

Answer: No

Code: 1

Explanation: Article 22 of the Constitution establishes that all Costa Ricans may move and remain anywhere in the Republic or outside it, provided they are free of responsibility, and return when it suits them.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 22.

Re-entry ban applies after how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of a re-entry ban after residence abroad for nationals by birth:

Answer: No

Code: 1

Explanation: Article 22 of the Constitution establishes that all Costa Ricans may move and remain anywhere in the Republic or outside it, provided they are free of responsibility, and return when it suits them.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 22.

Re-entry ban after residence abroad for nationals by birth after how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of a re-entry ban after residence abroad for nationals with dual or multiple nationality:

Answer: No

Code: 1

Explanation: Article 22 of the Constitution establishes that all Costa Ricans may move and remain anywhere in the Republic or outside it, provided they are free of responsibility, and return when it suits them.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 22.

Re-entry ban after residence abroad for nationals with dual or multiple nationality after how many months of residence abroad?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRATION_27. Existence of sanctions (other than a re-entry ban) for overstaying abroad:

Answer: No

Code: 1

Explanation: Article 22 of the Constitution establishes that all Costa Ricans may move and remain anywhere in the Republic or outside it, provided they are free of responsibility, and return when it suits them.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 22. / Dirección General de Migración y Extranjería. "Portal-Inicio [Portal-Homepage]". Access date not available. <https://www.migracion.go.cr/SitePages/Inicio.aspx>.

1.6. Administration

EMIGRATION_28. Existence of institution/agency with competencies for exit and/or emigration:

Existence of institution/agency with competencies for exit and/or emigration:

Answer: Yes

Code: 1

Explanation: General Direction of Migration and Foreign Affairs.

Sources: Dirección General de Migración y Extranjería. "La Institución [The Institution]". Accessed March 25, 2019". <http://migracion.go.cr/Paginas/LaInstitucion.aspx>.

Name of the institution with competencies for exit and/or emigration in original language:

Answer: Dirección General de Migración y Extranjería

Name of the institution with competencies for exit and/or emigration in English:

Answer: General Direction of Migration and Foreign Affairs

Place in the administrative hierarchy:

Answer: 2nd Rank in the public administration

Code: 0.75

Explanation: attached to the Ministry of Government and Police, but with no clear rank in the hierarchy.

Sources: Ministerio de Gobernación y Policía. "Organigrama [Organizational Chart]". Accessed March 25, 2019. <http://www.mgp.go.cr/ministerio/organigrama>.

2. Emigrant policies

2.1. Policies of representation

2.1.1. Electoral rights

EMIGRANT_1. Voting is mandatory for citizens residing abroad:

Answer: Yes

Code: 1

Explanation: Article 93 of the Constitution establishes that ‘suffrage is a fundamental and compulsory civic duty and is exercised through a direct and secret ballot by citizens registered in the Civil Registry’. Although voting is officially mandatory, the electoral legislation lacks any penalties or sanctions for those who do not vote, although there has been debate as to whether such sanctions ought to be included in the electoral code. This section introduces the main characteristics of the procedures of registration on relevant electoral rolls for each category of eligible voters” (Alfaro-Redondo 2015: 4).

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 93. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Does the country have presidential elections?

Answer: Yes

Code: 1

Does the country have a bicameral system (e.g. composed of a Lower House and an Upper House, or an originating chamber and a reviewer chamber)?

Answer: No, the country only has a Lower House

Code: 2

Presidential elections

EMIGRANT_2. Can non-resident citizens vote in national presidential elections from abroad?

Answer: Generally enfranchised

Code: 1

Explanation: Article 187 of the Law 8765 establishes that Costa Rican citizens will be able to exercise their right to vote from abroad to appoint whoever occupies the presidency and Vice-Presidency of the Republic, as well as to speak at national popular consultations.

Sources: Ley N° 8765 [Law 8765]. 2009. Art. 187.

EMIGRANT_3. Can non-resident citizens stand as candidates in national presidential elections from abroad?

Answer: Generally disenfranchise

Code: 0

Explanation: Non-resident citizens do not have the right to stand as candidates in any type of elections Art. 131 of the Constitution and Alfaro-Redondo 2015: 3).

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 131. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Legislative elections

Lower House (National Elections)

EMIGRANT_4. Can non-resident citizens vote in national legislative elections (Lower House) from abroad?

Answer: Generally disenfranchise

Code: 0

Explanation: Article 187 of the Law 8765 establishes that Costa Rican citizens will be able to exercise their right to vote from abroad to appoint whoever occupies the presidency and Vice-Presidency of the Republic, as well as to speak at national popular consultations.

Sources: Ley N° 8765 [Law 8765]. 2009. Art. 187.

EMIGRANT_5. Can non-resident citizens stand as candidates in national legislative elections (Lower House) from abroad?

Answer: Generally disenfranchise

Code: 0

Explanation: Non-resident citizens do not have the right to stand as candidates in any type of elections Art. 131 of the Constitution and Alfaro-Redondo 2015: 3).

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 131. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Upper House (National Elections)

EMIGRANT_6. Can non-resident citizens vote in national legislative elections (Upper House) from abroad?

Answer: Non applicable (no Upper House elections)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_7. Can non-resident citizens stand as candidates in national legislative elections (Upper House) from abroad?

Answer: Non applicable (no Upper House elections)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Registration

EMIGRANT_8. Registration in the electoral roll for non-resident citizens:

Answer: Active registration, once-off

Code: 0.67|

Explanation: In order to vote abroad, the interested person must expressly request to be registered in the respective Costa Rican consulate, either at the time of first applying for their identity card, when renewing it or when requesting their transfer of electoral domicile (Article 2 of the Decree 04-2013).

Sources: Decreto N° 04-2013 [Decree 04-2013]. 2013. Art. 2.

Remote voting

EMIGRANT_9. Voting methods from abroad:

Voting methods available to cast votes from abroad - Electronic voting:

Answer: No

Code: 0

Explanation: Boards receiving votes shall preferably be installed in consular or diplomatic offices and, failing that, in premises that comply with minimum requirements (Article 19 of the Decree 04-2013).

Sources: Decreto N° 04-2013 [Decree 04-2013]. 2013. Art. 19. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Voting methods available to cast votes from abroad - Proxy voting:

Answer: No

Code: 0

Explanation: Boards receiving votes shall preferably be installed in consular or diplomatic offices and, failing that, in premises that comply with minimum requirements (Article 19 of the Decree 04-2013).

Sources: Decreto N° 04-2013 [Decree 04-2013]. 2013. Art. 19. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Voting methods available to cast votes from abroad - Postal voting:

Answer: No

Code: 0

Explanation: Boards receiving votes shall preferably be installed in consular or diplomatic offices and, failing that, in premises that comply with minimum requirements (Article 19 of the Decree 04-2013).

Sources: Decreto N° 04-2013 [Decree 04-2013]. 2013. Art. 19. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Voting methods available to cast votes from abroad - Personal voting in consulates or embassies:

Answer: Yes

Code: 1

Explanation: Boards receiving votes shall preferably be installed in consular or diplomatic offices and, failing that, in premises that comply with minimum requirements (Article 19 of the Decree 04-2013).

Sources: Decreto N° 04-2013 [Decree 04-2013]. 2013. Art. 19. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Voting methods available to cast votes from abroad - Ad hoc polling stations:

Answer: Yes

Code: 1

Explanation: Boards receiving votes shall preferably be installed in consular or diplomatic offices and, failing that, in premises that comply with minimum requirements (Article 19 of the Decree 04-2013).

Sources: Decreto N° 04-2013 [Decree 04-2013]. 2013. Art. 19. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Special representation

EMIGRANT_10: Emigrant special representation.

Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's Lower House?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special seats reserved for non-resident candidates in the Lower House:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special emigrant districts in the Lower House:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's Upper House?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special seats reserved for non-resident candidates in the Upper House:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of special emigrant districts in the Upper House:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Remote voting implementation

EMIGRANT_11. External voting has been implemented (non-resident citizens have been able to vote from abroad in the past elections):

Answer: yes

Code: 1

Explanation: External voting has been implemented.

Sources: External voting has been implemented.

EMIGRANT_12. In case external voting has not been implemented after its adoption, what are the main reasons?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

2.1.2. Regulation of political competition abroad

Party offices in the state of reception

EMIGRANT_13. Offices of political parties are legally allowed abroad:

Answer: No specific regulation of offices abroad

Code: 0.5

Explanation: No mention of this in relevant laws; they must be, in principle, allowed, even though financial support from foreigners is prohibited (“las contribuciones de extranjeros, tanto de personas físicas como jurídicas”, Código Electoral 2009, art. 128).

Sources: Ley N° 8765 [Law 8765]. 2009.

EMIGRANT_14. Actual existence of permanent offices of home country parties abroad which target emigrants in order to capture funding for campaigns or political support:

Answer: No

Code: 0

Explanation: No permanent offices found.

Sources: Acción Ciudadana. “Acción Ciudadana [Citizen Action]”. Accessed September 2018. <https://accion-ciudadana.org/>. / Partido de Liberación Nacional. “Partido de Liberación Nacional [National Liberation Party]”. <https://www.pln-cr.org/>.

EMIGRANT_15. Register the list of countries (in English) in which the three biggest political parties of the state of origin have offices abroad (consider parties or political movements with the highest number of votes in the last national legislative election).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_16. Could external party offices receive public funding from state of origin?

Answer: No specific regulation

Code: 0.5

Explanation: There is no provision in the regulation about public funding for parties with offices abroad.

Sources: Ley N° 8765 [Law 8765]. 2009.

Political campaigns

EMIGRANT_17. Electoral campaigns abroad for home elections are legally regulated:

Answer: No specific regulation of campaigns abroad

Code: 0.5

Explanation: No specific regulation for campaigns abroad.

Sources: Ley N° 8765 [Law 8765]. 2009.

EMIGRANT_18. Actual existence of campaigns abroad for home elections:

Answer: Yes

Code: 1

Explanation: Last elections before 2018 were held in 2014. Candidates of the biggest parties, Liberación Nacional and Acción Ciudadana, attempted to campaign abroad, mainly in the US in person, or other parts of the world via IT and social media.

Sources: El Financiero. "Candidatos se apuran para conquistar voto en el extranjero [Candidates Rush to Win Overseas Vote]". Access date not available. http://www.elfinancierocr.com/economia-y-politica/Candidatos-apuran-conquistar-voto-extranjero_0_376162399.html.

EMIGRANT_19. Existence of public funding for electoral campaigns in state of residence:

Answer: No mention to public funding for campaigns abroad in main electoral regulations

Code: 0.5

Explanation: There is no provision in the regulation about public funding for political campaigning abroad.

Sources: Ley N° 8765 [Law 8765]. 2009.

Membership in political parties

EMIGRANT_20. Emigrant membership to home country political parties:

Answer: Not regulated

Code: 0.25

Explanation: There are no restrictions regarding residence for internal candidacies, or membership.

Sources: Estatuto Partido Liberación Nacional [National Liberation Party Statute]. 1994 (2020). / Estatuto Partido Acción Ciudadana [Citizen Action Party Statute]. 2001 (2019).

2.1.3. Consultative bodies

2.1.4. Consultative bodies at the national level

EMIGRANT_21. Existence of a consultative body on emigrant issues:

Answer: No

Code: 0

Explanation: Costa Rica does not have a consultative body on emigrant issues.

Sources: Ley N° 8764 [Law 8764]. 2009.

EMIGRANT_22. The consultation is structural or ad hoc:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_23. Composition of the consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_24. Who chairs the consultative body?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_25. The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_26. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_27. Selection criteria to ensure representativeness

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of selection criteria to ensure a geographically-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Consultative bodies at the consular level

EMIGRANT_28. Existence of a consultative body of emigrants at the consular level.

Answer: No

Code: 0

Explanation: Costa Rica does not have a consultative body on emigrant issues.

Sources: Asamblea Legislativa, «Ley General de Migración y Extranjería; Ley No. 8764», La Gaceta No. 170 § (2009).

EMIGRANT_29. The consultation is structural or ad hoc:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_30. Composition of the consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_31. Who chairs the consultative body?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_32. The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_33. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

EMIGRANT_34. Selection criteria to ensure representativeness

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of selection criteria to ensure a geographically-balanced consultative body:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

2.1.5. Funding of emigrant associations

EMIGRANT_35. Existence of consular support (in kind or financial) to independent emigrant associations

Answer: No

Code: 0

Explanation: No provisions in main regulations.

Sources: Embajada de Costa Rica en Wshington DC. "Preguntas frecuentes [Frequently Asked Questions]". <http://www.costarica-embassy.org/index.php?q=node/108#3>. / Ley N° 8764 [Law 8764]. 2009.

2.2. Economic Policies

2.2.1. Remittances

EMIGRANT_36. Government program/strategy to attract remittances from emigrants.

Existence of a government program to attract remittances from emigrants:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Banco Central de Costa Rica. "BCCR-Inicio [BCCR-Homepage]". Access date not available. <https://www.bccr.fi.cr/SitePages/Inicio.aspx>. / Ministerio de Economía, Industria y Comercio de Costa Rica. "Ministerio de Economía, Industria y Comercio de Costa Rica [Ministry of Economy, Industry and Commerce of Costa Rica]". Access date not available. <https://www.meic.go.cr/meic/>.

Measures to improve banking channels for remittances:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Existence of fee controls for remittances:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Remittances used for a co-development scheme (if remittances are used by the state of origin to fund development policies):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

2.2.2. Investment

EMIGRANT_37. Existence of a government program to attract investments from emigrants (i.e. investment in housing, local enterprises, etc.):

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Banco Central de Costa Rica. "BCCR-Inicio [BCCR-Homepage]". Access date not available. <https://www.bccr.fi.cr/SitePages/Inicio.aspx>. / Ministerio de Economía, Industria y Comercio de Costa Rica. "Ministerio de Economía, Industria y Comercio de Costa Rica [Ministry of Economy, Industry and Commerce of Costa Rica]". Access date not available. <https://www.meic.go.cr/meic/>.

2.2.3. Brain circulation networks

EMIGRANT_38. Are there formally constituted networks aiming to build connections between emigrants and the state of origin to share knowledge?

Answer: Yes

Code: 1

Explanation: Red TICOTAL: Led by the Academia Nacional de Ciencias, collaborating with the Ministerio de Ciencia y Tecnología (CONICIT). Created in 2010 to gather Costa Rican scientists and engineers who work or study abroad. The network seeks to connect them with scientific activities in Costa Rica through a permanent instrument for their interaction to exchange ideas, contacts, experiences and opportunities for cooperation. The network has created a database that is public with academic information of the Diaspora who are ready to collaborate with the country and start up projects with local counterparts. The database includes education level, professional area, sex, variables that may have influenced their decisions, activities, degree of integration and "rootedness" (arraigo en los países de recibo) in countries of reception and their expectation regarding return to Costa Rica. In its second stage, Red TICOTAL will attempt to create networks of Exchange in the private sector with technological specializations in order to power innovation. It will also facilitate reinsertion through work offers from different sectors that demand researchers, scientists, engineers with high skill profiles.

Sources: TICOTAL. "Conozca acerca de TICOTAL [Learn about TICOTAL]". Accessed March 26, 2019. <http://ticotal.cr/conozca-acerca-de-ticotal.html>.

2.2.4. Return policies

EMIGRANT_39. Recognition of academic and professional qualifications acquired in the state of residence:

Recognition in state of origin of academic and professional qualifications emigrants acquired in the state of residence:

Answer: Yes

Code: 1

Explanation: The process initiates in the Comisión Nacional de Rectores (CONARE), where all documents, translated and certified by the Ministry of Foreign Affairs (RR.EE.) are received, together with a form. Another institution of higher education in Costa Rica takes responsibility for certifying the studies –generally the University of Costa Rica. The process may take between 3-4 months. There are no treaties for the automatic recognition of titles. From the website of ORE (Oficina de Reconocimiento y Equiparación de Grados y Títulos del CONARE): Only complete forms and duly legalized documents will be received for study and analysis by the Commission for the Recognition and Equivalence of Degrees and Titles. The Commission shall meet twice a month and shall revised the files in strict order of presentation. Once the requirements for presentation of the application by the Commission have been met and approved, and the payment has been done the recognition process will start. The interested person must follow up their application before the Institution of State University Higher Education designated in the agreement of the Commission for Recognition and Equivalence of Degrees and Degrees. The designated institution will process and rule on the application in accordance with the provisions of its internal regulations. Once the resolution in favor of recognition and equalization is signed, the interested person must consult the Registry Office of the Institution that issued the request about the following procedures and obligations that must be complied with. The designated University Higher Education Institution will communicate the result of the procedure. If the latter wishes to lodge an appeal, he/she must present it before the instance that issued it, complying with the statutory and regulatory provisions of the Institution designated to carry out its procedure. When the procedure is paralyzed for more than six months by virtue of a cause attributable to the person who carried out the procedure, the procedure shall lapse and the file shall be ordered to be filed (article 340 of the General Law of Public Administration).

Sources: Oficina de Reconocimiento y Equiparación de Grados y Títulos del CONARE. “Instrucciones generales [General Instructions]. Accessed March 26, 2019.
<https://ore.conare.ac.cr/xhtml/paginas/info/instrucciones.xhtml>.

Timeframe for the recognition of academic/professional qualifications obtained abroad. If there are several processes (i.e. automatic, for higher education, for primary education.), register the one with the lengthier timeframe:

Answer: 6 months or less

Code: 1

Explanation: process may take between 3-4 months.

Sources: Oficina de Reconocimiento y Equiparación de Grados y Títulos del CONARE. “Instrucciones generales [General Instructions]. Accessed March 26, 2019.
<https://ore.conare.ac.cr/xhtml/paginas/info/instrucciones.xhtml>.

EMIGRANT_40. Communication campaigns aiming to convince emigrants to return to home country:

Answer: No

Code: 0

Explanation: No campaigns found.

Sources: Presidencia de la República de Costa Rica. “Presidencia de la República de Costa Rica [Presidency of the Republic of Costa Rica]”. Accessed September 2018.
<https://www.presidencia.go.cr/>. / Ministerio de Relaciones Exteriores y Culto. “Ministerio de Relaciones Exteriores y Culto [Ministry of Foreign Affairs and Worship]”. Accessed September 2018.

<http://www.rree.go.cr/>. / Ministerio de Cultura y Juventud de Costa Rica. "Ministry of Culture and Youth of Costa Rica". Accessed September 2018. <https://mcj.go.cr/>. / Trece Costa Rica Televisión. "Trece Costa Rica Televisión [Thirteen Costa Rica Television]". Accessed September 2018. <https://www.facebook.com/SinartTreceCostaRica/>.

EMIGRANT_41. Existence of brain gain programs developed by the government targeting highly qualified emigrants:

Answer: Yes

Code: 1

Explanation: Red TICOTAL: Led by the Academia Nacional de Ciencias, collaborating with the Ministerio de Ciencia y Tecnología (CONICIT). Created in 2010 to gather Costa Rican scientists and engineers who work or study abroad. The network seeks to connect them with scientific activities in Costa Rica through a permanent instrument for their interaction to exchange ideas, contacts, experiences and opportunities for cooperation. The network has created a database that is public with academic information of the Diaspora who are ready to collaborate with the country and start up projects with local counterparts. The database includes education level, professional area, sex, variables that may have influenced their decisions, activities, degree of integration and "rootedness" (arraigo en los países de recibo) in countries of reception and their expectation regarding return to Costa Rica. In its second stage, Red TICOTAL will attempt to create networks of Exchange in the private sector with technological specializations in order to power innovation. It will also facilitate reinsertion through work offers from different sectors that demand researchers, scientists, engineers with high skill profiles.

Sources: TICOTAL. "Conozca acerca de TICOTAL [Learn about TICOTAL]". Accessed March 26, 2019. <http://ticotal.cr/conozca-acerca-de-ticotal.html>.

EMIGRANT_42. Existence of welfare provisions or benefits that aim at facilitating the reintegration of emigrants in the home society:

Answer: No

Code: 0

Explanation: No provisions in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009.

2.3. Social Policies

2.3.1. Retirement benefits

EMIGRANT_43. Retirement benefits after emigration (i.e. pensions):

Answer: Yes

Code: 1

Explanation: Yes. The condition is to have contributed 30 years to the pension system in Costa Rica. They may receive their pension abroad, but if they remain abroad for a period longer than 6 months, they must send a certificate of survival each 6 months translated into Spanish and authenticated by the consul of Costa Rica in their country of residence and by the Ministry of Foreign Affairs of Costa Rica.

Sources: Consultation with expert, Caja del Seguro Social. July 8, 2019. / Pedroza, Luicy, Pau Palop, and Bert Hoffmann. 2016. Emigrant Policies in Latin America and the Caribbean. Chile: FLACSO-Chile.

2.3.2. Health care benefits

EMIGRANT_44. Health care benefits.

Health coverage can be extended abroad (access to health services covered by the healthcare system in country of origin):

Answer: No

Code: 0

Explanation: Non-resident Costa Ricans do not receive any health services via consulates.

Sources: Pedroza, Luicy, Pau Palop, and Bert Hoffmann. 2016. Emigrant Policies in Latin America and the Caribbean. Chile: FLACSO-Chile. / Ley N° 17 [Law 17]. 1943. / Reglamento del Seguro de Invalidez, Vejez y Muerte [Disability, Old Age and Death Insurance Regulations]. 1995. / Ley N° 5395 [Law 5395]. 1973 (2014).

Emigrants can keep their health insurance in the state of origin and access health care services when they visit the state of origin:

Answer: No

Code: 0

Explanation: Article 3 Law 5395 establishes residency as a requisite to access healthcare.

Sources: Ley N° 17 [Law 17]. 1943. / Reglamento del Seguro de Invalidez, Vejez y Muerte [Disability, Old Age and Death Insurance Regulations]. 1995. / Ley N° 5395 [Law 5395]. 1973 (2014). Art. 3.

Emigrants can pay for their families' contributions to the public health care scheme of the state of origin:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 17 [Law 17]. 1943. / Reglamento del Seguro de Invalidez, Vejez y Muerte [Disability, Old Age and Death Insurance Regulations]. 1995. / Ley N° 5395 [Law 5395]. 1973 (2014).

2.3.3. Education

EMIGRANT_45. Education programs for emigrants.

Emigrants can access scholarships awarded by the state of origin in the same conditions as resident citizens:

Answer: Yes

Code: 1

Explanation: When reviewing i.e. scholarships for Argentina, Thailand and India residents abroad have the same conditions as resident citizens. One of the requirements is to be from Costa Rica.

Sources: Ministerio de Relaciones Exteriores y Culto. "Becas disponibles [Scholarships Available]". Accessed March 25, 2019. <http://www.rree.go.cr/>.

State of origin has created schools abroad where emigrants can access education provided by the state of origin (i.e. follow the same curricula as schools in country of origin):

Answer: No

Code: 0

Explanation: No, but there is a distance university run by the state (Universidad Estatal a Distancia UNED). The UNED is the only distance higher education institution, which in addition to offering university degrees certified by the National System of Accreditation of Higher Education (SINAES), gives the opportunity to study technical careers, as well as free courses in areas such as education, communication and technology, languages, management development, among others.

Sources: UNED. "Universidad Estatal a Distancia - Institución Benemérita de la Educación y la Cultura [State Open University - Meritorious Institution of Education and Culture]". Access date not available. <https://www.uned.ac.cr/>.

State of origin offers language courses to emigrants to learn the language of the state of reception:

Answer: No

Code: 0

Explanation: No provisions found.

Sources: Ministerio de Relaciones Exteriores y Culto. "Ministerio de Relaciones Exteriores y Culto [Ministry of Foreign Affairs and Worship]". Accessed September 2018. <http://www.rree.go.cr/>. / This information was consulted in the website of different embassies and consulates of Costa Rica in the United States.

2.4. Cultural policies

2.4.1. Visits to country of origin

EMIGRANT_46. State of origin organizes visits to the origin country for emigrants on a regular basis:

Answer: No

Code: 0

Explanation: No evidence of visits to the origin country for emigrants found.

Sources: Ministerio de Relaciones Exteriores y Culto. "Ministerio de Relaciones Exteriores y Culto [Ministry of Foreign Affairs and Worship]". Accessed September 2018. <http://www.rree.go.cr/>. / This information was consulted in the website of different embassies and consulates of Costa Rica in the United States.

2.4.2. Language courses for emigrants

EMIGRANT_47. State of origin finances cultural courses for learning the culture and traditions of the country of origin (this could include language courses to learn the language of origin):

Answer: No

Code: 0

Explanation: No evidence of such courses found.

Sources: Ministerio de Relaciones Exteriores y Culto. "Ministerio de Relaciones Exteriores y Culto [Ministry of Foreign Affairs and Worship]". Accessed September 2018. <http://www.rree.go.cr/>. / This information was consulted in the website of different embassies and consulates of Costa Rica in the United States.

2.5. Obligations

2.5.1. Military service

EMIGRANT_48. Emigrants have the obligation to comply with military service:

Answer: No existence of military service

Code: Not applicable

Explanation: There is no military service in Costa Rica.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949.

2.5.2. Social service

EMIGRANT_49. Emigrants have the obligation to comply with social service:

Answer: No existence of social service

Code: Not applicable

Explanation: In Costa Rica there is only mandatory social service for professionals in the fields of health.

Sources: Ley N° 7559 [Law 7559]. 1995. / Reglamento Servicio Social Obligatorio Profesionales Ciencias Salud [Mandatory Social Service Regulations for Health Sciences Professionals]. 1996. Art. 2.

2.5.3. Taxes

EMIGRANT_50. Obligation to pay taxes in state of origin

Emigrant must pay income taxes in state of origin:

Answer: No

Code: 0

Explanation: Costa Ricans abroad have to pay taxes in Costa Rica as long as they derive remuneration or earnings from a source of economic activity in Costa Rica.

Sources: Ley N° 4755 [Law 4755]. 1971.

There are special taxes for emigrants:

Answer: No

Code: 0

Explanation: No special taxes for emigrants included in the Tax Code.

Sources: Ley N° 4755 [Law 4755]. 1971.

2.6. Administration

2.6.1. Home country administration

EMIGRANT_51. Existence of a home country administration agency/body for emigrants in state of origin.

Existence of institution/agency with competencies for emigrant policies:

Answer: Yes

Code: 1

Explanation: It is both the National Council of Migration and the General Direction of Migration and Foreign Affairs, neither of which has exclusive competences for emigrant policy, but both having the mandate to link with emigrants among others. The National Council of Migration (Concejo Nacional de Migración): designs migration policies. It was created in 1952. It is a body to the Executive Branch of the Ministry of the Governance and Police and the General Direction of Migration and Foreign Affairs. The Council coordinates as well emigrant policies across agencies. The General Direction of Migration and Foreign Affairs deals with the implementation of Policies. Originally was created in 1940 with the name of Office of Migration and Foreigners

Sources: Ley N° 8764 [Law 8764]. 2009. / Dirección General de Migración y Extranjería. “La Institución [The Institution]”. Accessed date not available. <http://migracion.go.cr/Paginas/LaInstitucion.aspx>. / Ministerio de Gobernación y Policía. “Organigrama [Organizational Chart]”. Accessed March 25, 2019. <http://www.mgp.go.cr/ministerio/organigrama>.

Name of the institution with competencies for emigrant policies in original language:

Answer: Concejo Nacional de Migración & Dirección General de Migración y Extranjería

Name of the institution with competencies for emigrant policies in English:

Answer: National Council of Migration & General Direction of Migration and Foreign Affairs

EMIGRANT_52. Place in the administrative hierarchy:

Answer: 2nd Rank in the public administration

Code: 0.75

Explanation: The Dirección General de Migración y Extranjería is attached to the Ministry of Governance of Police.

Sources: Ministerio de Gobernación y Policía. “Organigrama [Organizational Chart]”. Accessed March 25, 2019. <http://www.mgp.go.cr/ministerio/organigrama>.

2.6.2. Consular network

EMIGRANT_53: Number of consulates.

Number of consular missions deployed by the state of origin (including consular sections in embassies but excluding honorary consulates):

Answer: 74

Code: 74

Explanation: Even though the number of honorary consulates has decreased, the number of general consulates has expanded. 93 (53 Career or Remunerated Consulates and 40 Honorary Consulates) to 2014. A 2013 report reports the existence of 19 mobile consulates. Current number until 2018: General Consulates: 74. Honorary Consulates: 24. In 65 countries.

Sources: Ministerio de Relaciones Exteriores y Culto. "Representaciones de Costa Rica en el extranjero [Representations of Costa Rica Abroad]". Accessed April 3, 2019. <http://www.rree.go.cr/>.

Number of countries in which the state of origin has a consular mission (including consular sections in embassies but excluding honorary consulates):

Answer: 65

Code: 65

Explanation: Even though the number of honorary consulates has decreased, the number of general consulates has expanded. 93 (53 Career or Remunerated Consulates and 40 Honorary Consulates) to 2014. A 2013 report reports the existence of 19 mobile consulates. Current number until 2018: General Consulates: 74. Honorary Consulates: 24. In 65 countries.

Sources: Ministerio de Relaciones Exteriores y Culto. "Representaciones de Costa Rica en el extranjero [Representations of Costa Rica Abroad]". Accessed April 3, 2019. <http://www.rree.go.cr/>.

2.6.3. New consular functions

EMIGRANT_54: Extensions to the consular network services.

Existence of mobile consulates:

Answer: Yes

Code: 1

Explanation: A 2013 report reports the existence of 19 mobile consulates.

Sources: This information was consulted in the website of different consulates in the US and mainly in the social media of the consulate of Costa Rica in Los Angeles.

Consulates open on weekends on a regular basis (e.g. once monthly):

Answer: No

Code: 0

Explanation: No evidence of consulates opening on the weekends found.

Sources: This information was consulted in the website of different consulates in the US and mainly in the the social media of the consulate of Costa Rica in Los Angeles.

Consulates offer some services online:

Answer: No

Code: 0

Explanation: No evidence of online services found.

Sources: This information was consulted in the website of different consulates in the US and mainly in the the social media of the consulate of Costa Rica in Los Angeles.

EMIGRANT_55: Adoption of new consular functions.

Consulates offer financial consultancy:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Embajada de Costa Rica en Wshington DC. "Preguntas frecuentes [Frequently Asked Questions]". <http://www.costarica-embassy.org/index.php?q=node/108#3>. / Ley N° 8764 [Law 8764]. 2009. Art. 20.

Consulates offer psychological consultancy:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Embajada de Costa Rica en Wshington DC. "Preguntas frecuentes [Frequently Asked Questions]". <http://www.costarica-embassy.org/index.php?q=node/108#3>. / Ley N° 8764 [Law 8764]. 2009.

Consulates offer health services:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Embajada de Costa Rica en Wshington DC. "Preguntas frecuentes [Frequently Asked Questions]". <http://www.costarica-embassy.org/index.php?q=node/108#3>. / Ley N° 8764 [Law 8764]. 2009.

2.6.4. Special offices

EMIGRANT_56. Existence of special migrant offices in state of reception created by state of origin (e.g. offices for migrant workers):

Answer: No

Code: 0

Explanation: No. The only authorized agents of migration abroad are the consular representatives.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 20-24.

3. Emigrant citizenship and nationality policies

CITNAT: Does the country make a distinction between citizenship and nationality?

Answer: Yes

Code: 1

Explanation: Yes. Nationality refers to be part of the state of Costa Rica, either by birth or by naturalization (Art. 13-14 of the Constitution). It is linked to a legal status attesting membership to the country. Citizenship is used for participatory political practices and duties (Art. 90 of the Constitution).

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 13, 14 and 90.

3.1. Emigrant nationality

3.1.1. Dual nationality for emigrants

EMINAT_1. Deprivation of nationality for having acquired a foreign nationality.

Loss of nationality for acquisition of foreign citizenship (nationals by birth):

Answer: No provision

Code: 1

Explanation: The quality of Costa Rican is not lost and is inalienable.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 16.

Nationality can be withdrawn only if person resides abroad:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Nationality can be withdrawn only if person was born abroad:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Nationality can be withdrawn only if person acquires citizenship of other country voluntarily:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Loss of nationality can be prevented:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.2. Dual nationality only for some countries of residence

EMINAT_2. Dual nationality only tolerable if citizen by birth naturalizes in certain countries.

Dual nationality is only tolerable if citizen by birth naturalizes in certain countries with which state of origin has signed treaties:

Answer: No

Code: 1

Explanation: No restrictions for dual nationality.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 16.

Which countries:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.3. Loss of nationality after residence abroad

EMINAT_3: Loss of nationality after residence abroad.

Country of origin deprives their national citizens by birth who emigrated of that nationality because of residence abroad:

Answer: No provision

Code: 1

Explanation: No loss of nationality due to residence abroad (Art. 16 of the Constitution).

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 16.

Nationality can be withdrawn only if person resides abroad for 20 years or more:

Answer: No

Code: 0

Explanation: The quality of Costa Rican is not lost and is inalienable (Art. 16 of the Constitution).

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 16.

Nationality can be withdrawn only if person has another citizenship:

Answer: No

Code: 0

Explanation: The quality of Costa Rican is not lost and is inalienable (Art. 16 of the Constitution).

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 16.

Country of origin deprives their national citizens by naturalization who emigrated of that nationality because of residence abroad:

Answer: Yes

Code: 0

Explanation: The quality of Costa Rican is lost when the Costa Rican by naturalization, is absent of the territory for more than six consecutive years, unless he/she proves that he has remained linked to the country (Article 3 Law 1155).

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. / Ley N° 1155 [Law 1155]. 1950. Art. 3.

3.1.4. Jus sanguinis for emigrants

EMINAT_4: Transfer of nationality to children born abroad.

Country of origin permit parents to confer their nationality on their children who are born abroad:

Answer: Yes

Code: 1

Explanation: Article 13 Constitution: They are Costa Ricans by birth: 1) The child of a Costa Rican father or mother born in the territory of the Republic; 2) The child of a Costa Rican father or mother by birth, who is born abroad, and is registered as such in the Civil Registry, by the will of the Costa Rican parent, as long as he or she is a minor, or by his or her own until he or she reaches the age of twenty-five; 3) Person is born in Costa Rica to non-citizens and is registered as a citizen by a parent during minority, or registers him/herself before reaching the age of 25; 4) The infant, of ignored parents, found in Costa Rica.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 13.

Transfer of nationality is applicable to:

Answer: No limit

Code: 0

Explanation: No limit as long as one parent is a Costa Rican by birth (Art. 13.1 of the Constitution: The child of a Costa Rican father or mother born in the territory of the Republic).

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 13.

3.1.5. Jus sanguinis across generations

EMINAT_5: Transfer of nationality to children born abroad from former citizens.

Country of origin permits children who are born abroad to adopt the nationality of parents who are former citizens

Answer: No

Code: 0

Explanation: There is no provision in the regulation for jus sanguinis across generations

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949.

Transfer of nationality is applicable to:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.6. Renunciation of nationality is possible

EMINAT_6: Voluntary renunciation of nationality abroad is possible.

Country of origin provides for a national citizen that resides abroad to voluntarily renounce his/her nationality:

Answer: No provision for renunciation (thus, renunciation is not possible)

Code: 0

Explanation: The quality of Costa Rican is not lost and is inalienable.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica], 1949. Art. 16. / Ley N° 7514 [Law 7514], 1995.

Renunciation abroad is only possible if person has another nationality:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Renunciation abroad is only possible if person was born outside of the country or acquired citizenship of the country by naturalization:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

3.1.7. Reacquisition of nationality

EMINAT_7. Country of origin provides for reacquisition of nationality for former nationals:

Answer: No provision

Code: 0

Explanation: No provision in main regulations.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949.

3.2. Emigrant citizenship

3.2.1. Citizenship restrictions for dual nationals

EMICIT_1. Conditions or restrictions for the exercise of citizen rights if individual has dual or multiple nationalities (nationals by naturalization):

Answer: Restrictions if less than 5 years living abroad

Code: 0

Explanation: Yes, i.e. they cannot stand as candidates. It reactivates when they are practicing citizens, which means when they live in Costa Rica and not abroad .

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 131. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

3.2.2. Different citizenship for emigrants

EMICIT_2. Is there a special status for nationals who are located temporarily or permanently outside the national territory such that they fall in an official category that is different to resident nationals/citizens and which carries legal consequences (e.g. Overseas Indians)?

Answer: No

Code: 0

Explanation: No special status for nationals abroad.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949.

3.2.3. Loss or suspension of citizen rights after residence abroad

EMICIT_3: Country deprives their national citizens by birth who emigrated of their citizen rights.

Does the country deprive their national citizens by birth who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad?

Answer: No

Code: 0

Explanation: No restrictions in main regulations.

Sources: Ley N° 8765 [Law 8765]. 2009. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available. / Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949.

Conditions for the exercise of citizen rights if individual resides abroad (nationals by birth) *If it is not specified in the regulation, it is coded as restrictions not conditional to return:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4. Immigration policies

4.1. General

4.1.1. Number of entry tracks

IMMIGRATION_1. How many visa types does the country have?

Answer: 12

Code: 12

Explanation: (1) Consular Visa: Consular Visa Tourism; (2) Visa Consulted and Exceptional Visa: Consulted Visa/Exceptional Visa/ Visa for minors of Chinese nationality; (3) Provisional Visas: Provisional Visa for Students, Researchers, Teachers, Volunteers and Dependents/ Provisional Religious and Dependent Visa/ Provisional Permanent and Temporary Resident Visa; (4) Artist Permit; (5) Restricted Visa and Family Reunification; (6) Visa on arrival; (7) Transit Visa: Transit Visa/ Crew Transit Visa; (8) Multiple Visa; (8) Visa for Registered Companies; (9) Special categories: Cross-border workers, Temporary workers, Workers of specific occupation, business visitors, transfer personnel within the same company, as well as self-employed workers, students, researchers, teachers and volunteers; (10) Special guests of the State, and its institutions; (11) Artists, sportsmen and members of public spectacles, professionals or outstanding technicians or persons invited to carry out activities of importance to the country; (12) Refugees, asylum seekers, stateless persons, victims of human trafficking, workers linked to specific projects and projects of public interest.

Sources: Dirección General de Migración y Extranjería. "Visas [Visas]". Accessed April 8, 2019. <http://www.migracion.go.cr/Paginas/Visas.aspx>.

IMMIGRATION_2: Categorical organization of visas

Are the visas organized by overarching categories?

Answer: Yes

Code: 1

Explanation: Yes, 4 general categories plus 12 special categories (Article 77-95 Law 8764).

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 77-95.

How many categories?

Answer: 4

Code: 4

Explanation: 4 general categories plus 12 special categories (Article 77-95 Law 8764).

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 77-95.

4.1.2. Biometric information

IMMIGRATION_3: Collection of biometric information.

Does the state collect biometric information from all citizens for example for passports?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Ministerio de Seguridad Pública. "Implementación de tecnologías biométricas permitirá identificar digitalmente huellas y rostro de personas no confiables: Iniciamos licitación pública [Implementation of Biometric Technologies Will Enable Digital Identification of Fingerprints and Faces of Untrusted Individuals: Public Bidding Process Initiated]". Accessed April 8, 2019. http://www.seguridadpublica.go.cr/sala_prensa/comunicados/2017/noviembre/CP1575.aspx.

Does the state collect biometric information from immigrants for example for passports?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Ministerio de Seguridad Pública. "Implementación de tecnologías biométricas permitirá identificar digitalmente huellas y rostro de personas no confiables: Iniciamos licitación pública [Implementation of Biometric Technologies Will Enable Digital Identification of Fingerprints and Faces of Untrusted Individuals: Public Bidding Process Initiated]". Accessed April 8, 2019. http://www.seguridadpublica.go.cr/sala_prensa/comunicados/2017/noviembre/CP1575.aspx.

4.1.3. Visa waivers

IMMIGRATION_4. Is there in the immigration law a specific provision by which the state can determine that certain countries or individuals under specific circumstances can be exempted from the regular visa procedures that apply to residence and work visas (excluding tourists, and regional migrants) (e.g. entry of Spaetaussiedler or Jewish immigrants in Germany)?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Dirección General de Migración y Extranjería. "Visas [Visas]". Accessed April 8, 2019. <http://www.migracion.go.cr/Paginas/Visas.aspx>. / Ley N° 8764 [Law 8764]. 2009. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011.

4.2. Documentation

IMMIGRATION_5: Issue of legal compulsory identification documents.

Are all immigrants issued legal compulsory identification documents (e.g. residence permit, IDs)?

Answer: Yes

Code: 1

Explanation: Yes. Citizens obtain an ID and immigrants the DIMEX (Documento actual de Identidad Migratorio para Extranjeros- Current Migratory Identity Document for Foreigners). The DIMEX is issued for permanent residents, temporal residents and special categories. Seasonal workers obtain also an ID but is different than the DIMEX (Circular DG-0029-07-2013). While citizens are punished if they refuse to identify their self, in the case of immigrants the obligation to carry with them is in the regulations. Article 33 Law 8764: Foreign persons who are in the national territory shall have the obligation to carry, preserve and submit, at the request of the competent authority, documentation proving their identity, issued by the competent authorities of the country of origin or provenance, as well as the one that accredits their migratory situation in Costa Rica, except in the cases provided for in this Law and its respective Regulations.

Sources: Circular DG-0029-07-2013 [Circular DG-0029-07-2013]. 2013. / Ley N° 8764 [Law 8764]. 2009. Art. 33. / Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949.

Are they required to carry them at all times?

Answer: Yes

Code: 1

Explanation: Yes. Citizens obtain an ID and immigrants the DIMEX (Documento actual de Identidad Migratorio para Extranjeros- Current Migratory Identity Document for Foreigners). The DIMEX is issued for permanent residents, temporal residents and special categories. Seasonal workers obtain also an ID but is different than the DIMEX (Circular DG-0029-07-2013). While citizens are punished if they refuse to identify their self, in the case of immigrants the obligation to carry with them is in the regulations. Article 33 Law 8764: Foreign persons who are in the national territory shall have the obligation to carry, preserve and submit, at the request of the competent authority, documentation proving their identity, issued by the competent authorities of the country of origin or provenance, as well as the one that accredits their migratory situation in Costa Rica, except in the cases provided for in this Law and its respective Regulations.

Sources: Circular DG-0029-07-2013 [Circular DG-0029-07-2013]. 2013. / Ley N° 8764 [Law 8764]. 2009. Art. 33. / Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949.

4.3. Quotas and restrictions

4.3.1. General quota

IMMIGRATION_6: General quota for immigration.

Is there a general quota (numerical limit) for immigration?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011. / Decreto N° 36769-G [Decree 36769-G]. 2011.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.3.2. Specific quotas

IMMIGRATION_7: Quota for high-skilled migrants.

Is there a quota (numerical limit) on the number of high-skilled migrants that were allowed to enter the country?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011. / Decreto N° 36769-G [Decree 36769-G]. 2011.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_8: Quota for low-skilled migrants.

Is there a quota (numerical limit) on the number of low-skilled migrants that are allowed to enter the country?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011. / Decreto N° 36769-G [Decree 36769-G]. 2011.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_9: Quota for refugees.

Is there a quota (numerical limit) on the number of refugees?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. / Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_10: Quota for co-ethnics.

Is there a quota (numerical limit) on the number of co-ethnics that are allowed to enter the country?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011. / Decreto N° 36769-G [Decree 36769-G]. 2011.

Number of people that make up the quota:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.3.3. List of excluded persons

IMMIGRATION_11: Categories of excluded persons.

Are there categories of excluded persons from immigration?

Answer: Yes

Code: 0

Explanation: Article 61 of the Law 8764: Foreigners will be rejected at the moment they intend to enter the national territory and, although they are in possession of a visa, they will not be authorized to enter when they are included in any of the following assumptions: 1) When they do not meet the entry requirements set forth in this Law and its Regulations. 2) When their entry implies a proven risk to public health, according to technical studies and the protocols of care carried out by the Ministry of Health. 3) When they have served a sentence for a fraudulent crime in the last ten years, in Costa Rica or abroad, as long as the offence is recognized as such in our legislation. 4) When there are justified reasons to consider that its entry compromises public security. 5) When they have entry impediments ordered by the Ministries of Public Security or Government and Police or by the General Direction, according to the terms stipulated for the effect in the present Law. 6) When they have entry restrictions ordered by the Executive Power. 7) When the foreigner has been convicted by international courts. 8) When they have been linked to criminal gangs or gangs or to groups linked to organized crime.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 61.

List of categories of excluded persons:

Answer: Article 61 of the Law 8764: Foreigners will be rejected at the moment they intend to enter the national territory and, although they are in possession of a visa, they will not be authorized to enter when they are included in any of the following assumptions: 1) When they do not meet the entry requirements set forth in this Law and its Regulations. 2) When their entry implies a proven risk to public health, according to technical studies and the protocols of care carried out by the Ministry of Health. 3) When they have served a sentence for a fraudulent crime in the last ten years, in Costa Rica or abroad, as long as the offence is recognized as such in our legislation. 4) When there are justified reasons to consider that its entry compromises public security. 5) When they have entry impediments ordered by the Ministries of Public Security or Government and Police or by the General Direction, according to the terms stipulated for the effect in the present Law. 6) When they have entry restrictions ordered by the Executive Power. 7) When the foreigner has been convicted by international courts. 8) When they have been linked to criminal gangs or gangs or to groups linked to organized crime.

Code: Article 61 of the Law 8764: Foreigners will be rejected at the moment they intend to enter the national territory and, although they are in possession of a visa, they will not be authorized to enter when they are included in any of the following assumptions: 1) When they do not meet the entry requirements set forth in this Law and its Regulations. 2) When their entry implies a proven risk to public health, according to technical studies and the protocols of care carried out by the Ministry of Health. 3) When they have served a sentence for a fraudulent crime in the last ten years, in Costa Rica or abroad, as long as the offence is recognized as such in our legislation. 4) When there are justified reasons to consider that its entry compromises public security. 5) When they have entry impediments ordered by the Ministries of Public Security or Government and Police or by the General Direction, according to the terms stipulated for the effect in the present Law. 6) When they have entry restrictions ordered by the Executive Power. 7) When the foreigner has been convicted by international courts. 8) When they have been linked to criminal gangs or gangs or to groups linked to organized crime.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 61.

4.3.4. List of excluded countries

IMMIGRATION_12: Countries excluded.

Is there a list of countries whose nationals are banned for immigration in this country?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011. / Decreto N° 36769-G [Decree 36769-G]. 2011.

List of countries excluded:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.4. Policy incentives

4.4.1. Recognized brokers

IMMIGRATION_13. State has a license system to recognize and authorize immigration brokers (i.e. persons or companies dedicated to facilitate the immigration process for immigrants):

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009.

IMMIGRATION_14. State offers pecuniary incentives to citizens willing to immigrate:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011. / Decreto N° 36769-G [Decree 36769-G]. 2011.

4.5. Immigration control and penalties

4.5.1. Irregular residence

IMMIGRATION_15: Illegal residence.

Is illegal residence in the country considered a criminal offense?

Answer: No

Code: 1

Explanation: Article 33 Law 8764: 3) Foreigners will have the obligation to leave the country when the term of stay expires authorized by the migration authority, unless there is a request for a change of category or an extension granted by the migration authority. Any irregular stay in Costa Rican territory will make foreign nationals pay a migratory fine equivalent to one hundred United States dollars of America (US\$100.00), for each month of irregular stay in the country or, failing that, will be forbidden to enter by a time limit equivalent to three times the length of their irregular stay.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 33.

Is illegal residence considered an administrative offense?

Answer: Yes

Code: 0

Explanation: Article 33 Law 8764: 3) Foreigners will have the obligation to leave the country when the term of stay expires authorized by the migration authority, unless there is a request for a change of category or an extension granted by the migration authority. Any irregular stay in Costa Rican territory will make foreign nationals pay a migratory fine equivalent to one hundred United States dollars of America (US\$100.00), for each month of irregular stay in the country or, failing that, will be forbidden to enter by a time limit equivalent to three times the length of their irregular stay.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 33.

4.5.2. Forged documents

IMMIGRATION_16: Penalties for immigrants with forged documents.

Are there penalties for immigrants for forged documents?

Answer: Yes

Code: 0

Explanation: Article 129 of the Law 8764: The General Direction of Migration and Foreign Affairs will cancel the authorization of permanence and residence of the foreign people, when: (...) 7) Have obtained the authorization of legal permanence, by means of declarations or the presentation of visas or forged or altered documents. In addition, Article 183 of the Law 8764: Deportation is understood to be the act ordered by the General Direction to place, outside the national territory, a foreign person who is in any of the following situations: (...) (2) When he/she has obtained entry into or stay in the country, by means of declarations or the submission of visas or documents that have been declared false or altered. Article 249 of the Law 8764: A term of imprisonment of two to six years shall be imposed on anyone who drives or transports persons, for entry into the country or for transporting them. The exit from it, through places not authorized by the competent migratory authorities, evading the controls or using false or altered data or documents. The same penalty shall be imposed on any person who, in any way, promotes, promises or facilitates the obtaining of such false or altered documents and to whomever, with the purpose of promoting the smuggling of migrants, harbouring, concealing or disguising foreign persons who enter or leave the country or remain illegally in the country.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 129, 183 and 249.

Penalty is expulsion:

Answer: Yes

Code: 2

Explanation: Article 183 of the Law 8764: Deportation is understood to be the act ordered by the General Direction to place, outside the national territory, a foreign person who is in any of the following situations: (...) (2) When he/she has obtained entry into or stay in the country, by means of declarations or the submission of visas or documents that have been declared false or altered.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 183.

Penalty is a fine:

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 129, 183 and 249.

Penalty is detention:

Answer: No

Code: 1

Explanation: No provision in main regulation.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 129, 183 and 249.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009.

IMMIGRATION_17: Penalties for immigrants with expired documents.

Are there penalties for immigrants with expired documents?

Answer: No

Code: 1

Explanation: There is no provision in the regulation for penalties for immigrants with expired documents

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

Penalty is expulsion:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Penalty is a fine:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Penalty is detention:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Penalty is imprisonment:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.5.3. Aiding undocumented migrants

IMMIGRATION_18: Penalties for aiding undocumented migrants.

Are there penalties for aiding undocumented migrants?

Answer: No

Code: 1

Explanation: There is no provision in the legislation for aiding undocumented migrants.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

Penalty is a fine:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Penalty is imprisonment:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.5.4. Employment obligations

IMMIGRATION_19: Penalties for employers who hire migrant workers without a legal work permit.

Are there sanctions for employers hiring migrant workers without a legal work permit?

Answer: Yes

Code: 0

Explanation: Employers have the obligation to ask for a legal permit in order to hire immigrant workers. Article 175 of the Law 8764: No individual or legal entity, public or private, may hire foreign workers who are in the country in an illegal condition or who, although legally resident, are not authorized to engage in such activities. Article 176 of Law 8764: Any employer, intermediary, or contractor, when hiring or providing work or occupation to a foreign person, must verify the legal permanence in the country of the foreign person and that it is authorized to do so, as well as to require the document that accredits its migratory condition for such effects. To this end, it may request information from the General Direction of Migration and Foreign Affairs. Article 177 of the Law 8764: Natural persons or

representatives of legal persons, public or private, that provide work or occupation to non-qualified foreign persons, so that they exercise labor activities in the country or carry out activities other than those authorized, will be sanctioned by the General Direction with a fine that will oscillate between two and up to twelve times the amount of a basic salary, as defined in Article 2 of Law No. 7337 of 5 May 2007 1993. Such fine shall be integrated into the Special Immigration Fund established by this Act, and its amount shall be determined by the seriousness of the facts and the number of foreigners granted work in irregular condition.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 175-177. / Ley N° 7337 [Law 7337]. 1993 (2007). Art. 2.

Sanction is a fine:

Answer: Yes

Code: 2

Explanation: Article 177 of the Law 8764: Natural persons or representatives of legal persons, public or private, that provide work or occupation to non-qualified foreign persons, so that they exercise labor activities in the country or carry out activities other than those authorized, will be sanctioned by the General Direction with a fine that will oscillate between two and up to twelve times the amount of a basic salary, as defined in Article 2 of Law No. 7337 of 5 May 2007 1993. Such fine shall be integrated into the Special Immigration Fund established by this Act, and its amount shall be determined by the seriousness of the facts and the number of foreigners granted work in irregular condition.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 177. / Ley N° 7337 [Law 7337]. 1993 (2007). Art. 2.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: Article 177 of the Law 8764: Natural persons or representatives of legal persons, public or private, that provide work or occupation to non-qualified foreign persons, so that they exercise labor activities in the country or carry out activities other than those authorized, will be sanctioned by the General Direction with a fine that will oscillate between two and up to twelve times the amount of a basic salary, as defined in Article 2 of Law No. 7337 of 5 May 2007 1993. Such fine shall be integrated into the Special Immigration Fund established by this Act, and its amount shall be determined by the seriousness of the facts and the number of foreigners granted work in irregular condition.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 177. / Ley N° 7337 [Law 7337]. 1993 (2007). Art. 2.

4.5.5. Landlord obligations

IMMIGRATION_20: Penalties for landlords who rent shelter to migrants without a regular migrant status.

Are there penalties for landlords who rent shelter to migrants without a regular migrant status?

Answer: Yes

Code: 0

Explanation: Article 182 of the Law 8764: Natural persons or representatives of legal persons who fraudulently provide accommodation to the following foreign persons who do not have legal permanence in the country, may be sanctioned by the General Direction, by means of a founded resolution, with a fine ranging from one to five times the amount of a salary defined in Article 2 of Law No 7337 of 5 May 1993, provided that such accommodation is with lucrative purposes. Such fine shall be integrated into the Special Immigration Fund established in this Act, and its amount shall be applied according to the seriousness of the facts and the number of foreign persons to whom it is granted accommodation in irregular condition. Exempted from this sanction shall be those who provide accommodation to persons foreign nationals in an irregular condition, for strictly humanitarian and non-profit reasons.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 182. / Ley N° 7337 [Law 7337]. 1993 (2007). Art. 2.

Penalty is a fine:

Answer: Yes

Code: 2

Explanation: Article 182 of the Law 8764: Natural persons or representatives of legal persons who fraudulently provide accommodation to the following foreign persons who do not have legal permanence in the country, may be sanctioned by the General Direction, by means of a founded resolution, with a fine ranging from one to five times the amount of a salary defined in Article 2 of Law No 7337 of 5 May 1993, provided that such accommodation is with lucrative purposes. Such fine shall be integrated into the Special Immigration Fund established in this Act, and its amount shall be applied according to the seriousness of the facts and the number of foreign persons to whom it is granted accommodation in irregular condition. Exempted from this sanction shall be those who provide accommodation to persons foreign nationals in an irregular condition, for strictly humanitarian and non-profit reasons.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 182. / Ley N° 7337 [Law 7337]. 1993 (2007). Art. 2.

Penalty is imprisonment:

Answer: No

Code: 1

Explanation: Article 182 of the Law 8764: Natural persons or representatives of legal persons who fraudulently provide accommodation to the following foreign persons who do not have legal permanence in the country, may be sanctioned by the General Direction, by means of a founded resolution, with a fine ranging from one to five times the amount of a salary defined in Article 2 of Law No 7337 of 5 May 1993, provided that such accommodation is with lucrative purposes. Such fine shall be integrated into the Special Immigration Fund established in this Act, and its amount shall be applied according to the seriousness of the facts and the number of foreign persons to whom it is granted accommodation in irregular condition. Exempted from this sanction shall be those who provide accommodation to persons foreign nationals in an irregular condition, for strictly humanitarian and non-profit reasons.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 182. / Ley N° 7337 [Law 7337]. 1993 (2007). Art. 2.

4.5.6. Airline penalties

IMMIGRATION_21: Penalties for airlines carrying immigrants without documentation.

Are airlines or other carriers subject to penalties (fines, imprisonment and/or other penalties) for letting travel passengers lacking relevant documentation (such as entry permits or passports)?

Answer: Yes

Code: 0

Explanation: Article 171 of Law 8764: Companies, agencies owning, consigning or representing a means of international transport in which a foreign person who does not meet the legal or regulatory conditions may enter or leave the country, they may be sanctioned by the General Direction, with a fine ranging from three times to twelve times the amount of a basic salary as defined in Article 2 of Law No. 7337 of 5 May 1993. The same penalty shall be imposed on each foreign person who is part of its staff and remains in the Costa Rican territory after the exit of the transport in which he/she arrived in the country, without the express authorization of the General Direction of Migration and Foreign Affairs. This fine will be integrated into the Special Immigration Fund determined in this Act and its amount will be fixed according to the seriousness of the facts and the number of foreign persons transported or staying irregularly.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 171. / Ley N° 7337 [Law 7337]. 1993 (2007). Art. 2.

Sanction is a fine:

Answer: Yes

Code: 2

Explanation: Article 171 of Law 8764: Companies, agencies owning, consigning or representing a means of international transport in which a foreign person who does not meet the legal or regulatory conditions may enter or leave the country, they may be sanctioned by the General Direction, with a fine ranging from three times to twelve times the amount of a basic salary as defined in Article 2 of Law No. 7337 of 5 May 1993. The same penalty shall be imposed on each foreign person who is part of its staff and remains in the Costa Rican territory after the exit of the transport in which he/she arrived in the country, without the express authorization of the General Direction of Migration and Foreign Affairs. This fine will be integrated into the Special Immigration Fund determined in this Act and its amount will be fixed according to the seriousness of the facts and the number of foreign persons transported or staying irregularly.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 171. / Ley N° 7337 [Law 7337]. 1993 (2007). Art. 2.

Penalty is more than a fine:

Answer: No

Code: 1

Explanation: Article 171 of Law 8764: Companies, agencies owning, consigning or representing a means of international transport in which a foreign person who does not meet the legal or regulatory conditions may enter or leave the country, they may be sanctioned by the General Direction, with a fine ranging from three times to twelve times the amount of a basic salary as defined in Article 2 of Law No. 7337 of 5 May 1993. The same penalty shall be imposed on each foreign person who is part

of its staff and remains in the Costa Rican territory after the exit of the transport in which he/she arrived in the country, without the express authorization of the General Direction of Migration and Foreign Affairs. This fine will be integrated into the Special Immigration Fund determined in this Act and its amount will be fixed according to the seriousness of the facts and the number of foreign persons transported or staying irregularly.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 171. / Ley N° 7337 [Law 7337]. 1993 (2007). Art. 2.

4.6. Amnesty programs

IMMIGRATION_22: Existence of amnesty program.

In the past decade, did any amnesty program for irregular immigrants or any permanent regularization mechanism exist?

Answer: Yes

Code: 1

Explanation: The last regularization program was done in 2013. As requirements, immigrants had to demonstrate that they have a continuous employment relationship at least since last September, prove their nationality and present their criminal record through certifications issued by their consulates in San Jose, among others. Beginning August 1, 2014 the authorities will collect a fine of \$100 for those working in Costa Rica with expired or undocumented visas, and will establish sanctions against their employers. With this, the government wanted to regulate the situation mostly of construction workers, agricultural workers and domestic workers.

Sources: La Información. "Costa Rica abre amnistía para regularización de trabajadores extranjeros [Costa Rica Opens Amnesty for Regularization of Foreign Workers]". Accessed July 9, 2019. https://www.lainformacion.com/asuntos-sociales/inmigrantes-ilegales/costa-rica-abre-amnistia-para-regularizacion-de-trabajadores-extranjeros_71d8Z268DMRfJykNq5gnZ5/. / La Gaceta N° 203 [The Gazette 203]. 2013.

The amnesty program is/was:

Answer: Exceptional (once in the timeframe analyzed)

Code: 1

Explanation: The last regularization program was done in 2013.

Sources: La Información. "Costa Rica abre amnistía para regularización de trabajadores extranjeros [Costa Rica Opens Amnesty for Regularization of Foreign Workers]". Accessed July 9, 2019. https://www.lainformacion.com/asuntos-sociales/inmigrantes-ilegales/costa-rica-abre-amnistia-para-regularizacion-de-trabajadores-extranjeros_71d8Z268DMRfJykNq5gnZ5/. / La Gaceta N° 203 [The Gazette 203]. 2013.

Being employed is/was a condition to qualify for the amnesty program:

Answer: Yes

Code: 1

Explanation: As requirements, immigrants had to demonstrate that they have a continuous employment relationship at least since last September, prove their nationality and present their criminal record through certifications issued by their consulates in San Jose.

Sources: La Información. "Costa Rica abre amnistía para regularización de trabajadores extranjeros [Costa Rica Opens Amnesty for Regularization of Foreign Workers]". Accessed July 9, 2019. https://www.lainformacion.com/asuntos-sociales/inmigrantes-ilegales/costa-rica-abre-amnistia-para-regularizacion-de-trabajadores-extranjeros_71d8Z268DMRfJykNq5gnZ5/. / La Gaceta N° 203 [The Gazette 203]. 2013.

A given duration of stay is/was a condition to qualify for the amnesty program:

Answer: Yes

Code: 1

Explanation: As requirements, immigrants had to demonstrate that they have a continuous employment relationship at least since last September, prove their nationality and present their criminal record through certifications issued by their consulates in San Jose.

Sources: La Información. "Costa Rica abre amnistía para regularización de trabajadores extranjeros [Costa Rica Opens Amnesty for Regularization of Foreign Workers]". Accessed July 9, 2019. https://www.lainformacion.com/asuntos-sociales/inmigrantes-ilegales/costa-rica-abre-amnistia-para-regularizacion-de-trabajadores-extranjeros_71d8Z268DMRfJykNq5gnZ5/.

Having a certain nationality is/was a condition to qualify for the amnesty program:

Answer: No

Code: 0

Explanation: As requirements, immigrants had to demonstrate that they have a continuous employment relationship at least since last September, prove their nationality and present their criminal record through certifications issued by their consulates in San Jose.

Sources: La Información. "Costa Rica abre amnistía para regularización de trabajadores extranjeros [Costa Rica Opens Amnesty for Regularization of Foreign Workers]". Accessed July 9, 2019. https://www.lainformacion.com/asuntos-sociales/inmigrantes-ilegales/costa-rica-abre-amnistia-para-regularizacion-de-trabajadores-extranjeros_71d8Z268DMRfJykNq5gnZ5/.

Does a case by case regularization for irregular immigrants existed?

Answer: No

Code: 0

Explanation: No case by case regularization included in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009.

Being employed is a condition to qualify for the case by case regularization program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

A given duration of stay is a condition to qualify for the case by case regularization program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Having a certain nationality is a condition to qualify for the case by case regularization program:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is regularization through marriage possible:

Answer: Yes

Code: 1

Explanation: Yes, because for foreigners no proof of residence is required.

Sources:

La Gaceta N° 203 [The Gazette 203]. 2013.

IMMIGRATION_23. The amnesty defines the types of irregular migrants as:

Answer: Irregular immigrant workers without criminal records

Code: Irregular immigrant workers without criminal records

Explanation: Irregular immigrant workers without criminal records

Sources: La Información. "Costa Rica abre amnistía para regularización de trabajadores extranjeros [Costa Rica Opens Amnesty for Regularization of Foreign Workers]". Accessed July 9, 2019. https://www.lainformacion.com/asuntos-sociales/inmigrantes-ilegales/costa-rica-abre-amnistia-para-regularizacion-de-trabajadores-extranjeros_71d8Z268DMRfJykNq5gnZ5/. / La Gaceta N° 203 [The Gazette 203]. 2013.

4.7. Administration

IMMIGRATION_24_1: Administration in charge of immigration regulation.

Which institution is in charge of immigration regulation (in original language)?

Answer: The National Council of Migration (Consejo Nacional de Migración)

Code: The National Council of Migration (Consejo Nacional de Migración) at the national level, which is a body to the Executive Branch of the Ministry of the Governance. National Council of Migration.

Explanation: Not applicable

Sources: Ley N° 8764 [Law 8764]. 2009.

Which institution is in charge of immigration regulation (in English language)?

Answer: The National Council of Migration

IMMIGRATION_24_2: Administration in charge of implementing immigration policies.

Which institution is in charge of the implementation of immigration policies (in original language)?

Answer: Consejo Nacional de Migración

Code: Consejo Nacional de Migración

Explanation: Consejo Nacional de Migración at the national level, which is a body to the Executive Branch of the Ministry of the Governance. National Council of Migration.

Sources: Ley N° 8764 [Law 8764]. 2009.

Which institution is in charge of immigration regulation (in English language)?

Answer: The National Council of Migration

IMMIGRATION_24_3: Administration in charge of border control.

Which institution is in charge of border control (in original language)?

Answer: La policía profesional de migración y extranjería

Code: La policía profesional de migración y extranjería

Explanation: Article 18 of Law 8764: The members of the Professional Immigration Police, duly identified, must: (...) 2) Carry out, with full respect for human rights, migration control during the entry of persons into the national territory and its exit from it, as well as on the activities of foreign persons living in the country, verifying the fulfillment of the requirements established in the present Law; likewise, to carry out investigations into the offences of human trafficking and smuggling, as well as any other offence of a criminal nature as an auxiliary organ of the Public Prosecutor's Office. (...) 5) To carry out the migratory control of the foreign people in any place of the country and in the means of national, international and particular transport, for the purpose of verifying their migratory status.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 18.

Which institution is in charge of border control (in English language)?

Answer: The professional migration and foreign affairs police

IMMIGRATION_24_4: Administration in charge of detentions.

Which institution is in charge of detentions (in original language)?

Answer: Policía Profesional de Migración

Code: Policía Profesional de Migración

Explanation: Article 18 of Law 8764: The members of the Professional Immigration Police, duly identified, must: (...) 2) Carry out, with full respect for human rights, migration control during the entry of persons into the national territory and its exit from it, as well as on the activities of foreign persons living in the country, verifying the fulfillment of the requirements established in the present Law; likewise, to carry out investigations into the offences of human trafficking and smuggling, as well as any other offence of a criminal nature as an auxiliary organ of the Public Prosecutor's Office. (...) 5) To carry out the migratory control of the foreign people in any place of the country and in the means of national, international and particular transport, for the purpose of verifying their migratory status.

Sources: Dirección General de Migración y Extranjería. "Páginas - Policía Profesional de Migración [Pages - Professional Migration Police]". Accessed April 22, 2020. <https://www.migracion.go.cr/Paginas/Polic%C3%ADa-Profesional-de-Migraci%C3%B3n-.aspx>.

Which institution is in charge of detentions (in English language)?

Answer: Professional Police of Migration

4.8. Proxy: Labor migration (high- and low-skilled)

IMMIGRATION_25: Visas applied to labor migration.

Is there a labor migration scheme that allows immigrants to enter the country to work in any capacity?

Answer: Yes

Code: 1

Is the same visa applied to (1) domestic worker proxy, (2) agricultural worker proxy, and (3) medical doctor proxy?

Answer: No

Code: 0

4.8.1. Domestic workers

Is there a visa scheme (entry track) for domestic workers?

Answer: Yes

Code: 1

Explanation: Special category (temporary workers), and within the subcategory specific occupation workers requested to work with a physical person. Article 93 of Law 8764: The General Direction of Migration may authorize the entry into the country and the permanence in it of foreign persons, by means of special migratory categories, in order to regulate migratory situations which, due to their nature, require a different treatment of migratory categories. Article 94 of Law 8764: The following shall be special categories, among others: 1) Cross-border workers. 2) Temporary workers. (...) Article 95 of Law 8764: The special categories shall not generate rights of definitive permanence, except for those of asylees and stateless persons, which shall be governed by the international instruments signed, ratified and in force in Costa Rica. Special category (temporary workers), and within the subcategory specific occupation workers requested to work with a physical person: Art. 133, 188, 232 of Decree 37112-G.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 94 and 95. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 133, 188 and 232.

IMMIGRATION_26. Do migrants trying to enter the country under this entry track, need to be sponsored by an individual or group?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

IMMIGRATION_27. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating?

Answer: Yes, required

Code: 0.25

Explanation: Article 113 Decree Decree 37112-GOB: "p) Offer of work duly authenticated in which the functions are indicated, the schedule, salary to be earned, signed by the employer".

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 113. / Ley N° 8764 [Law 8764]. 2009.

IMMIGRATION_28. Does the country use a national labor market test for covering posts under the domestic worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Ley N° 8764 [Law 8764]. 2009.

IMMIGRATION_29. Is the domestic worker entry track restricted to certain nationalities? (specify the nationalities in explanation).

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009.

IMMIGRATION_30: Restrictions based on age.

Are there age limits for migrant domestic workers in order to be admitted to the country?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_31. Is having a certain gender a requisite to be admitted to the country under the domestic worker entry track?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011.

IMMIGRATION_32. Is having a certain marital status a requisite to be admitted to the country under the domestic worker track entry track?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011.

IMMIGRATION_33. Do migrant domestic workers need to prove the ability to support themselves?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

IMMIGRATION_34. Is knowledge of the host country's language considered beneficial or required for the decision on whether someone could immigrate as a domestic worker?

Answer: Neither beneficial, nor required

Code: 1

Explanation: There is no provision in the regulation for language skills needed in order to apply for this proxy .

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011.

IMMIGRATION_35. Does the application under the domestic worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: 37.5

Code: 37.5

Explanation: Generally \$30,00. But additional fees exist (i.e. proof of payment in favor of the Government for five dollars (US\$5.00) which will be allocated to the Social Fund for Migration, and a proof of payment in favor of the Government for tax species in the specific case of specific occupation workers requested to work with a physical person).

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 113 and 186.

IMMIGRATION_36. How long is the domestic work permit valid for? Indicate the period in months.

Answer: 12

Code: 12

Explanation: The General Direction through the Management of Foreigners or Regional Delegations shall grant special category authorization for foreign temporary workers, for a period of one year which may be extended.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

IMMIGRATION_37. Is it possible to renew the work permit granted under the domestic worker entry track?

Answer: Yes

Code: 1

Explanation: The General Direction through the Management of Foreigners or Regional Delegations shall grant special category authorization for foreign temporary workers, for a period of one year which may be extended.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 108, 113 and 230.

IMMIGRATION_38: Possibility of changing jobs.

Is it possible for a migrant worker accepted under the domestic worker entry track to switch employers?

Answer: Yes

Code: 1

Explanation: There is no specification of an obligation to stay with the same employer.

Sources: Ley N° 8764 [Law 8764]. 2009.

Is it possible for a migrant domestic worker accepted under this entry track to switch professional sectors?

Answer: Yes

Code: Yes

Explanation: Yes, there is no specification of an obligation to stay with the same sector and there is express possibility to change sectors.

Sources: Ley N° 8764 [Law 8764]. 2009.

Is it possible for a migrant worker accepted under the domestic worker entry track to switch locations?

Answer: Yes

Code: 1

Explanation: Yes, there is no specification of an obligation to stay in the same location and there is express possibility to change it.

Sources: Ley N° 8764 [Law 8764]. 2009.

IMMIGRATION_39. Does loss of employment result in the withdrawal of a migrant domestic worker's resident permit under this track?

Answer: Yes, unspecified

Code: 6

Explanation: There is no provision in the regulation for loss of employment as a reason for the withdrawal of a worker's permit; yet if they not comply with the conditions imposed by the General Direction of Migration and Foreign Affairs their permit would be cancelled, and in the case of migrant workers one condition is not to have the employment anymore. It is unclear if the permit would be withdrawn immediately or not.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 129.

IMMIGRATION_40. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant domestic workers were equal to those of native workers?

Answer: Yes

Code: 1

Explanation: Yes. Article 68 Constitution: "No discrimination may be made with respect to salary, advantages or working conditions between Costa Ricans and foreigners, or with respect to some group of workers. In equal conditions, the Costa Rican worker should be preferred."

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

IMMIGRATION_41. Is a minimum level of education required to apply to the domestic entry track?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

IMMIGRATION_42. Is a test of good health required for migrant domestic worker?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

4.8.2. Agricultural workers

Is there a visa scheme (entry track) for agricultural workers?

Answer: Yes

Code: 1

Explanation: Special category (temporary workers): Foreign person to whom the Direction authorizes the entrance, and stay in the country, for the purpose of developing temporary economic activities, to a request from a person concerned in the country, or from the worker himself, outside the country.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 29, 103, 104, 185, 186, 230 and 264.

IMMIGRATION_43. Do migrants trying to enter the country under the agricultural worker entry track need to be sponsored by an individual or group?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

IMMIGRATION_44. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as an agricultural worker?

Answer: Yes, required

Code: 0.25

Explanation: Article 113 Decree Decree 37112-GOB: "p) Offer of work duly authenticated in which the functions are indicated, the schedule, salary to be earned, signed by the employer".

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 99. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 113.

IMMIGRATION_45. Does the country use a national labor market test for covering posts under the agricultural worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?

Answer: No

Code: 1

Explanation: No provisions in main regulations.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

IMMIGRATION_46. Is the agricultural worker entry track restricted to certain nationalities? (specify nationalities in the explanation).

Answer: No

Code: 1

Explanation: No provisions in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

IMMIGRATION_47: Restrictions based on age.

Are age limits for migrant agricultural workers in order to be admitted to the country?

Answer: No

Code: 1

Explanation: No provisions in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_48. Is having a certain gender a requisite to be admitted to the country under this entry track?

Answer: No

Code: 1

Explanation: No provisions in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011.

IMMIGRATION_49. Is having a certain marital status a requisite to be admitted to the country under the agricultural worker entry track?

Answer: No

Code: 1

Explanation: No provisions in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011.

IMMIGRATION_50. Do migrant agricultural workers need to prove the ability to support themselves?

Answer: No

Code: 1

Explanation: No provisions in main regulations.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

IMMIGRATION_51. Is knowledge of the host country's language considered beneficial or required for the decision on immigrating as an agricultural worker?

Answer: Neither beneficial, nor required

Code: 1

Explanation: No provisions in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

IMMIGRATION_52. Does the application under the agricultural worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: 37,50

Code: 37,50

Explanation: Generally \$30,00. But additional fees exist (i.e. proof of payment in favor of the Government for five dollars (US\$5.00) which will be allocated to the Social Fund for Migration, and a proof of payment in favor of the Government for tax species in the specific case of specific occupation workers requested to work with a physical person).

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 113 and 186. / Ley N° 8764 [Law 8764]. 2009. Art. 253.

IMMIGRATION_53. How long is the work permit valid for? Indicate the period in months.

Answer: 12

Code: 12

Explanation: From 12 up to 24 months. Article 108 of Decree 37112-GOB: The General Direction through the Management of Foreigners or Regional Delegations shall grant special category authorization for foreign temporary workers, for a period of one year which may be extended.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 108 and 229.

IMMIGRATION_54. Is it possible to renew the work permit granted under the agricultural worker entry track?

Answer: Yes

Code: 1

Explanation: From 12 up to 24 months. Article 108 of Decree 37112-GOB: The General Direction through the Management of Foreigners or Regional Delegations shall grant special category authorization for foreign temporary workers, for a period of one year which may be extended.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 108 and 229.

IMMIGRATION_55: Possibility of changing jobs.

Is it possible for a migrant agricultural worker accepted under this entry track to switch employers?

Answer: Yes

Code: 1

Explanation: There is no specification of an obligation to stay with the same employer.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 99.

Is it possible for a migrant agricultural worker accepted under this entry track to switch professional sectors?

Answer: Yes

Code: 1

Explanation: Yes, there is no specification of an obligation to stay with the same sector and there is express possibility to change it.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 99.

Is it possible for a migrant agricultural worker accepted under this entry track to switch locations?

Answer: Yes

Code: 1

Explanation: Yes, there is no specification of an obligation to stay in the same location and there is express possibility to change it.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 99.

IMMIGRATION_56. Does loss of employment result in the withdrawal of a migrant agricultural worker's resident permit under this track?

Answer: Yes, unspecified

Code: 6

Explanation: There is no provision in the regulation for loss of employment as a reason for the withdrawal of a worker's permit; yet if they not comply with the conditions imposed by the General Direction of Migration and Foreign Affairs their permit would be cancelled, and in the case of migrant workers one condition is not to have the employment anymore.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 129.

IMMIGRATION_57. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant agricultural workers were equal to those of native workers?

Answer: Yes

Code: 1

Explanation: Yes. Article 68 Constitution: "No discrimination may be made with respect to salary, advantages or working conditions between Costa Ricans and foreigners, or with respect to some group of workers. In equal conditions, the Costa Rican worker should be preferred".

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

IMMIGRATION_58. Is a minimum level of education required to apply to the agricultural worker entry track?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

IMMIGRATION_59. Is a test of good health required for migrant agricultural workers?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

4.8.3. Medical doctors

Is there a visa scheme (entry track) for medical doctors?

Answer: Yes

Code: 1

Explanation: Medical doctors must apply to a temporal visa as established by Art. 79.5 of the Law 8764.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 79.5.

IMMIGRATION_60. Do migrants trying to enter the country under the medical doctor entry track, needed to be sponsored by an individual or group?

Answer: No

Code: 1

Explanation: No, only an employment contract is needed.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 85.a.

IMMIGRATION_61. Are a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as a medical doctor?

Answer: Yes, required

Code: 0.25

Explanation: Article 85.a Decree 37112-GOB establishes that the visa will be only granted with a previous job offer.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 85.a.

IMMIGRATION_62. Does the country use a national labor market test for covering posts under the medical doctor proxy (i.e. employers seeking to hire an immigrant had to prove that no native worker could do the job)?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

IMMIGRATION_63. Is the medical doctor entry track restricted to certain nationalities? (Specify nationalities in the explanation).

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011.

IMMIGRATION_64: Restrictions based on age.

Are there age limits for migrant medical doctors to be admitted to the country?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_65. Is having a certain gender a requisite to be admitted to the country under the medical doctor entry track?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011.

IMMIGRATION_66. Is having a certain marital status a requisite to be admitted to the country under the medical doctor entry track?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011.

IMMIGRATION_67. Do migrant medical doctors need to prove the ability to support themselves?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

IMMIGRATION_68. Is knowledge of the host country's language considered beneficial or required for the decision on whether someone could immigrate as a medical doctor?

Answer: Neither beneficial, nor required

Code: 1

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011.

IMMIGRATION_69. Does the application under the medical doctor entry track cost a fee? Register the fee in US Dollars. If application did not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.

Answer: 50

Code: 50

Explanation: Applications for a temporal visa cost 50 USD.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 2.

IMMIGRATION_70. How long is the medical doctor work permit valid for? Indicate the period in months.

Answer: 24

Code: 24

Explanation: As established by the Law 8764 (Art. 79), temporal residence is granted for 24 months (maximum) and it is possible to renew it for additional 24 months.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 79.

IMMIGRATION_71. Is it possible to renew the work permit granted under the medical doctor entry track?

Answer: Yes

Code: 1

Explanation: As established by the Law 8764 (Art. 79), temporal residence is granted for 24 months (maximum) and it is possible to renew it for additional 24 months.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 79.

IMMIGRATION_72: Possibility of changing jobs.

Is it possible for a migrant medical doctor to switch employers?

Answer: Yes

Code: 1

Explanation: There is no specification of an obligation to stay with the same employer, but if there is a change of employer or sector they must inform the migration authorities and receive their permission.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 80.

Is it possible for a migrant medical doctor to switch professional sectors?

Answer: Yes

Code: 1

Explanation: There is no specification of an obligation to stay with the same employer, but if there is a change of employer or sector they must inform the migration authorities and receive their permission.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 80.

Is it possible for a migrant medical doctor to switch locations?

Answer: Yes

Code: 1

Explanation: Yes, there is no specification of an obligation to stay in the same location and there is express possibility to change it.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 79 and 80.

IMMIGRATION_73. Does loss of employment result in the withdrawal of a migrant worker's resident permit under the medical doctor track?

Answer: Yes, unspecified

Code: 6

Explanation: There is no provision in the regulation for loss of employment as a reason for the withdrawal of a worker's permit.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 79 and 80.

IMMIGRATION_74. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant medical doctors were equal to those of native workers?

Answer: Yes

Code: 1

Explanation: Article 68 Constitution: "No discrimination may be made with respect to salary, advantages or working conditions between Costa Ricans and foreigners, or with respect to some group of workers. In equal conditions, the Costa Rican worker should be preferred".

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

IMMIGRATION_75. Is a minimum level of education required to apply to the medical doctor entry track?

Answer: Yes

Code: 0

Explanation: Yes. Article 94 Decree 37112-GOB: The General Direction through the Gestión de Extranjería will grant authorization for temporary residency as scientists, professionals, interns and their dependents, to those foreign persons who fulfill the following requirements in accordance with Article 79(5) of the Law: (...) m) Affidavit signed by the employer certifying the experience of the worker where specifies the specialized functions, and his/her knowledge for the position. n) Certification of titles and experience of the worker that accredits him/her for the position to be held, duly legalized and authenticated or apostilled in case they were obtained abroad.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 94.

IMMIGRATION_76. Is a test of good health required for migrant medical doctors?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

4.9. Proxy: Refugees

4.9.1. Existence of track

IMMIGRATION_77. Does the country grant refugee status?

Answer: Yes

Code: 1

Explanation: Costa Rica has a framework to recognize refugees.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

IMMIGRATION_78. Are certain countries deemed safe third countries (i.e. could persons arriving through these countries be precluded from claiming asylum)?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

IMMIGRATION_79: Safe countries of origin.

Are certain countries deemed safe countries of origin (i.e. refugee claims arising out of persecution in those countries could be precluded)?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

How many countries?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.2. Restrictions

IMMIGRATION_80: Refugee status restricted for certain nationalities.

Is refugee status restricted to certain nationalities?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Which nationalities?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_81: Restrictions based on age.**Are there age limits for potential refugees to be admitted to the country?**

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Which minimum age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is being below a certain age limit beneficial for the decision on whether someone gains access to refugee status?

Answer: No

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Below which age?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_82. Is having a certain gender a requisite to be granted refugee status?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

IMMIGRATION_83. Is having a certain marital status a requisite to be granted refugee status?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

4.9.3. Place of application

IMMIGRATION_84: Place of application

Can asylum seekers file an application for asylum from outside the destination country's territory?

Answer: No

Code: 0

Explanation: Article 126 Decree 36831-G: Any person who is within the scope of Article 1 of these Regulations and who intends to be recognized as a refugee shall submit his application to the competent officials of the General Direction, in posts authorized for land, sea or air entry, as well as to the specialized office of said organ for such purposes.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 126. / ACNUR Costa Rica. "¿Cómo solicitar la condición de refugio? [How to Apply for Refugee Status?]". Accessed April 9, 2019. <https://help.unhcr.org/costarica/como-solicitar-la-condicion-de-refugiado#:~:text=Puede%20hacerlo%20llamando%20al%201311,que%20establecen%20las%20leyes%20locales.>

Can asylum seekers file an application for asylum at the border/ports of entry of country's territory?

Answer: Yes

Code: 1

Explanation: Article 126 Decree 36831-G: Any person who is within the scope of Article 1 of these Regulations and who intends to be recognized as a refugee shall submit his application to the competent officials of the General Direction, in posts authorized for land, sea or air entry, as well as to the specialized office of said organ for such purposes.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 126. / ACNUR Costa Rica. “¿Cómo solicitar la condición de refugio? [How to Apply for Refugee Status?]”. Accessed April 9, 2019. <https://help.unhcr.org/costarica/como-solicitar-la-condicion-de-refugiado#:~:text=Puede%20hacerlo%20llamando%20al%201311,que%20establecen%20las%20leyes%20locales>.

Can asylum seekers file an application for asylum on the destination country's territory?

Answer: Yes

Code: 1

Explanation: Article 126 Decree 36831-G: Any person who is within the scope of Article 1 of these Regulations and who intends to be recognized as a refugee shall submit his application to the competent officials of the General Direction, in posts authorized for land, sea or air entry, as well as to the specialized office of said organ for such purposes.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 126. / ACNUR Costa Rica. “¿Cómo solicitar la condición de refugio? [How to Apply for Refugee Status?]”. Accessed April 9, 2019. <https://help.unhcr.org/costarica/como-solicitar-la-condicion-de-refugiado#:~:text=Puede%20hacerlo%20llamando%20al%201311,que%20establecen%20las%20leyes%20locales>.

4.9.4. Permit validity

IMMIGRATION_85. How long is the initial residence permit for recognized refugees valid for?

Answer: Temporary, between 12 and 24 months

Code: 5

Explanation: Article 57 Decree 36831-G: The issuance of the identity document of the refugee will be based on the issuance of the resolution declaring the refugee status, issued by the Commission on Restricted Visas and Refugees. The document must include, name and surname, sex, date of birth, nationality, fingerprints, validity, document number, file number and signature of the bearer. The document will have the same characteristics as the current migratory documentation without mentioning the refugee status of the bearer. The document shall refer to the freedom of status enjoyed by refugees as stipulated in article 108 of the Act and its validity shall be two years renewable in accordance with the terms established in the Foreign Regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 57.

IMMIGRATION_86: Permit renewal.

Is it possible to renew a temporary residence permit?

Answer: Yes

Code: 1

Explanation: Article 57 Decree 36831-G: The issuance of the identity document of the refugee will be based on the issuance of the resolution declaring the refugee status, issued by the Commission on Restricted Visas and Refugees. The document must include, name and surname, sex, date of birth, nationality, fingerprints, validity, document number, file number and signature of the bearer. The document will have the same characteristics as the current migratory documentation without mentioning the refugee status of the bearer. The document shall refer to the freedom of status enjoyed by refugees as stipulated in article 108 of the Act and its validity shall be two years renewable in accordance with the terms established in the Foreign Regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 57.

Is it possible to apply for a permanent resident permit for recognized refugees?

Answer: Yes, possible to apply for permanent permit after 2-4 years

Code: 2

Explanation: Refugees can apply to permanent residence after 3 years of residence.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 125 and 126.

IMMIGRATION_87. Can a recognized refugee lose his or her status as a refugee when the threatening situation in his or her country of origin ceases?

Answer: Yes

Code: 0

Explanation: Article 27 Decree 36831-G: In accordance with the Convention, it will cease to hold the status of refugee of those included in the following cases: a) If it expressly expresses its willingness to avail itself of the protection of the country of its nationality, habitual residence or country of origin. b) If, having lost his/her nationality, he/she has voluntarily recovered it. c) If he/she has acquired a new nationality and enjoys the protection of the country of their new nationality d) If he/she has voluntarily established again in the country they had left, out of which he/she had remained for fear of being persecuted. e) If due to the disappearance of the circumstances under which it was recognized as a refugee, it is understood that he/she cannot continue refusing to take refuge to the protection of the country of their nationality. f) If it is a person who has no nationality and because the circumstances under which he/she was recognized as a refugee, is in conditions of returning to the country where he/she previously had his/her habitual residence. It is understood, however, that the provisions of this paragraph shall not apply to refugees who can invoke, to refuse to avail themselves of the protection of the country where they had habitual residence, imperative reasons derived from the persecutions previous.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 27.

4.9.5. Maximum timeframe for application resolution

IMMIGRATION_88: Timeframe for resolution.

Is there a maximum of days to process the application of asylum seekers?

Answer: No

Code: 0

Explanation: There is no provision in the regulation about a maximum timeframe for application resolution.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

What is the maximum of days?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.9.6. Possibility to change migratory status

IMMIGRATION_89. If an application on refugee status is rejected, does the applicant have the right to appeal?

Answer: Yes

Code: 1

Explanation: Article 133 Decree 36831-G: Once the Commission is aware of the case, the corresponding resolution shall be issued, which shall be notified to the applicant at the place designated by him/her to receive notifications recorded in the file, respecting confidentiality. This resolution shall be subject to revocation with an appeal in subsidy before the Commission, and shall be filed within a period of three working days from the date of its notification, the evaluation of which shall be made as established in the preceding article. The General Direction will be in charge of transferring the appeal to the Administrative Migration Court, which will have a maximum of three months to resolve as established in articles 228 of the Law. The UNHCR shall have the right to lodge the above-mentioned appeals, either on its own or as an assistant to the person concerned, in accordance with article 35 of the Convention.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 133.

IMMIGRATION_90. Is it possible for recognized refugees to change their migratory status?

Answer: Yes

Code: 1

Explanation: Refugees can change the migratory category to permanent residence.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 126.

4.9.7. Detention

IMMIGRATION_91: Detention

Are asylum seekers detained while their claims are being processed?

Answer: No

Code: 4

Explanation: Article 137 of Decree 36831-G: No criminal or administrative sanctions shall be imposed on the applicant for the status of refugee by reason of irregular entry into the country, provided that he or she presents himself or herself without delay to the authorities and pleads justified cause for his or her irregular entry or presence. The competent authority shall not apply any restrictions on movement other than those necessary and only until the applicant's situation in the country has been regularized. If criminal proceedings or administrative proceedings have been initiated for irregular entry, these procedures shall be suspended until the refugee status of the applicant is determined by means of a final and final decision. In the case of recognition of the status of refugee, administrative or criminal proceedings against the refugee on grounds of irregular entry shall be cancelled if the offences committed are justified by the grounds for recognition as a refugee.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 137.

Are asylum seekers detained after their claims are processed?

Answer: No

Code: 2

Explanation: Article 137 of Decree 36831-G: No criminal or administrative sanctions shall be imposed on the applicant for the status of refugee by reason of irregular entry into the country, provided that he or she presents himself or herself without delay to the authorities and pleads justified cause for his or her irregular entry or presence. The competent authority shall not apply any restrictions on movement other than those necessary and only until the applicant's situation in the country has been regularized. If criminal proceedings or administrative proceedings have been initiated for irregular entry, these procedures shall be suspended until the refugee status of the applicant is determined by means of a final and final decision. In the case of recognition of the status of refugee, administrative or criminal proceedings against the refugee on grounds of irregular entry shall be cancelled if the offences committed are justified by the grounds for recognition as a refugee.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 137.

4.9.8. Status after rejection

IMMIGRATION_92. What is the status of asylum seekers whose applications are rejected?

Answer: Not specified in regulations

Code: 5

Explanation: There is no provision in the regulation about the status of asylum seekers after rejection.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. / Ley N° 8764 [Law 8764]. 2009.

IMMIGRATION_93. Do asylum seekers have the possibility to work during the process of application?

Answer: Yes

Code: 1

Explanation: Article 54 Decree 36831-G: While the application for the condition of refugee is being resolved, the Refugee Subprocess of the General Direction shall issue to the applicant a provisional document provided by the Costa Rican State, by means of which his/her migratory situation in the country is temporarily regularized. This document will be valid until the term determined by the Refugee Subprocess of the General Direction and once it has expired, the interested applicant must obligatorily go to the referred office for its renewal or for the notification of the resolution on his/her refugee application. If the administration is extended within three months to resolve the application, and the case is analysed by the Refugee Sub-process, the latter may recommend to the General Directorate that a provisional document incorporating the right to work be issued. With this documentation, they may exercise any type of remunerated or lucrative work relationship on their own account or in a relationship of dependency with strict adherence to the provisions of the current legal system.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 54.

4.9.9. Translation and interpretation

IMMIGRATION_94. Does the state provide official translation or interpretation for the process of asylum seekers?

Answer: Yes

Code: 1

Explanation: Article 129 Decree 36831-G: Once the applicant has appeared in the Subprocess premises, he/she shall be informed of the procedure for the determination of refugee status, his/her rights and obligations in a language he/she can understand, and the eligibility interview shall be conducted by a specialized officer for this purpose. An interpreter shall be made available to any applicant who so requests and needs to assist him or her in the interviews and in the written presentation of the facts on which his or her application is based. They will also be informed of their right to legal advice.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 129.

4.10. Proxy: Co-ethnics

4.10.1. General

IMMIGRATION_95. Existence of co-ethnics in 2017 (i.e. group(s) of immigrants that were granted easier access).

Are there group(s) of immigrants that are granted easier access to immigration and citizenship due to colonial history, language, religion, ancestry, and/or ill-treatment in the past?

Answer: Yes

Code: 1

Explanation: Not to immigration, but yes to citizenship. Article 14 Constitution: The following are Costa Ricans by naturalization: 1) Those who have acquired this nationality by virtue of previous laws. 2) Nationals of other Central American countries, Spaniards and Ibero-Americans by birth who have officially resided in the country for at least five years and who meet the other requirements established by law. 3) Central Americans, Spaniards and Ibero-Americans who are not by birth and other foreigners who have officially resided in the country for at least seven years and who meet the other requirements established by law. 4) A foreign woman who loses her nationality upon marriage to a Costa Rican. 5) Foreigners who, on marrying Costa Ricans, lose their nationality or who, after having been married to Costa Ricans for two years and residing for the same period in the country, express their desire to acquire Costa Rican nationality. 6) Those who receive honorary nationality from the Legislative Assembly.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14.

IMMIGRATION_96. Register the name of the group(s).

Answer: No specific name other than Citizens of Central American Countries and Ibero-American States

Code: No specific name other than Citizens of Central American Countries and Ibero-American States

Explanation: Article 14 Constitution: The following are Costa Ricans by naturalization: 1) Those who have acquired this nationality by virtue of previous laws. 2) Nationals of other Central American countries, Spaniards and Ibero-Americans by birth who have officially resided in the country for at least five years and who meet the other requirements established by law. 3) Central Americans, Spaniards and Ibero-Americans who are not by birth and other foreigners who have officially resided in the country for at least seven years and who meet the other requirements established by law. 4) A foreign woman who loses her nationality upon marriage to a Costa Rican. 5) Foreigners who, on marrying Costa Ricans, lose their nationality or who, after having been married to Costa Ricans for two years and residing for the same period in the country, express their desire to acquire Costa Rican nationality. 6) Those who receive honorary nationality from the Legislative Assembly.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14.

4.10.2. Reasons for co-ethnicity

IMMIGRATION_97. Reasons for co-ethnicity.

Shared language:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14.

Shared religion:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14.

Shared ancestry:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14.

Citizen of former colony:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14.

Ill treatment by country in the past:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14.

Self-declaration: avowal to be of country's ethnicity:

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14.

Other:

Answer: Yes

Code: 1

Explanation: Common belonging to Central American territory.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949.

IMMIGRATION_98. May converts apply?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRATION_99. If ancestry is sufficient to claim entitlement to preferential immigration rights, what is the degree of ancestry required?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.3. Language test

IMMIGRATION_100. What is the required level of language skills?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

4.10.4. Place of residence

IMMIGRATION_101. Does the applicant have to reside in a specific country to be entitled to easier access and right to permanent settlement? (If yes, specify country in the explanation).

Answer: Not applicable

Code: Not applicable

Explanation: Co-ethnics only have access to nationality, but not to an eased immigration policy.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14.

4.10.5. Place of application

IMMIGRATION_102. Place of application.

Can applicants file an application from outside the territory of the host country?

Answer: Not applicable

Code: Not applicable

Explanation: Co-ethnics only have access to nationality, but not to an eased immigration policy.

Sources: Not applicable

Can applicants file an application on host country's territory?

Answer: Not applicable

Code: Not applicable

Explanation: Co-ethnics only have access to nationality, but not to an eased immigration policy.

Sources: Not applicable

4.10.6. Date of birth

IMMIGRATION_103. Do applicants need to be born before or after a certain date to be eligible?

Answer: Not applicable

Code: Not applicable

Explanation: Co-ethnics only have access to nationality, but not to an eased immigration policy.

Sources: Not applicable

4.10.7. Permit validity

IMMIGRATION_104. If citizenship is not granted right away/after a shorter period, how long is the resident permit valid for?

Answer: Not applicable

Code: Not applicable

Explanation: Co-ethnics only have access to nationality, but not to an eased immigration policy.

Sources: Not applicable

IMMIGRATION_105. Permit renewal.

Is it possible to renew a temporary residence permit for co-ethnics?

Answer: Not applicable

Code: Not applicable

Explanation: Co-ethnics only have access to nationality, but not to an eased immigration policy.

Sources: Not applicable

Is it possible to apply for a permanent resident permit for co-ethnics?

Answer: Not applicable

Code: Not applicable

Explanation: Co-ethnics only have access to nationality, but not to an eased immigration policy.

Sources: Not applicable

5. Immigrant policies

5.1. Permanent residence

5.1.1. Eligibility

IMMIGRANT_1: General existence of a permanent residence scheme.

Answer: Yes

Code: 1

Explanation: Art. 77 of the Law 8764 defines permanent residents as foreigners to whom the General Direction of Migration and Foreign Affairs grants authorization and permanence for an indefinite period of time.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 77.

IMMIGRANT_2: Existence of a permanent residence scheme for different proxies. Do asylum seekers have access to permanent residence?

Answer: No

Code: 0

Explanation: No provision for permanent residence for asylum seekers in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 36831-G [Decree 36831-G]. 2011.

Do refugees have access to permanent residence?

Answer: Yes

Code: 1

Explanation: Article 126 of the Law 8764 establishes that refugees can access permanent residence three years after recognition of the status of refugee.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 126.

Do co-ethnics have access to permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable.

Do domestic workers have access to permanent residence?

Answer: No

Code: 0

Explanation: As established by Art. 95 of Law 8764, special migrant categories (which includes domestic workers and agricultural workers) cannot access permanent residence.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 95.

Do agricultural workers have access to permanent residence?

Answer: No

Code: 0

Explanation: As established by Art. 95 of Law 8764, special migrant categories (which includes domestic workers and agricultural workers) cannot access permanent residence.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 95.

Do medical doctors have access to permanent residence?

Answer: Yes

Code: 1

Explanation: Art 78.1 of the Law 8764 establishes that temporal residents can access permanent residence after three years of residence.

Sources: Ley N° 8764 [Law 8764]. 2009. Art 78.1.

IMMIGRANT_3: Required time of habitual residence.

How many months of habitual residence are required from asylum seekers for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from refugees for accessing permanent residence?

Answer: 36

Code: 36

Article 126 of the Law 8764 establishes that refugees can access permanent residence three years after recognition of the status of refugee.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 126.

How many months of habitual residence are required from co-ethnics for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from domestic workers for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from agricultural workers for accessing permanent residence?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

How many months of habitual residence are required from medical doctors for accessing permanent residence?

Answer: 36

Code: 36

Explanation: Art 78.1 of the Law 8764 establishes that temporal residents can access permanent residence after three years of residence.

Sources: Ley N° 8764 [Law 8764]. 2009. Art 78.1.

IMMIGRANT_4: Periods of absence allowed.

Are periods of absence allowed before granting of permanent status for asylum seekers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e.g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for refugees? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: 12

Code: 12

Explanation: There is no provision in the regulation about periods of absence allowed previous to granting status.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

Are periods of absence allowed before granting of permanent status for co-ethnics? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for domestic workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that

non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for agricultural workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Are periods of absence allowed before granting of permanent status for medical doctors? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.

Answer: 12

Code: 12

Explanation: No provision in main regulations regarding periods of absence allowed.

Sources: Ley N° 8764 [Law 8764]. 2009.

IMMIGRANT_5. Result of a regularization process.

The regularization process leads to:

Answer: temporal residence permit

Code: 0.25

Explanation: The last regularization program was done in 2013. The program granted irregular migrants a temporal visa for a year.

Sources: La Información. "Costa Rica abre amnistía para regularización de trabajadores extranjeros [Costa Rica Opens Amnesty for Regularization of Foreign Workers]". Accessed July 9, 2019. <https://www.lainformacion.com/asuntos-sociales/inmigrantes-ilegales/costa-rica-abre-amnistia-para->

regularizacion-de-trabajadores-extranjeros_71d8Z268DMRfJykNq5gnZ5/. / La Gaceta N° 203 [The Gazette 203]. 2013.

IMMIGRANT_6: Language test.

Is there a language requirement for asylum seekers to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for refugees to access permanent residence?

Answer: no requirement

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 89.

Is there a language requirement for co-ethnics to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for domestic workers to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for co-ethnics to access permanent residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there a language requirement for medical doctors to access permanent residence?

Answer: no requirement

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 72-75.

IMMIGRANT_7: Economic resources.

Is there an economic resources requirement for applying to permanent residence for asylum seekers?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for refugees?

Answer: none or below level of social assistance and no income source is excluded

Code: 1

Explanation: No provision for such requisite in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 89.

Is there an economic resources requirement for applying to permanent residence for co-ethnics?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for domestic workers?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for agricultural workers?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Is there an economic resources requirement for applying to permanent residence for medical doctors?

Answer: none or below level of social assistance and no income source is excluded

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 72-75.

IMMIGRANT_8: Cost of application.

What is the cost of the application of permanent residence in the original currency (include the cost of issuance if any)?

Answer: 50

Code: 50

Explanation: Applications for a temporal and personal permit cost 50 USD.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 42.

What is the cost of the application of permanent residence in the USD (include the cost of issuance if any)?

Answer: 50

Code: 50

Explanation: Applications for a temporal and personal permit cost 50 USD.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 42.

IMMIGRANT_9: Employer sponsorship.

Do asylum seekers have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have to be sponsored by an employer?

Answer: no, sponsorship is not required

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 89.

Do co-ethnics have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do agricultural workers have to be sponsored by an employer?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do medical doctors have to be sponsored by an employer?

Answer: no, sponsorship is not required

Code: 1

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.Art. 72-75.

5.1.2. Security of status

IMMIGRANT_10: Maximum length of application procedure.

Maximum length of application procedure for asylum seekers in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for asylum seekers:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for refugees in months:

Answer: 3

Code: 3

Explanation: Art. 200 of the Law 8764 establishes a general timeframe for resolving applications (for any kind of residence permit): three months.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 200.

Maximum length of application procedure for refugees:

Answer: less than six months

Code: 1

Explanation: Art. 200 of the Law 8764 establishes a general timeframe for resolving applications (for any kind of residence permit): three months.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 200.

Maximum length of application procedure for co-ethnics in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for co-ethnics:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for domestic workers in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for domestic workers:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for agricultural workers in months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for agricultural workers:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Maximum length of application procedure for medical doctors in months:

Answer: 3

Code: 3

Explanation: Art. 200 of the Law 8764 establishes a general timeframe for resolving applications (for any kind of residence permit): three months.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 200.

Maximum length of application procedure for medical doctors:

Answer: less than six months

Code: 1

Explanation: Art. 200 of the Law 8764 establishes a general timeframe for resolving applications (for any kind of residence permit): three months.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 200.

IMMIGRANT_11: Grounds for rejection.

Not fulfilling the original conditions that were required to access original permit is a ground for rejecting permanent residence application:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009.

IMMIGRANT_12: Legal guarantees.

Rejection of applications must be reasoned:

Answer: yes

Code: 1

Explanation: As established by Art. 13 of the Law 8764, the rejection of applications must be reasoned.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 13.

Rejected applicants have the right to appeal:

Answer: yes

Code: 1

Explanation: Article 215 of the Law 8764 establishes the right to appeal.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 215.

IMMIGRANT_13: Expulsion is precluded for victims of violence or crime.

Expulsion is precluded for immigrants of all categories who are victims of violence or crime:

Answer: no

Code: 0

Explanation: There is no provision in the regulation about special provisions for immigrants in case of violence or crime.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

5.2. Policies of representation

IMMIGRANT_14: Regulation of electoral rights.

Subnational electoral rights can be regulated at the subnational level:

Answer: no

Code: 0

Explanation: No. Electoral rights are regulated at a national level.

Sources: Ley N° 8765 [Law 8765]. 2009.

5.2.1. Electoral rights

IMMIGRANT_15: Voting eligibility for non-citizens.

Does the country have presidential elections?

Answer: yes

Code: 1

Does the country have a bicameral system (composed of a Lower House and an Upper House)?

Answer: no, the country only has a Lower House

Code: 2

Can non-citizen residents vote in national presidential elections?

Answer: generally disenfranchised

Code: 0

Explanation: According to the Article 19 of the Constitution, foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations of that this Constitution and the laws establish. They may not intervene in the political affairs of the country.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 19. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Can non-citizen residents vote in national legislative elections (Lower House)?

Answer: generally disenfranchised

Code: 0

Explanation: According to the Article 19 of the Constitution, foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations of that this Constitution and the laws establish. They may not intervene in the political affairs of the country.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 19. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Can non-citizen residents vote in national legislative elections (Upper House)?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_16: Residence duration-based requirements for active electoral rights.

Previous residence required for being eligible to vote in presidential elections:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to vote in Lower House elections:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to vote in Upper House elections:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_17: Registration in the electoral roll for non-citizen residents.

Registration in the electoral roll for non-citizen residents:

Answer: not applicable (non-citizen residents cannot vote)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_18: Passive electoral rights for non-citizen residents.

Can non-citizen residents stand as candidates in national presidential elections?

Answer: generally disenfranchised

Code: 0

Explanation: According to the Article 19 of the Constitution, foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations of that this Constitution and the laws establish. They may not intervene in the political affairs of the country.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 19. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Can non-citizen residents stand as candidates in national legislative elections (Lower House)?

Answer: generally disenfranchised

Code: 0

Explanation: According to the Article 19 of the Constitution, foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations of that this Constitution and the laws establish. They may not intervene in the political affairs of the country.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 19. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Can non-citizen residents stand as candidates in national legislative elections (Upper House)?

Answer not applicable (no presidential elections)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

IMMIGRANT_19: Residence duration-based restrictions for passive electoral rights.

Previous residence required for being eligible to stand as candidate in presidential elections:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Previous residence required for being eligible to stand as candidate in Lower House elections:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

5.2.2. Regulation of participation in parties

IMMIGRANT_20: Emigrant membership to home country political parties.

Non-citizen resident membership to state or reception political parties:

Answer: not legally allowed

Code: 0

Explanation: According to the Article 19 of the Constitution, foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations of that this Constitution and the laws establish. They may not intervene in the political affairs of the country.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica], 1949. Art. 19. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

5.2.3. Consultative bodies

IMMIGRANT_21: Existence of a consultative body of immigrants acting at the national level.

Existence of a consultative body on immigrant issues:

Answer: yes

Code: 1

Explanation: Yes, the National Council of Migration (Consejo Nacional de Migración). The National Council of Migration designs migration policies. Article 9 of the Law 8764 defines it: The National Council of Migration is created as an advisory body to the Executive Branch of the Ministry of the Governance and Police and the General Direction of Migration and Foreign Affairs. Article 11 Law 8764 The following shall be the functions of the Council: 1) To recommend to the Executive Power the migration policy and the necessary measures and actions for its execution, aimed at the promotion of the human rights of migrants in coordination with international institutions, international bodies and social organizations; amendments to legislation or related matters that it considers necessary or appropriate. 2) Disseminate information on migratory matter that allows to promote programs and projects favorable for the social integration of foreign persons residing in the country, as active subjects in national development. 3) To recommend, to the General Direction of Migration and Foreign Affairs, the design of actions and programs directed to the Costa Rican population living abroad in order to effectively link them to the country; the development of actions to prevent discrimination and any form of violence against the foreign population living in Costa Rica. 4) Promote the participation of civil society in the process of policy formulation and implementation of migration policies. 5) To advise the General Direction about the integration projects that are executed in order to attend the needs of the migrant population. Coordinate within it the public actions developed by each of the institutions in the field of migration represented in the Migration Board, as well as the rest of the public sector. 7) Appoint and dismiss the regular and alternate members of the Administrative Migration Tribunal. For the fulfillment of its functions, the Council may summon any natural or legal person, ethnic group, or international organization related to a topic under discussion. Whenever a child under the age of 18 is involved, the Council shall convene a representative of the National Children's Trust (PANI), in order to guarantee respect for the rights enshrined in the Childhood and Adolescence Code.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 9 and 11.

IMMIGRANT_22: Structural or ad hoc consultation.

The consultation is:

Answer: structural

Code: 1

Explanation: According to the regulations of that Law, the Consejo Nacional de Migración had to meet ordinarily twice a week and extraordinarily by request of its president (Art. 6 of the Decree 37112).

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 6.

IMMIGRANT_23: Composition of the consultative body.

Composition of the consultative body:

Answer: mixed (immigrants and representatives of the government and other institutions)

Code: 0.75

Explanation: 8 government representatives and two people representing civil society organizations linked to migration, appointed by the ombudsman's office for the inhabitants. Article 10 of the Law 8764: The Council shall be composed as follows: 1) The Minister of Governance and Police, who shall

preside. 2) The Minister of Foreign Affairs and Worship. 3) The Minister of Labor and Social Security. 4) The Minister of National Planning and Economic Policy. 5) The Minister of Health. 6) The Minister of Education. 7) The Director of the General Direction of Migration and Foreign Affairs. 8) The executive president of the Costa Rican Tourism Institute. 9) The executive president of the Costa Rican Social Security Fund. 10) Two people representing civil society organizations, linked to the issue of migration, appointed by the Defensoría de los Habitantes (ombudsman's office for the inhabitants), as established in the Regulations of this Law.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 10.

IMMIGRANT_24: Leadership of the consultative body.

Who chairs the consultative body?

Answer: member of the government

Code: 0.25

Explanation: The Minister of Governance and Police.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 10.

IMMIGRANT_25: Right of initiative to make its own reports or recommendations.

The body has the right of initiative to make its own reports or recommendations, even when not consulted:

Answer: yes

Code: 1

Explanation: Article 11 of the Law 8764: The following shall be the functions of the Council: 1) To recommend to the Executive Power the migration policy and the necessary measures and actions for its execution, aimed at the promotion of the human rights of migrants in coordination with international institutions, international bodies and social organizations; amendments to legislation or related matters that it considers necessary or appropriate.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 11.

IMMIGRANT_26: Right to get a response from the government to recommendation.

Beyond consultation on policies affecting immigrants the body has the right to get a response from national authorities to its advice/recommendations:

Answer: yes

Code: 1

Explanation: Yes, any governmental body that is addressed must respond to the consultations made by the Council. However, the executive branch does not have to forcefully follow all recommendations made.

Sources: Consultation with Eunice Hernández, speaker of the Consejo. February 17, 2015. / Consultation with Kathya Rodríguez Araujo, head of the Dirección General de Migración y Extranjería. February 17, 2015.

IMMIGRANT_27: Selection criteria to ensure representativeness.

Existence of selection criteria to ensure a gender-balanced consultative body:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009.

Existence of selection criteria to ensure a geographic-balanced consultative body:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009.

5.3. Economic policies

5.3.1. Access to labor market

IMMIGRANT_28: Migrant access to labor market.

Can asylum seekers access the labor market?

Answer: no

Code: 0

Explanation: No discrimination may be made with respect to salary, advantages or working conditions between Costa Ricans and foreigners, or with respect to some group of workers. Yet, in equal conditions, the Costa Rican worker should be preferred.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

Can refugees access the labor market?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: No discrimination may be made with respect to salary, advantages or working conditions between Costa Ricans and foreigners, or with respect to some group of workers. Yet, in equal conditions, the Costa Rican worker should be preferred.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

Can co-ethnics access the labor market?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access the labor market?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: No discrimination may be made with respect to salary, advantages or working conditions between Costa Ricans and foreigners, or with respect to some group of workers. Yet, in equal conditions, the Costa Rican worker should be preferred. Article 99 Law 8764: Temporary workers may remain in the country for the term determined by the General Direction. Only be able to engage in gainful employment under the terms, conditions, zones and for employers to authorize the General Directorate, on the basis of the recommendations of the Ministry of Labour and Social Security, the one which will also define the activities of a temporary nature for which authorization for entry is required, and of foreign labour, by means of technical and market studies that will be carried out to determine the quota of temporary workers required. At the request of the foreign national, the Direction may provide for the performance of remunerated work activities for other employers or areas; likewise, may authorize extensions of the period originally authorized.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68. / Ley N° 8764 [Law 8764]. 2009. Art. 99.

Can agricultural workers access the labor market?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: No discrimination may be made with respect to salary, advantages or working conditions between Costa Ricans and foreigners, or with respect to some group of workers. Yet, in equal conditions, the Costa Rican worker should be preferred. Article 99 Law 8764: Temporary workers may remain in the country for the term determined by the General Direction. Only be able to engage in gainful employment under the terms, conditions, zones and for employers to authorize the General Directorate, on the basis of the recommendations of the Ministry of Labour and Social Security, the one which will also define the activities of a temporary nature for which authorization for entry is

required, and of foreign labour, by means of technical and market studies that will be carried out to determine the quota of temporary workers required. At the request of the foreign national, the Direction may provide for the performance of remunerated work activities for other employers or areas; likewise, may authorize extensions of the period originally authorized.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68. / Ley N° 8764 [Law 8764]. 2009. Art. 99.

Can medical doctors access the labor market?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: No discrimination may be made with respect to salary, advantages or working conditions between Costa Ricans and foreigners, or with respect to some group of workers. Yet, in equal conditions, the Costa Rican worker should be preferred. Article 99 Law 8764: Temporary workers may remain in the country for the term determined by the General Direction. Only be able to engage in gainful employment under the terms, conditions, zones and for employers to authorize the General Directorate, on the basis of the recommendations of the Ministry of Labour and Social Security, the one which will also define the activities of a temporary nature for which authorization for entry is required, and of foreign labour, by means of technical and market studies that will be carried out to determine the quota of temporary workers required. At the request of the foreign national, the Direction may provide for the performance of remunerated work activities for other employers or areas; likewise, may authorize extensions of the period originally authorized.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68. / Ley N° 8764 [Law 8764]. 2009. Art. 99.

Can permanent residents access the labor market?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: No discrimination may be made with respect to salary, advantages or working conditions between Costa Ricans and foreigners, or with respect to some group of workers. Yet, in equal conditions, the Costa Rican worker should be preferred.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

IMMIGRANT_29: Migrant access to self-employment.

Can asylum seekers access self-employment?

Answer: yes, equal access

Code: 1

Explanation: Article 186 Decree 37112: In the case of permanent residents and the special categories of refugees, asylees and stateless persons, they may carry out any remunerated activity on their own account or in a dependent relationship. The other categories are conditioned to the activity to develop and subject to the conditions established in the Law and the corresponding regulation.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 186.

Can refugees access self-employment?

Answer: yes, equal access

Code: 1

Explanation: Article 186 Decree 37112: In the case of permanent residents and the special categories of refugees, asylees and stateless persons, they may carry out any remunerated activity on their own account or in a dependent relationship. The other categories are conditioned to the activity to develop and subject to the conditions established in the Law and the corresponding regulation.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 186.

Can co-ethnics access self-employment?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access self-employment?

Answer: no

Code: 0

Explanation: Article 186 Decree 37112: In the case of permanent residents and the special categories of refugees, asylees and stateless persons, they may carry out any remunerated activity on their own account or in a dependent relationship. The other categories are conditioned to the activity to develop and subject to the conditions established in the Law and the corresponding regulation.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 186.

Can agricultural workers access self-employment?

Answer: no

Code: 0

Explanation: In the case of permanent residents and the special categories of refugees, asylees and stateless persons, they may carry out any remunerated activity on their own account or in a dependent relationship. The other categories are conditioned to the activity to develop and subject to the conditions established in the Law and the corresponding regulation.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 186.

Can medical doctors access self-employment?

Answer: no

Code: 0

Explanation: In the case of permanent residents and the special categories of refugees, asylees and stateless persons, they may carry out any remunerated activity on their own account or in a dependent relationship. The other categories are conditioned to the activity to develop and subject to the conditions established in the Law and the corresponding regulation.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 186.

Can permanent residents access self-employment?

Answer: yes, equal access

Code: 1

Explanation: In the case of permanent residents and the special categories of refugees, asylees and stateless persons, they may carry out any remunerated activity on their own account or in a dependent relationship. The other categories are conditioned to the activity to develop and subject to the conditions established in the Law and the corresponding regulation.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 186.

IMMIGRANT_30: Migrant access to civil service.

Can asylum seekers access employment in schools (primary and secondary)?

Answer: yes, equal access

Code: 1

Explanation: No provision restricting access to employment in schools for asylum seekers.

Sources: Ley N° 2160 [Law 2160]. 2011. / Ley N° 114 [Law 114]. 1990.

Can refugees access employment in schools (primary and secondary)?

Answer: yes, equal access

Code: 1

Explanation: No provision restricting access to employment in schools for refugees.

Sources: Ley N° 2160 [Law 2160]. 2011. / Ley N° 114 [Law 114]. 1990.

Can co-ethnics access employment in schools (primary and secondary)?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in schools (primary and secondary)?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: It is difficult for temporary workers on the visa applied to domestic workers, agricultural workers and medical doctors, to work on any public administration position, as there is a restriction to the activities to which they have been admitted as per Law 8764. At request of the foreign national, the Direction may provide for the performance of remunerated work activities for other employers or areas; likewise, may authorize extensions of the period originally authorized, but it is unlikely that they would access employment in schools given that there is also an obligation for a general preference for costaricans over foreign nationals as per Art. 68 of the Constitution.

Sources: Ley N° 8764 [Law 8764]. 2009. / Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68. / Ley N° 2160 [Law 2160]. 2011. / Ley N° 114 [Law 114]. 1990.

Can agricultural workers access employment in schools (primary and secondary)?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: It is difficult for temporary workers on the visa applied to domestic workers, agricultural workers and medical doctors, to work on any public administration position, as there is a restriction to the activities to which they have been admitted as per Law 8764. At request of the foreign national, the Direction may provide for the performance of remunerated work activities for other employers or areas; likewise, may authorize extensions of the period originally authorized, but it is unlikely that they would access employment in schools given that there is also an obligation for a general preference for costaricans over foreign nationals as per Art. 68 of the Constitution.

Sources: Ley N° 8764 [Law 8764]. 2009. / Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68. / Ley N° 2160 [Law 2160]. 2011. / Ley N° 114 [Law 114]. 1990.

Can medical doctors access employment in schools (primary and secondary)?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: It is difficult for temporary workers on the visa applied to domestic workers, agricultural workers and medical doctors, to work on any public administration position, as there is a restriction to the activities to which they have been admitted as per Law 8764. At request of the foreign national, the Direction may provide for the performance of remunerated work activities for other employers or

areas; likewise, may authorize extensions of the period originally authorized, but it is unlikely that they would access employment in schools given that there is also an obligation for a general preference for costaricans over foreign nationals as per Art. 68 of the Constitution.

Sources: Ley N° 8764 [Law 8764]. 2009. / Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68. / Ley N° 2160 [Law 2160]. 2011. / Ley N° 114 [Law 114]. 1990.

Can permanent residents access employment in schools (primary and secondary)?

Answer: yes, equal access

Code: 1

Explanation: In principle, there is no restriction for migrants to access employment in schools, unless they are on temporary visas which place many restrictions on their activities.

Sources: Ley N° 2160 [Law 2160]. 2011. / Ley N° 114 [Law 114]. 1990.

Can asylum seekers access employment in public administration?

Answer: yes, equal access

Code: 1

Explanation: Art. 20 of the Civil Service Statute do not restrict access to the civil service based on nationality or migratory status.

Sources: Decreto N° 1581 [Decree 1581]. 1953. Art. 20.

Can refugees access employment in public administration?

Answer: yes, equal access

Code: 1

Explanation: Art. 20 of the Civil Service Statute do not restrict access to the civil service based on nationality or migratory status.

Sources: Decreto N° 1581 [Decree 1581]. 1953. Art. 20.

Can co-ethnics access employment in public administration?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in public administration?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: It is difficult for temporary workers on the visa applied to domestic workers, agricultural workers and medical doctors, to work on any public administration position, as there is a restriction to the activities to which they have been admitted as per Law 8764. At request of the foreign national, the Direction may provide for the performance of remunerated work activities for other employers or areas; likewise, may authorize extensions of the period originally authorized, but it is unlikely that they would access employment in schools given that there is also an obligation for a general preference for costaricans over foreign nationals as per Art. 68 of the Constitution.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 68.

Can agricultural workers access employment in public administration?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: It is difficult for temporary workers on the visa applied to domestic workers, agricultural workers and medical doctors, to work on any public administration position, as there is a restriction to the activities to which they have been admitted as per Law 8764. At request of the foreign national, the Direction may provide for the performance of remunerated work activities for other employers or areas; likewise, may authorize extensions of the period originally authorized, but it is unlikely that they would access employment in schools given that there is also an obligation for a general preference for costaricans over foreign nationals as per Art. 68 of the Constitution.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 68.

Can medical doctors access employment in public administration?

Answer: yes, but under certain conditions

Code: 0.5

Explanation: It is difficult for temporary workers on the visa applied to domestic workers, agricultural workers and medical doctors, to work on any public administration position, as there is a restriction to the activities to which they have been admitted as per Law 8764. At request of the foreign national, the Direction may provide for the performance of remunerated work activities for other employers or areas; likewise, may authorize extensions of the period originally authorized, but it is unlikely that they would access employment in schools given that there is also an obligation for a general preference for costaricans over foreign nationals as per Art. 68 of the Constitution.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 68.

Can permanent residents access employment in public administration?

Answer: yes, equal access

Code: 1

Explanation: Art. 20 of the Civil Service Statute do not restrict access to the civil service based on nationality or migratory status.

Sources: Decreto N° 1581 [Decree 1581]. 1953. Art. 20.

Can asylum seekers access employment in the police?

Answer: no

Code: 0

Explanation: Article 59 of the Law 7410 establishes that in order to enter the service of the police forces it is required to have Costa Rican nationality.

Sources: Ley N° 7410 [Law 7410]. 1994. Art. 59.

Can refugees access employment in the police?

Answer: no

Code: 0

Explanation: Article 59 of the Law 7410 establishes that in order to enter the service of the police forces it is required to have Costa Rican nationality.

Sources: Ley N° 7410 [Law 7410]. 1994. Art. 59.

Can co-ethnics access employment in the police?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access employment in the police?

Answer: no

Code: 0

Explanation: Article 59 of the Law 7410 establishes that in order to enter the service of the police forces it is required to have Costa Rican nationality.

Sources: Ley N° 7410 [Law 7410]. 1994. Art. 59.

Can agricultural workers access employment in the police?

Answer: no

Code: 0

Explanation: Article 59 of the Law 7410 establishes that in order to enter the service of the police forces it is required to have Costa Rican nationality.

Sources: Ley N° 7410 [Law 7410]. 1994. Art. 59.

Can medical doctors access employment in the police?

Answer: no

Code: 0

Explanation: Article 59 of the Law 7410 establishes that in order to enter the service of the police forces it is required to have Costa Rican nationality.

Sources: Ley N° 7410 [Law 7410]. 1994. Art. 59.

Can permanent residents access employment in the police?

Answer: no

Code: 0

Explanation: Article 59 of the Law 7410 establishes that in order to enter the service of the police forces it is required to have Costa Rican nationality.

Sources: Ley N° 7410 [Law 7410]. 1994. Art. 59.

Quotas for preferential hiring of asylum seekers exist:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

Quotas for preferential hiring of refugees exist:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

Quotas for preferential hiring of co-ethnics exist:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Quotas for preferential hiring of domestic workers exist:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

Quotas for preferential hiring of agricultural workers exist:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

Quotas for preferential hiring of medical doctors:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

Quotas for preferential hiring of permanent residents:

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

Can asylum seekers access employment in the armed forces?

Answer: not applicable

Code: Not applicable

Explanation: There are no armed forces in Costa Rica, according to Article 12 of the Constitution.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 12.

Can refugees access employment in the armed forces?

Answer: not applicable

Code: Not applicable

Explanation: There are no armed forces in Costa Rica, according to Article 12 of the Constitution.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 12.

Can co-ethnics access employment in the armed forces?

Answer: not applicable

Code: Not applicable

Explanation: There are no armed forces in Costa Rica, according to Article 12 of the Constitution.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 12.

Can domestic workers access employment in the armed forces?

Answer: not applicable

Code: Not applicable

Explanation: There are no armed forces in Costa Rica, according to Article 12 of the Constitution.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 12.

Can agricultural workers access employment in the armed forces?

Answer: not applicable

Code: Not applicable

Explanation: There are no armed forces in Costa Rica, according to Article 12 of the Constitution.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 12.

Can medical doctors access employment in the armed forces?

Answer: not applicable

Code: Not applicable

Explanation: There are no armed forces in Costa Rica, according to Article 12 of the Constitution.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 12.

Can permanent residents access employment in the armed forces?

Answer: not applicable

Code: Not applicable

Explanation: There are no armed forces in Costa Rica, according to Article 12 of the Constitution.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 12.

5.3.2. Access to support

IMMIGRANT_31: Public employment services.

Can asylum seekers access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: No restriction for accessing public employment services.

Sources: Ministerio de Trabajo y Seguridad Social. "Buscoempleo [Jobsearch]". Accessed April 12, 2019. <http://www.mtss.go.cr/empleo-formacion/buscoempleo.html>.

Can refugees access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: No restriction for accessing public employment services.

Sources: Ministerio de Trabajo y Seguridad Social. "Buscoempleo [Jobsearch]". Accessed April 12, 2019. <http://www.mtss.go.cr/empleo-formacion/buscoempleo.html>.

Can co-ethnics access public employment services?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: No restriction for accessing public employment services.

Sources: Ministerio de Trabajo y Seguridad Social. "Buscoempleo [Jobsearch]". Accessed April 12, 2019. <http://www.mtss.go.cr/empleo-formacion/buscoempleo.html>.

Can agricultural workers access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: No restriction for accessing public employment services.

Sources: Ministerio de Trabajo y Seguridad Social. "Buscoempleo [Jobsearch]". Accessed April 12, 2019. <http://www.mtss.go.cr/empleo-formacion/buscoempleo.html>.

Can medical doctors access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: No restriction for accessing public employment services.

Sources: Ministerio de Trabajo y Seguridad Social. "Buscoempleo [Jobsearch]". Accessed April 12, 2019. <http://www.mtss.go.cr/empleo-formacion/buscoempleo.html>.

Can permanent residents access public employment services?

Answer: Yes, equal access

Code: 1

Explanation: No restriction for accessing public employment services.

Sources: Ministerio de Trabajo y Seguridad Social. "Buscoempleo [Jobsearch]". Accessed April 12, 2019. <http://www.mtss.go.cr/empleo-formacion/buscoempleo.html>.

IMMIGRANT_32: Recognition of qualifications.

Recognition of qualifications acquired abroad by asylum seekers:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Yes, same procedures and fees as for nationals. The process initiates in the Comisión Nacional de Rectores (CONARE), where all documents, translated and certified by the Ministry of Foreign Affairs (RR.EE.) are received, together with a form. Another institution of higher education in Costa Rica takes responsibility for certifying the studies –generally the University of Costa Rica. The process may take between 3-4 months. There are no treaties for the automatic recognition of titles.

Sources: Oficina de Reconocimiento y Equiparación de Grados y Títulos del CONARE. "Instrucciones generales [General Instructions]. Accessed March 26, 2019. <https://ore.conare.ac.cr/xhtml/paginas/info/instrucciones.xhtml>.

Recognition of qualifications acquired abroad by refugees:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Yes, same procedures and fees as for nationals. The process initiates in the Comisión Nacional de Rectores (CONARE), where all documents, translated and certified by the Ministry of Foreign Affairs (RR.EE.) are received, together with a form. Another institution of higher education in Costa Rica takes responsibility for certifying the studies –generally the University of Costa Rica. The process may take between 3-4 months. There are no treaties for the automatic recognition of titles.

Sources: Oficina de Reconocimiento y Equiparación de Grados y Títulos del CONARE. "Instrucciones generales [General Instructions]. Accessed March 26, 2019. <https://ore.conare.ac.cr/xhtml/paginas/info/instrucciones.xhtml>.

Recognition of qualifications acquired abroad by co-ethnics:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Recognition of qualifications acquired abroad by domestic workers:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Yes, same procedures and fees as for nationals. The process initiates in the Comisión Nacional de Rectores (CONARE), where all documents, translated and certified by the Ministry of Foreign Affairs (RR.EE.) are received, together with a form. Another institution of higher education in Costa Rica takes responsibility for certifying the studies –generally the University of Costa Rica. The process may take between 3-4 months. There are no treaties for the automatic recognition of titles.

Sources: Oficina de Reconocimiento y Equiparación de Grados y Títulos del CONARE. “Instrucciones generales [General Instructions]. Accessed March 26, 2019.
<https://ore.conare.ac.cr/xhtml/paginas/info/instrucciones.xhtml>.

Recognition of qualifications acquired abroad by agricultural workers:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Yes, same procedures and fees as for nationals. The process initiates in the Comisión Nacional de Rectores (CONARE), where all documents, translated and certified by the Ministry of Foreign Affairs (RR.EE.) are received, together with a form. Another institution of higher education in Costa Rica takes responsibility for certifying the studies –generally the University of Costa Rica. The process may take between 3-4 months. There are no treaties for the automatic recognition of titles.

Sources: Oficina de Reconocimiento y Equiparación de Grados y Títulos del CONARE. “Instrucciones generales [General Instructions]. Accessed March 26, 2019.
<https://ore.conare.ac.cr/xhtml/paginas/info/instrucciones.xhtml>.

Recognition of qualifications acquired abroad by medical doctors:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Yes, same procedures and fees as for nationals. The process initiates in the Comisión Nacional de Rectores (CONARE), where all documents, translated and certified by the Ministry of Foreign Affairs (RR.EE.) are received, together with a form. Another institution of higher education in Costa Rica takes responsibility for certifying the studies –generally the University of Costa Rica. The process may take between 3-4 months. There are no treaties for the automatic recognition of titles.

Sources: Oficina de Reconocimiento y Equiparación de Grados y Títulos del CONARE. “Instrucciones generales [General Instructions]. Accessed March 26, 2019.
<https://ore.conare.ac.cr/xhtml/paginas/info/instrucciones.xhtml>.

Recognition of qualifications acquired abroad by permanent residents:

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: Yes, same procedures and fees as for nationals. The process initiates in the Comisión Nacional de Rectores (CONARE), where all documents, translated and certified by the Ministry of Foreign Affairs (RR.EE.) are received, together with a form. Another institution of higher education in Costa Rica takes responsibility for certifying the studies –generally the University of Costa Rica. The process may take between 3-4 months. There are no treaties for the automatic recognition of titles.

Sources: Oficina de Reconocimiento y Equiparación de Grados y Títulos del CONARE. “Instrucciones generales [General Instructions]. Accessed March 26, 2019.
<https://ore.conare.ac.cr/xhtml/paginas/info/instrucciones.xhtml>.

5.3.3. Worker's rights

IMMIGRANT_33: Membership in trade unions.

Can asylum seekers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Yes, but they have restricted access to elected positions. Article 60 Constitution states that both employers and workers may join trade unions freely, for the sole purpose of obtaining and retaining economic, social or professional profits. Foreigners are prohibited from exercising direction or authority in the affairs of unions.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 60.

Can refugees be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Yes, but they have restricted access to elected positions. Article 60 Constitution states that both employers and workers may join trade unions freely, for the sole purpose of obtaining and retaining economic, social or professional profits. Foreigners are prohibited from exercising direction or authority in the affairs of unions.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 60.

Can co-ethnic be members and participate in trade union associations and work-related negotiation bodies?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Yes, but they have restricted access to elected positions. Article 60 Constitution states that both employers and workers may join trade unions freely, for the sole purpose of obtaining and retaining economic, social or professional profits. Foreigners are prohibited from exercising direction or authority in the affairs of unions.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 60.

Can agricultural workers be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Yes, but they have restricted access to elected positions. Article 60 Constitution states that both employers and workers may join trade unions freely, for the sole purpose of obtaining and retaining economic, social or professional profits. Foreigners are prohibited from exercising direction or authority in the affairs of unions.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 60.

Can medical doctors be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Yes, but they have restricted access to elected positions. Article 60 Constitution states that both employers and workers may join trade unions freely, for the sole purpose of obtaining and retaining economic, social or professional profits. Foreigners are prohibited from exercising direction or authority in the affairs of unions.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 60.

Can permanent residents be members and participate in trade union associations and work-related negotiation bodies?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Yes, but they have restricted access to elected positions. Article 60 Constitution states that both employers and workers may join trade unions freely, for the sole purpose of obtaining and retaining economic, social or professional profits. Foreigners are prohibited from exercising direction or authority in the affairs of unions.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 60.

IMMIGRANT_34: Job transferability.

Can asylum seekers change their employer without risking their immigration status?

Answer: Yes, without conditions

Code: 1

Explanation: Article 54 Decree 36831-G While the application for the condition of refugee is being resolved, the Refugee Subprocess of the General Direction shall issue to the applicant a provisional document provided by the Costa Rican State, by means of which his/her migratory situation in the country is temporarily regularized. This document will be valid until the term determined by the Refugee Subprocess of the General Direction and once it has expired, the interested applicant must obligatorily go to the referred office for its renewal or for the notification of the resolution on his/her refugee application. If the administration is extended within three months to resolve the application, and the case is analysed by the Refugee Sub-process, the latter may recommend to the General Directorate that a provisional document incorporating the right to work be issued. With this documentation, they may exercise any type of remunerated or lucrative work relationship on their own account or in a relationship of dependency with strict adherence to the provisions of the current legal system.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 54. / ACNUR Costa Rica. "Preguntas frecuentes [Frequently Asked Questions]". Accessed April 26, 2019. <https://help.unhcr.org/costarica/preguntas-frecuentes>.

Can refugees change their employer without risking their immigration status?

Answer: Yes, without conditions

Code: 1

Explanation: Article 61 Decree 37112: A foreigner who enjoys the migratory status of permanent resident; temporary resident due to ties with a Costa Rican spouse; special categories of political asylum seeker, stateless person, refugee, victim of trafficking, as well as that contemplated in paragraph f) of article 137 of these Regulations, and any other that the General Direction determines, may work in any remunerated labor or intellectual activity.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. Art. 61 and 137. / ACNUR Costa Rica. "Preguntas frecuentes [Frequently Asked Questions]". Accessed April 26, 2019. <https://help.unhcr.org/costarica/preguntas-frecuentes>.

Can co-ethnics change their employer without risking their immigration status?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Article 99 Law 8764: Temporary workers may remain in the country for the term determined by the General Direction. Only be able to engage in gainful employment under the terms, conditions, zones and for employers to authorize the General Directorate, on the basis of the recommendations of the Ministry of Labour and Social Security, the one which will also define the activities of a temporary nature for which authorization for entry is required, and of foreign labour, by means of technical and market studies that will be carried out to determine the quota of temporary workers required.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 99.

Can agricultural workers change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: Article 99 Law 8764: Temporary workers may remain in the country for the term determined by the General Direction. Only be able to engage in gainful employment under the terms, conditions, zones and for employers to authorize the General Directorate, on the basis of the recommendations of the Ministry of Labour and Social Security, the one which will also define the activities of a temporary nature for which authorization for entry is required, and of foreign labour, by means of technical and market studies that will be carried out to determine the quota of temporary workers required.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 99.

Can medical doctors change their employer without risking their immigration status?

Answer: Yes, but under certain conditions

Code: 0.5

Explanation: According to Article 80 of Law 8764, temporary residents might engage only those economic activities that have been authorized by the migration authority. As long as the new employment meets this requirement, medical doctors can change employer.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 80.

Can permanent residents change their employer without risking their immigration status?

Answer: Yes, without conditions

Code: 1

Explanation: Permanent residents are associated to "libre condición" which means that there are no restrictions to the type of remunerated activity that they perform.

Sources: Empleo. "Condición restringida o libre condición, ¿puedo trabajar en Costa Rica? [Restricted Status or Free Status, Can I Work in Costa Rica?]. Access date not available. <https://www.empleo.com/cr/noticias/noticias-laborales/condicion-restringida-o-libre-condicion-puedo-trabajar-en-costa-rica-6659>.

IMMIGRANT_35: Right to redress.

Do asylum seekers have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Article 68 Constitution: No discrimination may be made with respect to salary, advantages or working conditions between Costa Ricans and foreigners, or with respect to some group of workers. In equal conditions, the Costa Rican worker should be preferred.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

Do refugees have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Article 68 Constitution: No discrimination may be made with respect to salary, advantages or working conditions between Costa Ricans and foreigners, or with respect to some group of workers. In equal conditions, the Costa Rican worker should be preferred.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

Do co-ethnics have the right to redress if the terms of their employment contracts have been violated?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Article 68 Constitution: No discrimination may be made with respect to salary, advantages or working conditions between Costa Ricans and foreigners, or with respect to some group of workers. In equal conditions, the Costa Rican worker should be preferred.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

Do agricultural workers have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Article 68 Constitution: No discrimination may be made with respect to salary, advantages or working conditions between Costa Ricans and foreigners, or with respect to some group of workers. In equal conditions, the Costa Rican worker should be preferred.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

Do medical doctors have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Article 68 Constitution: No discrimination may be made with respect to salary, advantages or working conditions between Costa Ricans and foreigners, or with respect to some group of workers. In equal conditions, the Costa Rican worker should be preferred.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

Do permanent residents have the right to redress if the terms of their employment contracts have been violated?

Answer: Yes, without restrictions

Code: 1

Explanation: Article 68 Constitution: No discrimination may be made with respect to salary, advantages or working conditions between Costa Ricans and foreigners, or with respect to some group of workers. In equal conditions, the Costa Rican worker should be preferred.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 68.

5.3.4. Property rights

IMMIGRANT_36: Property rights.

Can asylum seekers acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. No restrictions are included in the constitution. According Article 19 of the Constitution, foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations that this Constitution and the laws establish.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 19.

Can refugees acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. No restrictions are included in the constitution. According Article 19 of the Constitution, foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations that this Constitution and the laws establish.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 19.

Can co-ethnics acquire property in the state of reception?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. No restrictions are included in the constitution. According Article 19 of the Constitution, foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations that this Constitution and the laws establish.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 19.

Can agricultural workers acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. No restrictions are included in the constitution. According Article 19 of the Constitution, foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations that this Constitution and the laws establish.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 19.

Can medical doctors acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. No restrictions are included in the constitution. According Article 19 of the Constitution, foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations that this Constitution and the laws establish.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 19.

Can permanent residents acquire property in the state of reception?

Answer: Yes, without restrictions

Code: 1

Explanation: Yes. No restrictions are included in the constitution. According Article 19 of the Constitution, foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations that this Constitution and the laws establish.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 19.

5.4. Social policies

5.4.1. Family reunification

Can asylum seekers bring their families to their country of residence?

Answer: no

Code: 0

Explanation: Not possible for them to apply for family reunification. Asylum seekers are not included among the subjects that can ask for family reunification; only recognized refugees.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 63.

Can refugees bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Yes, with no residence requirement. Article 63 Decree 36831: The family unit, the natural and fundamental element of society, is an essential right of the refugee person. Consequently, the status of a person will be recognized to the primary family nucleus and to other relatives dependents and relatives within the first order of consanguinity or affinity, of in accordance with article 106 of the Act.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 63.

Can co-ethnics bring their families to their country of residence?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Can domestic workers bring their families to their country of residence?

Answer: no

Code: 0

Explanation: Temporary workers do not have the right to family reunification (no provision to family reunification included in main regulations, Art. 108 Decree 36831).

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 108.

Can agricultural workers bring their families to their country of residence?

Answer: no

Code: 0

Explanation: Temporary workers do not have the right to family reunification (no provision to family reunification included in main regulations, Art. 108 Decree 36831).

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 108.

Can medical doctors bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Art. 85 of the Decree 36831 establishes that temporary residents can extend the residence permit to dependents (partner and minor children).

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.Art. 108.

Can permanent residents bring their families to their country of residence?

Answer: yes

Code: 1

Explanation: Art. 78 of the Law 8764 establishes that the visa for permanent residence will be extended without residence requisite to family to the first degree of consanguinity.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 78. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011.

Eligibility

IMMIGRANT_37: Resident requirement for ordinary legal residents.

Residence requirement for ordinary legal residents (asylum seekers). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (refugees). In months:

Answer: 0

Code: 0

Explanation: No permit duration is required.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 63.

Residence requirement for ordinary legal residents (refugees):

Answer: no residence requirement

Code: 1

Explanation: No permit duration is required.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 63. .

Residence requirement for ordinary legal residents (co-ethnics). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (domestic workers). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (agricultural workers). In months:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Residence requirement for ordinary legal residents (medical doctors). In months:

Answer: 0

Code: 0

Explanation: No permit duration is required.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 85.

Residence requirement for ordinary legal residents (medical doctors):

Answer: no residence requirement

Code: 1

Explanation: No permit duration is required.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 85.

Residence requirement for ordinary legal residents (permanent residents). In months:

Answer: 0

Code: 0

Explanation: No permit duration is required.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 78.

Residence requirement for ordinary legal residents (permanent residents):

Answer: more than one year

Code: 0

Explanation: No permit duration is required.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 78.

IMMIGRANT_38: Family members considered for reunification.

Family member eligible for reunification (asylum seekers): Spouse.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (asylum seekers): Partner in a civil union or long-term relationship.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (asylum seekers): Children.

Answer: not applicable

Code: Not applicable

Explanation:

Sources:

Family member eligible for reunification (asylum seekers): Parents.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (asylum seekers): Grandparents.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (refugees): Spouse.

Answer: yes

Code: 1

Explanation: Article 64 Decree 36831: In accordance with the foregoing article, the following family members may be claimed by a refugee through reunification processes family or recognition by extension: spouse, minor children, children unmarried seniors up to 25 years of age, who demonstrate continued dependency economically and continue their education, minor siblings or single siblings up to 25 years of age, who can show that they are still economically dependent and continue to study, their natural and political parents, who are older than 60 years in a relationship of dependency or minors in a relationship of dependency that is other family members in the legal custody of the person recognized as the person with the refugee person.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 64.

Family member eligible for reunification (refugees): Partner in a civil union or long-term relationship.

Answer: yes

Code: 1

Explanation: Article 64 Decree 36831: In accordance with the foregoing article, the following family members may be claimed by a refugee through reunification processes family or recognition by extension: spouse, minor children, children unmarried seniors up to 25 years of age, who demonstrate continued dependency economically and continue their education, minor siblings or single siblings up to 25 years of age, who can show that they are still economically dependent and continue to study, their natural and political parents, who are older than 60 years in a relationship of dependency or

minors in a relationship of dependency that is other family members in the legal custody of the person recognized as the person with the refugee person.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 64.

Family member eligible for reunification (refugees): Children.

Answer: yes

Code: 1

Explanation: Article 64 Decree 36831: In accordance with the foregoing article, the following family members may be claimed by a refugee through reunification processes family or recognition by extension: spouse, minor children, children unmarried seniors up to 25 years of age, who demonstrate continued dependency economically and continue their education, minor siblings or single siblings up to 25 years of age, who can show that they are still economically dependent and continue to study, their natural and political parents, who are older than 60 years in a relationship of dependency or minors in a relationship of dependency that is other family members in the legal custody of the person recognized as the person with the refugee person.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 64.

Family member eligible for reunification (refugees): Parents.

Answer: yes

Code: 1

Explanation: Article 64 Decree 36831: In accordance with the foregoing article, the following family members may be claimed by a refugee through reunification processes family or recognition by extension: spouse, minor children, children unmarried seniors up to 25 years of age, who demonstrate continued dependency economically and continue their education, minor siblings or single siblings up to 25 years of age, who can show that they are still economically dependent and continue to study, their natural and political parents, who are older than 60 years in a relationship of dependency or minors in a relationship of dependency that is other family members in the legal custody of the person recognized as the person with the refugee person.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 64.

Family member eligible for reunification (refugees): Grandparents.

Answer: no

Code: 0

Explanation: Article 64 Decree 36831: In accordance with the foregoing article, the following family members may be claimed by a refugee through reunification processes family or recognition by extension: spouse, minor children, children unmarried seniors up to 25 years of age, who demonstrate continued dependency economically and continue their education, minor siblings or single siblings up to 25 years of age, who can show that they are still economically dependent and continue to study, their natural and political parents, who are older than 60 years in a relationship of dependency or minors in a relationship of dependency that is other family members in the legal custody of the person recognized as the person with the refugee person.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 64.

Family member eligible for reunification (co-ethnics): Spouse.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Partner in a civil union or long-term relationship.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Children.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Parents.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (co-ethnics): Grandparents.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Spouse.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Partner in a civil union or long-term relationship.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Children.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Parents.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (domestic workers): Grandparents.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Spouse.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Partner in a civil union or long-term relationship.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Children.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Parents.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (agricultural workers): Grandparents.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Family member eligible for reunification (medical doctors): Spouse.

Answer: yes

Code: 1

Explanation: Temporal residents can extend their residence permit to partners and their children.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 85.

Family member eligible for reunification (medical doctors): Partner in a civil union or long-term relationship.

Answer: No

Code: 0

Explanation: Temporal residents can extend their residence permit to partners and their children.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 85.

Family member eligible for reunification (medical doctors): Children.

Answer: yes

Code: 1

Explanation: Temporal residents can extend their residence permit to partners and their children.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 85.

Family member eligible for reunification (medical doctors): Parents.

Answer: no

Code: 0

Explanation: Temporal residents can extend their residence permit to partners and their children.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 85.

Family member eligible for reunification (medical doctors): Grandparents.

Answer: 0

Code: no

Explanation: Temporal residents can extend their residence permit to partners and their children.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 85.

Family member eligible for reunification (permanent residents): Spouse.

Answer: yes

Code: 1

Explanation: Art. 72 of Decree 36831 establishes that permanent residents can extend the permanent permit to their dependents to the first degree of consanguinity.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 72.

Family member eligible for reunification (permanent residents): Partner in a civil union or long-term relationship.

Answer: no

Code: 0

Explanation: Art. 72 of Decree 36831 establishes that permanent residents can extend the permanent permit to their dependents to the first degree of consanguinity.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 72.

Family member eligible for reunification (permanent residents): Children.

Answer: yes

Code: 1

Explanation: Art. 72 of Decree 36831 establishes that permanent residents can extend the permanent permit to their dependents to the first degree of consanguinity.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 72.

Family member eligible for reunification (permanent residents): Parents.

Answer: yes

Code: 1

Explanation: Art. 72 of Decree 36831 establishes that permanent residents can extend the permanent permit to their dependents to the first degree of consanguinity.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 72.

Family member eligible for reunification (permanent residents): Grandparents.

Answer: no

Code: 0

Explanation: Art. 72 of Decree 36831 establishes that permanent residents can extend the permanent permit to their dependents to the first degree of consanguinity.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 72.

Security of status

IMMIGRANT_39: Length of application procedure.

Length of application procedure in months (asylum seekers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (asylum seekers).

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (refugees).

Answer: 97

Code: 97

Explanation: No regulation on maximum length.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Length of application procedure (refugees).

Answer: no regulation of maximum length

Code: 0

Explanation: No regulation on maximum length.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Length of application procedure in months (co-ethnics).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (co-ethnics).

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (domestic workers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (domestic workers).

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (agricultural workers).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure (agricultural workers).

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Length of application procedure in months (medical doctors).

Answer: 97

Code: 97

Explanation: No regulation on maximum length.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Length of application procedure (medical doctors).

Answer: no regulation of maximum length

Code: 0

Explanation: No regulation on maximum length.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Length of application procedure in months (permanent residents).

Answer: 97

Code: 97

Explanation: No regulation on maximum length.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Length of application procedure (permanent residents).

Answer: no regulation of maximum length

Code: 0

Explanation: No regulation on maximum length.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

IMMIGRANT_40: Duration of permit.

Duration of validity of permit (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (refugees):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Refugee status is recognized to family of the sponsor and they obtain the same residence permit.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 63.

Duration of validity of permit (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Duration of validity of permit (medical doctors):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Same permit as sponsor.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 85.

Duration of validity of permit (permanent residents):

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Same permit as sponsor.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 72.

IMMIGRANT_41: Grounds for rejection, withdrawing or refusing to renew status.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (refugees):

Answer: no

Code: 0

Explanation: There is no provision in the main regulation.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (refugees):

Answer: no

Code: 0

Explanation: There is no provision in the main regulation.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Break-up of family relationship is a ground for rejecting family reunification application (refugees):

Answer: no

Code: 0

Explanation: There is no provision in the main regulation.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Break-up of family relationship is a ground for rejecting family reunification application (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Being an actual and serious threat to national security is a ground for rejecting family reunification application (medical doctors):

Answer: yes

Code: 1

Explanation: There is no provision that is this specific about family reunification in the main regulations, but compromising peace, public security, tranquility or public order is grounds for the expulsion of a person with any legal status or permanence in Costa Rica in any migrant category, as specified in Art. 186 of the Migration Law, Law 8764 of 2009, so it can be considered to be a ground to deny any dependent status.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 186.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (medical doctors):

Answer: no

Code: 0

Explanation: There is no provision in the main regulation.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Break-up of family relationship is a ground for rejecting family reunification application (medical doctors):

Answer: no

Code: 0

Explanation: There is no provision in the main regulation.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Being an actual and serious threat to national security is a ground for rejecting family reunification application (permanent residents):

Answer: yes

Code: 1

Explanation: There is no provision that is this specific about family reunification in the main regulations, but compromising peace, public security, tranquility or public order is grounds for the expulsion of a person with any legal status or permanence in Costa Rica in any migrant category, as specified in Art. 186 of the Migration Law, Law 8764 of 2009, so it can be considered to be a ground to deny any dependent status.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 186.

Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (permanent residents):

Answer: no

Code: 0

Explanation: There is no provision in the main regulation.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 78. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011.

Break-up of family relationship is a ground for rejecting family reunification application (permanent residents):

Answer: no

Code: 0

Explanation: There is no provision in the main regulation.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 78. / Decreto N° 36517-MINAET [Decree 36517-MINAET]. 2011.

IMMIGRANT_42: Special circumstances.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (refugees):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (refugees):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Before refusal or withdrawal, due account is taken of existing links with country of origin (refugees):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Before refusal or withdrawal, due account is taken of physical or emotional violence (refugees):

Answer: yes

Code: 1

Explanation: Gender-related violence must be taken into account and the process needs to be differentiated once this has been acknowledged. In case of gender-related violence for both women and men, the process is required to be differentiated enough to give victims enough protection, as per Arts. 10 and 123 of the Decree 36831.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 10 and 123.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of existing links with country of origin (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of physical or emotional violence (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (medical doctors):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (medical doctors):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Before refusal or withdrawal, due account is taken of existing links with country of origin (medical doctors):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Before refusal or withdrawal, due account is taken of physical or emotional violence (medical doctors):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (permanent residents):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (permanent residents):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Before refusal or withdrawal, due account is taken of existing links with country of origin (permanent residents):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. de Personas Refugiadas», accedido 8 de abril de 2019

Before refusal or withdrawal, due account is taken of physical or emotional violence (permanent residents):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

IMMIGRANT_43: Legal guarantees and redress in case of refusal or withdrawal.

Legal guarantee in case of refusal or withdrawal: reasoned decision (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (refugees):

Answer: no

Code: 0

Explanation: No provision on main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Legal guarantee in case of refusal or withdrawal: right to appeal (refugees):

Answer: yes

Code: 1

Explanation: Article 81 Decree 36831: Against the resolution issued by the Commission regarding the request of Extension Recognition, there will be appeals for revocation and appeal as provided by law.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (refugees):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Legal guarantee in case of refusal or withdrawal: reasoned decision (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (co-ethnic):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (co-ethnic):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: right to appeal (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Legal guarantee in case of refusal or withdrawal: reasoned decision (medical doctors):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Legal guarantee in case of refusal or withdrawal: right to appeal (medical doctors):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (medical doctors):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Legal guarantee in case of refusal or withdrawal: reasoned decision (permanent residents):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Legal guarantee in case of refusal or withdrawal: right to appeal (permanent residents):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (permanent residents):

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011.

IMMIGRANT_44: Right to autonomous permit.

Right to autonomous residence permit for partners and children at age of majority (asylum seekers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (refugees):

Answer: right after reunification

Code: 1

Explanation: Art. 32 of the Decree 36831 establishes that dependent refugees can apply for an independent resident permit.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 32.

Right to autonomous residence permit for partners and children at age of majority (co-ethnics):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (domestic workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (agricultural workers):

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Right to autonomous residence permit for partners and children at age of majority (medical doctors):

Answer: no

Code: 0

Explanation: Based on Art. 85 of Decree 36831, dependents of temporal residents do not have access to an autonomous residence permit.

Sources: Decreto N° 36831-G [Decree 36831-G]. 2011. Art. 85.

Right to autonomous residence permit for partners and children at age of majority (permanent residents):

Answer: after between 3 and 5 years

Code: 0.5

Explanation: Art. 78 of the Law 8764 establish that foreign persons who meet the following requirements may opt for the permanent resident immigration category: 1) The foreign person, their spouse and their first-degree relatives by consanguinity who have enjoyed a temporary residence for three consecutive years.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 78.

5.4.2. Education

IMMIGRANT_45: Access to education.

Children of asylum seekers have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Article 78 of the Constitution: Pre-school, basic general and diversified education are compulsory and, in the public system, free and paid for by the Nation. Article 19 of the Constitution:

Foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations that this Constitution and the laws establish. Article 1 Law 2160: Every inhabitant of the Republic has the right to education and the State has an obligation to endeavor to offer it in the widest and most appropriate form.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 78. / Ministerio De Gobernación y Policía, Ministerio de Educación Pública y ACNUR. La educación, un derecho de todos y todas: Compendio de normas acerca del derecho a la educación de la población migrante y refugiada [Education, a Right for All: A Compendium of Standards on the Right to Education for Migrant and Refugee Populations]. 2013. / Ley N° 2160 [Law 2160]. 2011. Art. 1.

Children of refugees have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Article 78 of the Constitution: Pre-school, basic general and diversified education are compulsory and, in the public system, free and paid for by the Nation. Article 19 of the Constitution: Foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations that this Constitution and the laws establish. Article 1 Law 2160: Every inhabitant of the Republic has the right to education and the State has an obligation to endeavor to offer it in the widest and most appropriate form.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 78. / Ministerio De Gobernación y Policía, Ministerio de Educación Pública y ACNUR. La educación, un derecho de todos y todas: Compendio de normas acerca del derecho a la educación de la población migrante y refugiada [Education, a Right for All: A Compendium of Standards on the Right to Education for Migrant and Refugee Populations]. 2013. / Ley N° 2160 [Law 2160]. 2011. Art. 1.

Children of co-ethnics have access to compulsory education:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Children of domestic workers have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Article 78 of the Constitution: Pre-school, basic general and diversified education are compulsory and, in the public system, free and paid for by the Nation. Article 19 of the Constitution: Foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations that this Constitution and the laws establish. Article 1 Law 2160: Every inhabitant of the Republic has the right to education and the State has an obligation to endeavor to offer it in the widest and most appropriate form.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 78. / Ministerio De Gobernación y Policía, Ministerio de Educación Pública y ACNUR. La educación, un derecho de todos y todas: Compendio de normas acerca del derecho a la educación de la población migrante y refugiada [Education, a Right for All: A Compendium of Standards on the Right to Education for Migrant and Refugee Populations]. 2013. / Ley N° 2160 [Law 2160]. 2011. Art. 1.

Children of agricultural workers have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Article 78 of the Constitution: Pre-school, basic general and diversified education are compulsory and, in the public system, free and paid for by the Nation. Article 19 of the Constitution: Foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations that this Constitution and the laws establish. Article 1 Law 2160: Every inhabitant of the Republic has the right to education and the State has an obligation to endeavor to offer it in the widest and most appropriate form.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 78. / Ministerio De Gobernación y Policía, Ministerio de Educación Pública y ACNUR. La educación, un derecho de todos y todas: Compendio de normas acerca del derecho a la educación de la población migrante y refugiada [Education, a Right for All: A Compendium of Standards on the Right to Education for Migrant and Refugee Populations]. 2013. / Ley N° 2160 [Law 2160]. 2011. Art. 1.

Children of medical doctors have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Article 78 of the Constitution: Pre-school, basic general and diversified education are compulsory and, in the public system, free and paid for by the Nation. Article 19 of the Constitution: Foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations that this Constitution and the laws establish. Article 1 Law 2160: Every inhabitant of the Republic has the right to education and the State has an obligation to endeavor to offer it in the widest and most appropriate form.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 78. / Ministerio De Gobernación y Policía, Ministerio de Educación Pública y ACNUR. La educación, un derecho de todos y todas: Compendio de normas acerca del derecho a la educación de la población migrante y refugiada [Education, a Right for All: A Compendium of Standards on the Right to Education for Migrant and Refugee Populations]. 2013. / Ley N° 2160 [Law 2160]. 2011. Art. 1.

Children of permanent residents have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Article 78 of the Constitution: Pre-school, basic general and diversified education are compulsory and, in the public system, free and paid for by the Nation. Article 19 of the Constitution: Foreigners have the same duties and rights as the Costa Ricans, with the exceptions and limitations that this Constitution and the laws establish. Article 1 Law 2160: Every inhabitant of the Republic has

the right to education and the State has an obligation to endeavor to offer it in the widest and most appropriate form.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 78. / Ministerio De Gobernación y Policía, Ministerio de Educación Pública y ACNUR. La educación, un derecho de todos y todas: Compendio de normas acerca del derecho a la educación de la población migrante y refugiada [Education, a Right for All: A Compendium of Standards on the Right to Education for Migrant and Refugee Populations]. 2013. / Ley N° 2160 [Law 2160]. 2011. Art. 1.

IMMIGRANT_46: Access to higher education.

Asylum seekers and their children have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: There is no provision in the main regulation (Education Law/Constitution/Migration Law), but in the website of the University of Costa Rica there are no impediments to access education for foreign students.

Sources: Universidad de Costa Rica. "Universidad de Costa Rica [University of Costa Rica]". Access date not available. <https://www.ucr.ac.cr/>.

Refugees have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: There is no provision in the main regulation (Education Law/Constitution/Migration Law), but in the website of the University of Costa Rica there are no impediments to access education for foreign students.

Sources: Universidad de Costa Rica. "Universidad de Costa Rica [University of Costa Rica]". Access date not available. <https://www.ucr.ac.cr/>.

Co-ethnics have access to higher education:

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Domestic workers have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: There is no provision in the main regulation (Education Law/Constitution/Migration Law), but in the website of the University of Costa Rica there are no impediments to access education for foreign students.

Sources: Universidad de Costa Rica. "Universidad de Costa Rica [University of Costa Rica]". Access date not available. <https://www.ucr.ac.cr/>.

Agricultural workers have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: There is no provision in the main regulation (Education Law/Constitution/Migration Law), but in the website of the University of Costa Rica there are no impediments to access education for foreign students.

Sources: Universidad de Costa Rica. "Universidad de Costa Rica [University of Costa Rica]". Access date not available. <https://www.ucr.ac.cr/>.

Medical doctors have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: There is no provision in the main regulation (Education Law/Constitution/Migration Law), but in the website of the University of Costa Rica there are no impediments to access education for foreign students.

Sources: Universidad de Costa Rica. "Universidad de Costa Rica [University of Costa Rica]". Access date not available. <https://www.ucr.ac.cr/>.

Permanent residents have access to higher education:

Answer: Yes, implicit obligation to have same access as nationals

Code: 0.5

Explanation: There is no provision in the main regulation (Education Law/Constitution/Migration Law), but in the website of the University of Costa Rica there are no impediments to access education for foreign students.

Sources: Universidad de Costa Rica. "Universidad de Costa Rica [University of Costa Rica]". Access date not available. <https://www.ucr.ac.cr/>.

IMMIGRANT_47: Support for language instruction.

Provision of education support in language(s) of instruction for migrant pupils:

Answer: no

Code: 0

Explanation: There is no provision in the main regulation.

Sources: Ley N° 2160 [Law 2160]. 2011.

IMMIGRANT_48: Intercultural education.

Intercultural education is included in pre-service training in order to qualify as a teacher:

Answer: no

Code: 0

Explanation: There is no provision in the main regulation

Sources: Ley N° 2160 [Law 2160]. 2011.

IMMIGRANT_49: Integration in teachers' syllabus.

Migration and integration are obligatory topics in professional development training:

Answer: no

Code: 0

Explanation: There is no provision in the main regulation.

Sources: Ley N° 2160 [Law 2160]. 2011.

5.4.3. Health care

IMMIGRANT_50: Conditions for inclusion in the health care system

Conditions for inclusion of asylum seekers in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Article 3 of Law 5395: Every inhabitant has the right to health benefits, in the manner that special laws and regulations determine and the duty to provide for the preservation of his/her health and to contribute to the maintenance of his family and the community. Article 31 of Law 8764: Foreigners shall enjoy the individual and social rights and guarantees recognized for the Costa Rican persons in the Political Constitution, except for the limitations established by it.

Sources: Ley N° 5395 [Law 5395]. 1973 (2014). Art. 3. / Ley N° 8764 [Law 8764]. 2009. Art. 31.

Conditions for inclusion of refugees in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Article 3 of Law 5395: Every inhabitant has the right to health benefits, in the manner that special laws and regulations determine and the duty to provide for the preservation of his/her health and to contribute to the maintenance of his family and the community. Article 31 of Law 8764: Foreigners shall enjoy the individual and social rights and guarantees recognized for the Costa Rican persons in the Political Constitution, except for the limitations established by it.

Sources: Ley N° 5395 [Law 5395]. 1973 (2014). Art. 3. / Ley N° 8764 [Law 8764]. 2009. Art. 31.

Conditions for inclusion of co-ethnics in the health care system:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Conditions for inclusion of domestic workers in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Article 3 of Law 5395: Every inhabitant has the right to health benefits, in the manner that special laws and regulations determine and the duty to provide for the preservation of his/her health and to contribute to the maintenance of his family and the community. Article 31 of Law 8764: Foreigners shall enjoy the individual and social rights and guarantees recognized for the Costa Rican persons in the Political Constitution, except for the limitations established by it.

Sources: Ley N° 5395 [Law 5395]. 1973 (2014). Art. 3. / Ley N° 8764 [Law 8764]. 2009. Art. 31.

Conditions for inclusion of agricultural workers in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Article 3 of Law 5395: Every inhabitant has the right to health benefits, in the manner that special laws and regulations determine and the duty to provide for the preservation of his/her health and to contribute to the maintenance of his family and the community. Article 31 of Law 8764: Foreigners shall enjoy the individual and social rights and guarantees recognized for the Costa Rican persons in the Political Constitution, except for the limitations established by it.

Sources: Ley N° 5395 [Law 5395]. 1973 (2014). Art. 3. / Ley N° 8764 [Law 8764]. 2009. Art. 31.

Conditions for inclusion of medical doctors in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Article 3 of Law 5395: Every inhabitant has the right to health benefits, in the manner that special laws and regulations determine and the duty to provide for the preservation of his/her health and to contribute to the maintenance of his family and the community. Article 31 of Law 8764: Foreigners shall enjoy the individual and social rights and guarantees recognized for the Costa Rican persons in the Political Constitution, except for the limitations established by it.

Sources: Ley N° 5395 [Law 5395]. 1973 (2014). Art. 3. / Ley N° 8764 [Law 8764]. 2009. Art. 31.

Conditions for inclusion of permanent residents in the health care system:

Answer: inclusion is unconditional

Code: 1

Explanation: Article 3 of Law 5395: Every inhabitant has the right to health benefits, in the manner that special laws and regulations determine and the duty to provide for the preservation of his/her health and to contribute to the maintenance of his family and the community. Article 31 of Law 8764: Foreigners shall enjoy the individual and social rights and guarantees recognized for the Costa Rican persons in the Political Constitution, except for the limitations established by it.

Sources: Ley N° 5395 [Law 5395]. 1973 (2014). Art. 3. / Ley N° 8764 [Law 8764]. 2009. Art. 31.

IMMIGRANT_51: Coverage of health care services.

Health care coverage for asylum seekers.

Answer: same coverage as nationals

Code: 1

Same coverage as nationals. Costa Rica has a social security system administered by the Caja Costarricense de Costa Rica. Social Security (CCSS) and the Ministry of Health. Access is available: a) being insured on their own account by paying a monthly premium, b) or as the right of every worker to be insured by the employer. Explanation: Same coverage as nationals. Costa Rica has a social security system administered by the Caja Costarricense de Costa Rica. Social Security (CCSS) and the Ministry of Health. Access is available: a) being insured on their own account by paying a monthly premium, b) or as the right of every worker to be insured by the employer.

Sources: ACNUR. "Información para solicitantes de la condición de refugiado y refugiados en Costa Rica [Information for Refugee Status Applicants and Refugees in Costa Rica]". Access date not available. <https://www.acnur.org/fileadmin/Documentos/Publicaciones/2006/4537.pdf>.

Health care coverage for refugees.

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals. Costa Rica has a social security system administered by the Caja Costarricense de Costa Rica. Social Security (CCSS) and the Ministry of Health. Access is available: a) being insured on their own account by paying a monthly premium, b) or as the right of every worker to be insured by the employer.

Sources: ACNUR. "Información para solicitantes de la condición de refugiado y refugiados en Costa Rica [Information for Refugee Status Applicants and Refugees in Costa Rica]". Access date not available.

<https://www.acnur.org/fileadmin/Documentos/Publicaciones/2006/4537.pdf>.

Health care coverage for co-ethnics.

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Health care coverage for domestic workers.

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals. Costa Rica has a social security system administered by the Caja Costarricense de Costa Rica. Social Security (CCSS) and the Ministry of Health. Access is available: a) being insured on their own account by paying a monthly premium, b) or as the right of every worker to be insured by the employer.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 31.

Health care coverage for agricultural workers.

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals. Costa Rica has a social security system administered by the Caja Costarricense de Costa Rica. Social Security (CCSS) and the Ministry of Health. Access is available: a) being insured on their own account by paying a monthly premium, b) or as the right of every worker to be insured by the employer.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 31.

Health care coverage for medical doctors.

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals. Costa Rica has a social security system administered by the Caja Costarricense de Costa Rica. Social Security (CCSS) and the Ministry of Health. Access is available: a) being insured on their own account by paying a monthly premium, b) or as the right of every worker to be insured by the employer.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 31.

Health care coverage for permanent residents.

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals. Costa Rica has a social security system administered by the Caja Costarricense de Costa Rica. Social Security (CCSS) and the Ministry of Health. Access is available: a) being insured on their own account by paying a monthly premium, b) or as the right of every worker to be insured by the employer.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 31.

5.4.4. Unemployment benefits

IMMIGRANT_52: Unemployment benefits.

Access of asylum seekers to unemployment benefits as compared to citizen residents:

Answer: no unemployment benefits

Code: 97

Explanation: There are no unemployment benefits in Costa Rica.

Sources: Not applicable

Access of refugees to unemployment benefits as compared to citizen residents:

Answer: no unemployment benefits

Code: 97

Explanation: There are no unemployment benefits in Costa Rica.

Sources: Not applicable

Access of co-ethnics to unemployment benefits as compared to citizen residents:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of domestic workers to unemployment benefits as compared to citizen residents:

Answer: no unemployment benefits

Code: 97

Explanation: There are no unemployment benefits in Costa Rica.

Sources: Not applicable

Access of agricultural workers to unemployment benefits as compared to citizen residents:

Answer: no unemployment benefits

Code: 97

Explanation: There are no unemployment benefits in Costa Rica.

Sources: Not applicable

Access of medical doctors to unemployment benefits as compared to citizen residents:

Answer: no unemployment benefits

Code: 97

Explanation: There are no unemployment benefits in Costa Rica.

Sources: Not applicable

Access of permanent residents to unemployment benefits as compared to citizen residents:

Answer: no unemployment benefits

Code: 97

Explanation: There are no unemployment benefits in Costa Rica.

Sources: Not applicable

5.4.5. Retirement benefits

IMMIGRANT_53: Retirement benefits.

Access of asylum seekers to retirement benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: Equal access and is obligatory for both to contribute to the pensions system.

Sources: Ley N° 17 [Law 17]. 1943. Art. 2 and 3. / Reglamento del Seguro de Invalidez, Vejez y Muerte [Disability, Old Age and Death Insurance Regulations]. 1995. Art. 3.

Access of refugees to retirement benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: Equal access and is obligatory for both to contribute to the pensions system.

Sources: Ley N° 17 [Law 17]. 1943. Art. 2 and 3. / Reglamento del Seguro de Invalidez, Vejez y Muerte [Disability, Old Age and Death Insurance Regulations]. 1995. Art. 3.

Access of co-ethnics to retirement benefits as compared to citizen residents:

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Access of domestic workers to retirement benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: Equal access and is obligatory for both to contribute to the pensions system.

Sources: Ley N° 17 [Law 17]. 1943. Art. 2 and 3. / Reglamento del Seguro de Invalidez, Vejez y Muerte [Disability, Old Age and Death Insurance Regulations]. 1995. Art. 3.

Access of agricultural workers to retirement benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: Equal access and is obligatory for both to contribute to the pensions system.

Sources: Ley N° 17 [Law 17]. 1943. Art. 2 and 3. / Reglamento del Seguro de Invalidez, Vejez y Muerte [Disability, Old Age and Death Insurance Regulations]. 1995. Art. 3.

Access of medical doctors to retirement benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: Equal access and is obligatory for both to contribute to the pensions system.

Sources: Ley N° 17 [Law 17]. 1943. Art. 2 and 3. / Reglamento del Seguro de Invalidez, Vejez y Muerte [Disability, Old Age and Death Insurance Regulations]. 1995. Art. 3.

Access of permanent residents to retirement benefits as compared to citizen residents:

Answer: equal access

Code: 1

Explanation: Equal access and is obligatory for both to contribute to the pensions system.

Sources: Ley N° 17 [Law 17]. 1943. Art. 2 and 3. / Reglamento del Seguro de Invalidez, Vejez y Muerte [Disability, Old Age and Death Insurance Regulations]. 1995. Art. 3.

5.5. Cultural policies

IMMIGRANT_54: Funding for bilingual education.

Is there public funding for bilingual education in the language of majoritarian migrant groups?

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Dirección General de Migración y Extranjería. "Portal-Inicio [Portal-Homepage]". Access date not available.

<https://www.migracion.go.cr/SitePages/Inicio.aspx>. / Ministerio de Educación Pública. "Ministerio de Educación Pública [Ministry of Public Education]". Access date not available. <https://www.mep.go.cr/>.

IMMIGRANT_55: Funding for media on main migrant group's language.

Is there public funding for media in the language of the main migrant group?

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley N° 8764 [Law 8764]. 2009. / Dirección General de Migración y Extranjería. "Portal-Inicio [Portal-Homepage]". Access date not available.

<https://www.migracion.go.cr/SitePages/Inicio.aspx>. / Ministerio de Educación Pública. "Ministerio de Educación Pública [Ministry of Public Education]". Access date not available.

<https://www.mep.go.cr/>. / Gobierno de Guatemala. "Ministerio de Cultura y Deportes [Ministry of Culture and Sports]". Access date not available. <https://mcd.gob.gt/>.

5.6. Mobility policies

5.6.1. Identity documents

IMMIGRANT_56: Confiscation of identification documents.

Do asylum seekers have the right not to have their identity document confiscated by any-one (excluding public authorities)?

Answer: no

Code: 0

Explanation: There is no provision in the regulation about the right not to have identity documents confiscated.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. / Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Código Penal [Penal Code]. 1970.

Do refugees have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: no

Code: 0

Explanation: There is no provision in the regulation about the right not to have identity documents confiscated.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. / Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Código Penal [Penal Code]. 1970.

Do co-ethnics have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: no

Code: 0

Explanation: There is no provision in the regulation about the right not to have identity documents confiscated.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. / Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Código Penal [Penal Code]. 1970.

Do agricultural workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: no

Code: 0

Explanation: There is no provision in the regulation about the right not to have identity documents confiscated.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. / Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Código Penal [Penal Code]. 1970.

Do medical doctors have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: no

Code: 0

Explanation: There is no provision in the regulation about the right not to have identity documents confiscated.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. / Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Código Penal [Penal Code]. 1970.

Do permanent residents have the right not to have their identity document confiscated by anyone (excluding public authorities)?

Answer: no

Code: 0

Explanation: There is no provision in the regulation about the right not to have identity documents confiscated.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. / Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / Código Penal [Penal Code]. 1970.

5.6.2. Freedom of movement

IMMIGRANT_56: Freedom of movement within country.

Do asylum seekers have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: Article 31 of Law 8764: Foreigners who are authorized to remain in the country may move freely through the national territory, for the time defined by the authorization.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 31.

Do refugees have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: Article 31 of Law 8764: Foreigners who are authorized to remain in the country may move freely through the national territory, for the time defined by the authorization.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 31.

Do co-ethnics have the right to move freely within the country?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: Article 31 of Law 8764: Foreigners who are authorized to remain in the country may move freely through the national territory, for the time defined by the authorization.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 31.

Do agricultural workers have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: Article 31 of Law 8764: Foreigners who are authorized to remain in the country may move freely through the national territory, for the time defined by the authorization.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 31.

Do medical doctors have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: Article 31 of Law 8764: Foreigners who are authorized to remain in the country may move freely through the national territory, for the time defined by the authorization.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 31.

Do permanent residents have the right to move freely within the country?

Answer: yes

Code: 1

Explanation: Article 31 of Law 8764: Foreigners who are authorized to remain in the country may move freely through the national territory, for the time defined by the authorization.

Sources: Ley N° 8764 [Law 8764]. 2009. Art. 31.

IMMIGRANT_58: Freedom to move outside the country.

Do asylum seekers have the right to leave the country?

Answer: no

Code: 0

Explanation: According to UNHCR/ACNUR Costa Rica, asylum seekers are not allowed to leave the country.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / ACNUR Costa Rica. "Preguntas frecuentes [Frequently Asked Questions]". Accessed April 26, 2019. <https://help.unhcr.org/costarica/preguntas-frecuentes>.

Number of months of absence allowed per year (asylum seekers):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do refugees have the right to leave the country?

Answer: yes

Code: 1

Explanation: According to ACNUR, refugees can travel, as long as it is not to their country of origin where their lives are at risk. To travel they must have a valid passport and refugee document, and they must meet the entry requirements of each country.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / ACNUR Costa Rica. "Preguntas frecuentes [Frequently Asked Questions]". Accessed April 26, 2019. <https://help.unhcr.org/costarica/preguntas-frecuentes>.

Number of months of absence allowed per year (refugees):

Answer: 12

Code: 12

Explanation: No provision in main regulations.

Sources: Decreto N° 37112-GOB [Decree 37112-GOB]. 2012. / ACNUR Costa Rica. "Preguntas frecuentes [Frequently Asked Questions]". Accessed April 26, 2019. <https://help.unhcr.org/costarica/preguntas-frecuentes>.

Do co-ethnics have the right to leave the country?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Number of months of absence allowed per year (co-ethnics):

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the right to leave the country?

Answer: yes

Code: 1

Explanation: There is no provision in the regulation about the right to leave the country (periods of absence allowed), thus it is assumed there are no restrictions.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

Number of months of absence allowed per year (domestic workers):

Answer: 12

Code: 12

Explanation: There is no provision in the regulation about the right to leave the country (periods of absence allowed), thus it is assumed there are no restrictions.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

Do agricultural workers have the right to leave the country?

Answer: yes

Code: 1

Explanation: There is no provision in the regulation about the right to leave the country (periods of absence allowed), thus it is assumed there are no restrictions.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

Number of months of absence allowed per year (agricultural workers):

Answer: 12

Code: 12

Explanation: There is no provision in the regulation about the right to leave the country (periods of absence allowed), thus it is assumed there are no restrictions.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

Do medical doctors have the right to leave the country?

Answer: yes

Code: 1

Explanation: There is no provision in the regulation about the right to leave the country (periods of absence allowed), thus it is assumed there are no restrictions.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

Number of months of absence allowed per year (medical doctors):

Answer: 12

Code: 12

Explanation: There is no provision in the regulation about the right to leave the country (periods of absence allowed), thus it is assumed there are no restrictions.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

Do permanent residents have the right to leave the country?

Answer: yes

Code: 1

Explanation: There is no provision in the regulation about the right to leave the country (periods of absence allowed), thus it is assumed there are no restrictions.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

Number of months of absence allowed per year (permanent residents):

Answer: 12

Code: 12

Explanation: There is no provision in the regulation about the right to leave the country (periods of absence allowed), thus it is assumed there are no restrictions.

Sources: Ley N° 8764 [Law 8764]. 2009. / Decreto N° 37112-GOB [Decree 37112-GOB]. 2012.

5.6.3. Obligations

5.6.4. Military service

IMMIGRANT_59: Military service.

Do asylum seekers have the obligation to comply with military service?

Answer: not applicable

Code: Not applicable

Explanation: There is no military service in Costa Rica; there is no army.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 12.

Do refugees have the obligation to comply with military service?

Answer: not applicable

Code: Not applicable

Explanation: There is no military service in Costa Rica; there is no army.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 12.

Do co-ethnics have the obligation to comply with military service?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the obligation to comply with military service?

Answer: not applicable

Code: Not applicable

Explanation: There is no military service in Costa Rica; there is no army.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 12.

Do agricultural workers have the obligation to comply with military service?

Answer: not applicable

Code: Not applicable

Explanation: There is no military service in Costa Rica; there is no army.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 12.

Do medical doctors have the obligation to comply with military service?

Answer: not applicable

Code: Not applicable

Explanation: There is no military service in Costa Rica; there is no army.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 12.

Do permanent residents have the obligation to comply with military service?

Answer: not applicable

Code: Not applicable

Explanation: There is no military service in Costa Rica; there is no army.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 12.

5.6.5. Social service

IMMIGRANT_60: Social service.

Do asylum seekers have the obligation to comply with social service?

Answer: no social service in state of reception

Code: 97

Explanation: No general mandatory social service in Costa Rica.

Sources: Ley N° 7559 [Law 7559]. 1995. Art. 3. / Reglamento Servicio Social Obligatorio Profesionales Ciencias Salud [Mandatory Social Service Regulations for Health Sciences Professionals]. 1996. Art. 2.

Do refugees have the obligation to comply with social service?

Answer: no social service in state of reception

Code: 97

Explanation: No general mandatory social service in Costa Rica.

Sources: Ley N° 7559 [Law 7559]. 1995. Art. 3. / Reglamento Servicio Social Obligatorio Profesionales Ciencias Salud [Mandatory Social Service Regulations for Health Sciences Professionals]. 1996. Art. 2.

Do co-ethnics have the obligation to comply with social service?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have the obligation to comply with social service?

Answer: no social service in state of reception

Code: 97

Explanation: No general mandatory social service in Costa Rica.

Sources: Ley N° 7559 [Law 7559]. 1995. Art. 3. / Reglamento Servicio Social Obligatorio Profesionales Ciencias Salud [Mandatory Social Service Regulations for Health Sciences Professionals]. 1996. Art. 2.

Do agricultural workers have the obligation to comply with social service?

Answer: no social service in state of reception

Code: 97

Explanation: No general mandatory social service in Costa Rica.

Sources: Ley N° 7559 [Law 7559]. 1995. Art. 3. / Reglamento Servicio Social Obligatorio Profesionales Ciencias Salud [Mandatory Social Service Regulations for Health Sciences Professionals]. 1996. Art. 2.

Do medical doctors have the obligation to comply with social service?

Answer: no social service in state of reception

Code: 97

Explanation: No general mandatory social service in Costa Rica.

Sources: Ley N° 7559 [Law 7559]. 1995. Art. 3. / Reglamento Servicio Social Obligatorio Profesionales Ciencias Salud [Mandatory Social Service Regulations for Health Sciences Professionals]. 1996. Art. 2.

Do permanent residents have the obligation to comply with social service?

Answer: no social service in state of reception

Code: 97

Explanation: No general mandatory social service in Costa Rica.

Sources: Ley N° 7559 [Law 7559]. 1995. Art. 3. / Reglamento Servicio Social Obligatorio Profesionales Ciencias Salud [Mandatory Social Service Regulations for Health Sciences Professionals]. 1996. Art. 2.

5.6.6. Taxes

IMMIGRANT_61: Income taxes.

Do asylum seekers have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Yes as long as they derive remuneration or earnings from a source of economic activity in Costa Rica.

Sources: Ley N° 4755 [Law 4755]. 1971. Art. 26. / Ley N° 8764 [Law 8764]. 2009.

Do refugees have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Yes as long as they derive remuneration or earnings from a source of economic activity in Costa Rica.

Sources: Ley N° 4755 [Law 4755]. 1971. Art. 26. / Ley N° 8764 [Law 8764]. 2009.

Do co-ethnics have to pay income taxes in state of reception?

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do domestic workers have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Yes as long as they derive remuneration or earnings from a source of economic activity in Costa Rica.

Sources: Ley N° 4755 [Law 4755]. 1971. Art. 26. / Ley N° 8764 [Law 8764]. 2009.

Do agricultural workers have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Yes as long as they derive remuneration or earnings from a source of economic activity in Costa Rica.

Sources: Ley N° 4755 [Law 4755]. 1971. Art. 26. / Ley N° 8764 [Law 8764]. 2009.

Do medical doctors have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Yes as long as they derive remuneration or earnings from a source of economic activity in Costa Rica.

Sources: Ley N° 4755 [Law 4755]. 1971. Art. 26. / Ley N° 8764 [Law 8764]. 2009.

Do permanent residents have to pay income taxes in state of reception?

Answer: yes

Code: 1

Explanation: Yes as long as they derive remuneration or earnings from a source of economic activity in Costa Rica.

Sources: Ley N° 4755 [Law 4755]. 1971. Art. 26. / Ley N° 8764 [Law 8764]. 2009.

5.7. Administration

IMMIGRANT_62: Existence of immigrant integration agency in state of reception.

Existence of institution/agency with competencies for immigrant policies:

Answer: yes

Code: 1

Explanation: General Direction of Migration and Foreigners. It is body attached to the Ministry of the Governance and Police.

Sources: Ley N° 8764 [Law 8764]. 2009. / Dirección General de Migración y Extranjería. "La Institución [The Institution]". Accessed date not available.
<http://migracion.go.cr/Paginas/LaInstitucion.aspx>. / Ministerio de Gobernación y Policía. "Organigrama [Organizational Chart]". Accessed March 25, 2019.
<http://www.mgp.go.cr/ministerio/organigrama>.

Name of the institution with competencies for immigrant policies in original language:

Answer: Dirección General de Migración y Extranjería

Name of the institution with competencies for immigrant policies in English:

Answer: General Direction of Migration and Foreigners

IMMIGRANT_63: Access to antidiscrimination body.

Migrants can access antidiscrimination bodies and prerogatives (e.g. make official complaints to an Ombudsperson) regardless of migrant status (they might be explicitly mentioned as eligible, or not; what we care about is that they are not explicitly excluded, for instance, by statements that restrict access to nationals):

Answer: Yes

Code: 1

Explanation: Everyone that resides in the territory of Costa Rica can access in this case the *Defensoría de los habitantes*. It is assumed therefore that regardless their status all migrants can access to it.

Sources: Ley de la Defensoría de los Habitantes de la República de Costa Rica [Law of the Ombudsman's Office of the Republic of Costa Rica]. 1992. Art. 1. / Decreto Ejecutivo N° 22266 [Decree 22266]. 1993.

6. Immigrant citizenship and nationality

6.1. Immigrant nationality

6.1.1. Immigrant dual nationality

IMNAT_1: Renunciation of previous nationality.

Does the country require applicants to naturalization by residence to renounce their previous nationality?

Answer: Yes

Code: 0

Explanation: Yes, except if there exist dual national treaties. Article 11 Law 1155: In addition, the applicant for naturalization must swear that he or she will respect the constitutional order, and must also state, in a writing form, that will continue to reside regularly and stably in the country. At the same time, shall likewise express that he/she renounces his/her nationality, except in the case of nationals of countries with which they exist dual nationality treaties.

Sources: Ley N° 1155 [Law 1155]. 1950. Art. 11.

Citizenship can be withdrawn only if person resides outside the country:

Answer: No

Code: 0

Explanation: No, citizenship can be withdrawn independently of absence of the territory. Article 3 Law 1155: The quality of Costa Rican is lost: 1) By adoption of another nationality; and 2) When the Costa Rican by naturalization, is absent of the territory for more than six consecutive years, unless he/she proves that he has remained linked to the country. Article 15 Constitution: Anyone who applies for naturalization must: prove his/her good conduct, show that he/she has an occupation or sufficient for self-support, that he/she knows how to speak, write and read the Spanish language, take an exam understanding of the history of the country and its values, promise to reside in the national territory on a regular basis and swear that it will respect the order constitutional of the Republic.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 15. / Ley N° 1155 [Law 1155]. 1950. Art. 3.

Are there exceptions?

Answer: For some countries officially

Code: 1

Explanation: Article 11 Law 1155: In addition, the applicant for naturalization must swear that he or she will respect the constitutional order, and must also state, in a writing form, that will continue to reside regularly and stably in the country. At the same time, shall likewise express that he/she renounces his/her nationality, except in the case of nationals of countries with which they exist dual nationality treaties.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 15. / Ley N° 1155 [Law 1155]. 1950. Art. 3.

IMNAT_1_1: Sanctions.

Are there sanctions for naturalized persons who are later found to have the nationality of the country or origin despite there being a procedure and having pledged to renounce it?

Answer: No

Code: 0

Explanation: There is no provision in the regulation for sanctions.

Sources: Ley N° 1155 [Law 1155]. 1950.

6.1.2. Emigrant dual nationality for immigrants who naturalized

IMNAT_2: Emigrant dual nationality for naturalized immigrants.

Does the country deprive their national citizens by naturalization of nationality (or provide for the involuntary loss of it) for having acquired a foreign one (i.e. of their place of residence) and, if so, under which conditions?

Answer: Authorities have arbitrary power to withdraw citizenship

Code: 0

Explanation: Double Nationality is just allow for Costa Ricans by birth, and not for naturalized persons
Article 11 Law 1155: In addition, the applicant for naturalization must swear that he or she will respect the constitutional order, and must also state, in a writing form, that will continue to reside regularly and stably in the country. At the same time, shall likewise express that he/she renounces his/her nationality, except in the case of nationals of countries with which they exist dual nationality treaties.
Article 16 Constitution/Law 7514: The quality of Costa Rican is not lost and is inalienable.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 16. / Ley N° 7514 [Law 7514]. 1995. / Ley N° 1155 [Law 1155]. 1971. Art. 3.

6.1.3. Loss of nationality after residence abroad for naturalized immigrants

IMNAT_3: Loss after residence abroad for naturalized immigrants

For national citizens by naturalization who emigrated, does the country deprive them of their nationality (or provide for the involuntary loss of it) because of residence abroad

Answer: Authorities have arbitrary power to withdraw citizenship

Code: 0

Explanation: Yes, by absence of the territory for more than six consecutive years and without link to the country. Article 3 Law 1155: The quality of Costa Rican is lost: 1) By adoption of another nationality; and 2) When the Costa Rican by naturalization, is absent of the territory for more than six consecutive years, unless he/she proves that he has remained linked to the country.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. / Ley N° 1155 [Law 1155]. 1971. Art. 3.

After how many years abroad?

Answer: 6

Code: 6

Explanation: Article 3 Law 1155: The quality of Costa Rican is lost: 1) By adoption of another nationality; and 2) When the Costa Rican by naturalization, is absent of the territory for more than six consecutive years, unless he/she proves that he has remained linked to the country.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. / Ley N° 1155 [Law 1155]. 1971. Art. 3.

6.1.4. Unrestrictive jus soli

IMNAT_4: Unrestrictive jus soli.

Does the country provide for a child to acquire nationality by birth in the territory irrespective of the birthplace of the parents?

Answer: Yes

Code: 1

Explanation: Yes, when a Person is born in Costa Rica to non-citizens and is registered as a citizen by a parent during minority, or registers him/herself before reaching the age of 25. Article 13 Constitution: They are Costa Ricans by birth: 1) The child of a Costa Rican father or mother born in the territory of the Republic; 2) The child of a Costa Rican father or mother by birth, who is born abroad, and is registered as such in the Civil Registry, by the will of the Costa Rican parent, as long as he or she is a minor, or by his or her own until he or she reaches the age of twenty-five; 3) Person is born in Costa Rica to non-citizens and is registered as a citizen by a parent during minority, or registers him/herself before reaching the age of 25. 4) The infant, of ignored parents, found in Costa Rica.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 13.

6.1.5. Qualified jus soli

IMNAT_6: Qualified jus soli.

Does the country provide for children to acquire nationality by birth in the territory only if their parents were also born there?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949.

6.1.6. Standard naturalization procedure for immigrants due to residence

IMNAT_6: Ordinary naturalization.

Does the country provide for standard naturalization procedure for immigrants due to residence in it?

Answer: Yes, provision for standard naturalization based on residence

Code: 1

Explanation: Yes, for migrants after residing in the country at least seven years. Article 14 Constitution: The following are Costa Ricans by naturalization: 1) Those who have acquired this nationality by virtue of previous laws. 2) Nationals of other Central American countries, Spaniards and Ibero-Americans by birth who have officially resided in the country for at least five years and who meet the other requirements established by law. 3) Central Americans, Spaniards and Ibero-Americans who are not by birth and other foreigners who have officially resided in the country for at least seven years and who meet the other requirements established by law. 4) A foreign woman who loses her nationality upon marriage to a Costa Rican. 5) Foreigners who, on marrying Costa Ricans, lose their nationality or who, after having been married to Costa Ricans for two years and residing for the same period in the country, express their desire to acquire Costa Rican nationality. 6) Those who receive honorary nationality from the Legislative Assembly. Article 15 Constitution: Anyone who applies for naturalization must: prove his/her good conduct, show that he/she has an occupation or sufficient for self-support, that he/she knows how to speak, write and read the Spanish language, take an exam understanding of the history of the country and its values, promise to reside in the national territory on a regular basis and swear that it will respect the order constitutional of the Republic.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14 and 15.

Number of years of residence required for naturalization:

Answer: 7

Code: 7

Explanation: Article 14 Constitution: The following are Costa Ricans by naturalization: 1) Those who have acquired this nationality by virtue of previous laws. 2) Nationals of other Central American countries, Spaniards and Ibero-Americans by birth who have officially resided in the country for at least five years and who meet the other requirements established by law. 3) Central Americans, Spaniards and Ibero-Americans who are not by birth and other foreigners who have officially resided

in the country for at least seven years and who meet the other requirements established by law. 4) A foreign woman who loses her nationality upon marriage to a Costa Rican. 5) Foreigners who, on marrying Costa Ricans, lose their nationality or who, after having been married to Costa Ricans for two years and residing for the same period in the country, express their desire to acquire Costa Rican nationality. 6) Those who receive honorary nationality from the Legislative Assembly. Article 15 Constitution: Anyone who applies for naturalization must: prove his/her good conduct, show that he/she has an occupation or sufficient for self-support, that he/she knows how to speak, write and read the Spanish language, take an exam understanding of the history of the country and its values, promise to reside in the national territory on a regular basis and swear that it will respect the order constitutional of the Republic.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14 and 15.

Number of continuous years of residence required for naturalization:

Answer: 7

Code: 7

Explanation: Article 14 Constitution: The following are Costa Ricans by naturalization: 1) Those who have acquired this nationality by virtue of previous laws. 2) Nationals of other Central American countries, Spaniards and Ibero-Americans by birth who have officially resided in the country for at least five years and who meet the other requirements established by law. 3) Central Americans, Spaniards and Ibero-Americans who are not by birth and other foreigners who have officially resided in the country for at least seven years and who meet the other requirements established by law. 4) A foreign woman who loses her nationality upon marriage to a Costa Rican. 5) Foreigners who, on marrying Costa Ricans, lose their nationality or who, after having been married to Costa Ricans for two years and residing for the same period in the country, express their desire to acquire Costa Rican nationality. 6) Those who receive honorary nationality from the Legislative Assembly. Article 15 Constitution: Anyone who applies for naturalization must: prove his/her good conduct, show that he/she has an occupation or sufficient for self-support, that he/she knows how to speak, write and read the Spanish language, take an exam understanding of the history of the country and its values, promise to reside in the national territory on a regular basis and swear that it will respect the order constitutional of the Republic.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14 and 15.

Permanent residence status is required for naturalization:

Answer: No

Code: 0

Explanation: Article 14 Constitution: The following are Costa Ricans by naturalization: 1) Those who have acquired this nationality by virtue of previous laws. 2) Nationals of other Central American countries, Spaniards and Ibero-Americans by birth who have officially resided in the country for at least five years and who meet the other requirements established by law. 3) Central Americans, Spaniards and Ibero-Americans who are not by birth and other foreigners who have officially resided in the country for at least seven years and who meet the other requirements established by law. 4) A foreign woman who loses her nationality upon marriage to a Costa Rican. 5) Foreigners who, on marrying Costa Ricans, lose their nationality or who, after having been married to Costa Ricans for two years and residing for the same period in the country, express their desire to acquire Costa Rican nationality. 6) Those who receive honorary nationality from the Legislative Assembly. Article 15 Constitution: Anyone who applies for naturalization must: prove his/her good conduct, show that

he/she has an occupation or sufficient for self-support, that he/she knows how to speak, write and read the Spanish language, take an exam understanding of the history of the country and its values, promise to reside in the national territory on a regular basis and swear that it will respect the order constitutional of the Republic.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14 and 15.

Renunciation of previous nationality is required:

Answer: General renunciation except for some countries

Code: 0.35

Explanation: Yes, except if there exist dual national treaties. Article 11 Law 1155: In addition, the applicant for naturalization must swear that he or she will respect the constitutional order, and must also state, in a writing form, that will continue to reside regularly and stably in the country. At the same time, shall likewise express that he/she renounces his/her nationality, except in the case of nationals of countries with which they exist dual nationality treaties.

Sources: Ley N° 1155 [Law 1155]. 1971. Art. 11.

Language condition for naturalization:

Answer: Without tests or certification and discretionary assessment of level of competence or with certification and specified level of competence at A2

Code: 0.5

Explanation: Article 14 Constitution: The following are Costa Ricans by naturalization: 1) Those who have acquired this nationality by virtue of previous laws. 2) Nationals of other Central American countries, Spaniards and Ibero-Americans by birth who have officially resided in the country for at least five years and who meet the other requirements established by law. 3) Central Americans, Spaniards and Ibero-Americans who are not by birth and other foreigners who have officially resided in the country for at least seven years and who meet the other requirements established by law. 4) A foreign woman who loses her nationality upon marriage to a Costa Rican. 5) Foreigners who, on marrying Costa Ricans, lose their nationality or who, after having been married to Costa Ricans for two years and residing for the same period in the country, express their desire to acquire Costa Rican nationality. 6) Those who receive honorary nationality from the Legislative Assembly. Article 15 Constitution: Anyone who applies for naturalization must: prove his/her good conduct, show that he/she has an occupation or sufficient for self-support, that he/she knows how to speak, write and read the Spanish language, take an exam understanding of the history of the country and its values, promise to reside in the national territory on a regular basis and swear that it will respect the order constitutional of the Republic.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14 and 15.

Civil knowledge is a requisite for naturalization:

Answer: Language general cultural integration/assimilation condition, also if assessed informally during an interview

Code: 0.25

Explanation: Article 14 Constitution: The following are Costa Ricans by naturalization: 1) Those who have acquired this nationality by virtue of previous laws. 2) Nationals of other Central American countries, Spaniards and Ibero-Americans by birth who have officially resided in the country for at least five years and who meet the other requirements established by law. 3) Central Americans, Spaniards and Ibero-Americans who are not by birth and other foreigners who have officially resided in the country for at least seven years and who meet the other requirements established by law. 4) A foreign woman who loses her nationality upon marriage to a Costa Rican. 5) Foreigners who, on marrying Costa Ricans, lose their nationality or who, after having been married to Costa Ricans for two years and residing for the same period in the country, express their desire to acquire Costa Rican nationality. 6) Those who receive honorary nationality from the Legislative Assembly. Article 15 Constitution: Anyone who applies for naturalization must: prove his/her good conduct, show that he/she has an occupation or sufficient for self-support, that he/she knows how to speak, write and read the Spanish language, take an exam understanding of the history of the country and its values, promise to reside in the national territory on a regular basis and swear that it will respect the order constitutional of the Republic.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14 and 15.

Clean criminal record is a requisite:

Answer: Specific good character clause applying only to naturalization applicants OR no crimes carrying sentences of less than 1 years

Code: 0.75

Explanation: Article 15 Constitution: Anyone who applies for naturalization must: prove his/her good conduct, show that he/she has an occupation or sufficient for self-support, that he/she knows how to speak, write and read the Spanish language, take an exam understanding of the history of the country and its values, promise to reside in the national territory on a regular basis and swear that it will respect the order constitutional of the Republic. Good conduct is proven by declaration by two witnesses of "recognized reputation"; according to Art. 12 of the Decree 12, 2012.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14 and 15. / Decreto N° 12-2012 [Decree 12-2012]. 2012. Art. 12.

Economic resources as requisite for naturalization:

Answer: Includes employment condition or no welfare dependency ONLY at time of application

Code: 0.75

Explanation: Article 14 Constitution: The following are Costa Ricans by naturalization: 1) Those who have acquired this nationality by virtue of previous laws. 2) Nationals of other Central American countries, Spaniards and Ibero-Americans by birth who have officially resided in the country for at least five years and who meet the other requirements established by law. 3) Central Americans, Spaniards and Ibero-Americans who are not by birth and other foreigners who have officially resided in the country for at least seven years and who meet the other requirements established by law. 4) A foreign woman who loses her nationality upon marriage to a Costa Rican. 5) Foreigners who, on marrying Costa Ricans, lose their nationality or who, after having been married to Costa Ricans for two years and residing for the same period in the country, express their desire to acquire Costa Rican nationality. 6) Those who receive honorary nationality from the Legislative Assembly. Article 15 Constitution: Anyone who applies for naturalization must: prove his/her good conduct, show that he/she has an occupation or sufficient for self-support, that he/she knows how to speak, write and read the Spanish language, take an exam understanding of the history of the country and its values,

promise to reside in the national territory on a regular basis and swear that it will respect the order constitutional of the Republic.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14 and 15.

6.1.7. Socialization based acquisition of citizenship

IMNAT_7: Naturalization by socialization.

Does the country provide for acquisition of nationality of minors who reside for a certain period or schooling in the country?

Answer: No provision

Code: 0

Explanation: There is no provision in the regulation about socialization-bases acquisition of nationality.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949.

6.1.8. Special procedure for immigrants with very long residence in country

IMNAT_8: Long residence.

Does the country provide for acquisition of nationality by a person who has resided there for a very long time (e.g. more or equal of 12 years)?

Answer: No

Code: 0

Explanation: There is no provision in the regulation for nationality for very long residence.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949.

6.1.9. Preferential naturalization for immigrants from specific countries

IMNAT_9: Preferential naturalization by country.

Does the country provide for a special (e.g. quicker, easier) acquisition of nationality by a person who is a national of another specific country?

Answer: Yes

Code: 1

Explanation: Yes, category of co-ethnic. When a person is a citizen by birth of Spain, a Central American country, or an Iberoamerican country, and been resident in Costa Rica for 5 years.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14.

6.1.10. Cultural affinity/Ethnic ties

IMNAT_10: Preferential naturalization due to cultural or ethnic ties.

Does the country provide for acquisition of nationality by a person who has an affinity with its culture or is somehow defined as co-ethnic?

Answer: Yes

Code: 1

Explanation: Article 14 Constitution: The following are Costa Ricans by naturalization: 1) Those who have acquired this nationality by virtue of previous laws. 2) Nationals of other Central American countries, Spaniards and Ibero-Americans by birth who have officially resided in the country for at least five years and who meet the other requirements established by law. 3) Central Americans, Spaniards and Ibero-Americans who are not by birth and other foreigners who have officially resided in the country for at least seven years and who meet the other requirements established by law. 4) A foreign woman who loses her nationality upon marriage to a Costa Rican. 5) Foreigners who, on marrying Costa Ricans, lose their nationality or who, after having been married to Costa Ricans for two years and residing for the same period in the country, express their desire to acquire Costa Rican nationality. 6) Those who receive honorary nationality from the Legislative Assembly. Article 15 Constitution: Anyone who applies for naturalization must: prove his/her good conduct, show that he/she has an occupation or sufficient for self-support, that he/she knows how to speak, write and read the Spanish language, take an exam understanding of the history of the country and its values, promise to reside in the national territory on a regular basis and swear that it will respect the order constitutional of the Republic.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14 and 15.

6.1.11. Spousal transfer

IMNAT_11: Spousal transfer.

Does the country provide for acquisition of nationality by the spouse or registered partner of a person who is already a national citizen?

Answer: Yes

Code: 1

Explanation: Article 14 Constitution: The following are Costa Ricans by naturalization: 1) Those who have acquired this nationality by virtue of previous laws. 2) Nationals of other Central American

countries, Spaniards and Ibero-Americans by birth who have officially resided in the country for at least five years and who meet the other requirements established by law. 3) Central Americans, Spaniards and Ibero-Americans who are not by birth and other foreigners who have officially resided in the country for at least seven years and who meet the other requirements established by law. 4) A foreign woman who loses her nationality upon marriage to a Costa Rican. 5) Foreigners who, on marrying Costa Ricans, lose their nationality or who, after having been married to Costa Ricans for two years and residing for the same period in the country, express their desire to acquire Costa Rican nationality. 6) Those who receive honorary nationality from the Legislative Assembly. Article 15 Constitution: Anyone who applies for naturalization must: prove his/her good conduct, show that he/she has an occupation or sufficient for self-support, that he/she knows how to speak, write and read the Spanish language, take an exam understanding of the history of the country and its values, promise to reside in the national territory on a regular basis and swear that it will respect the order constitutional of the Republic.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14 and 15.

6.1.12. Filial transfer

IMNAT_12: Filial transfer.

Does the country provide for acquisition of nationality by the child of a person who is already a national citizen?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. / Ley N° 7514 [Law 7514]. 1995.

6.1.13. Special naturalization for refugees

IMNAT_13: Refugees.

Does the country facilitate the acquisition of nationality by a refugee in its territory?

Answer: No

Code: 0

Explanation: There is no provision in the regulation about special naturalization for refugees.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949.

6.1.14. Naturalization for special achievements/talents

IMNAT_14: Special talents.

Does the country provide for the acquisition of nationality by a person in account of special achievements/talents?

Answer: Yes

Code: 1

Explanation: Article 14 Constitution: The following are Costa Ricans by naturalization: 1) Those who have acquired this nationality by virtue of previous laws. 2) Nationals of other Central American countries, Spaniards and Ibero-Americans by birth who have officially resided in the country for at least five years and who meet the other requirements established by law. 3) Central Americans, Spaniards and Ibero-Americans who are not by birth and other foreigners who have officially resided in the country for at least seven years and who meet the other requirements established by law. 4) A foreign woman who loses her nationality upon marriage to a Costa Rican. 5) Foreigners who, on marrying Costa Ricans, lose their nationality or who, after having been married to Costa Ricans for two years and residing for the same period in the country, express their desire to acquire Costa Rican nationality. 6) Those who receive honorary nationality from the Legislative Assembly. Article 15 Constitution: Anyone who applies for naturalization must: prove his/her good conduct, show that he/she has an occupation or sufficient for self-support, that he/she knows how to speak, write and read the Spanish language, take an exam understanding of the history of the country and its values, promise to reside in the national territory on a regular basis and swear that it will respect the order constitutional of the Republic.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 14 and 15.

6.1.15. Naturalization due to investment/financial assets

IMNAT_15: Special talents.

Does the country provide for the acquisition of nationality by a person with special financial assets (say which) or persons who invest money in the country?

Answer: No

Code: 0

Explanation: There is no provision in the regulation of naturalization due to investment/financial assets.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949.

6.1.16. Transfer to other relatives

IMNAT_16: Transfer to other relatives.

Does the country provide for the acquisition of nationality by a relative other than the spouse or child of a person who is already a citizen?

Answer: No

Code: 0

Explanation: There is no provision in the regulation of naturalization due to investment/financial assets.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949.

6.1.17. Nationality for the stateless

IMNAT_17: Stateless.

Does the country facilitate the naturalization of a stateless person in its territory?

Answer: No

Code: 0

Explanation: There is no provision in the regulation of naturalization due to investment/financial assets.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949.

6.1.18. Nationality for regularized immigrants

IMNAT_18: Regularization.

Does the country make any differentiation in terms of naturalization procedures regarding persons that have benefited from regularization programs ((i.e. is there any special naturalization scheme for regularized immigrants)?

Answer: No differentiation

Code: 0.5

Explanation: no differentiation.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. / Ley N° 8764 [Law 8764]. 2009.

6.1.19. Naturalization possible even if applicant had irregular status before

IMNAT_19: Irregular status.

Does the country provide for a person who has or has had irregular migrant status who can however prove having had resided long enough in the country to apply for naturalization (i. e. is ever having been an irregular migrant an impediment to regularize)?

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. / Ley N° 8764 [Law 8764]. 2009.

6.2. Immigrant citizenship

6.2.1. Restrictions on citizenship for naturalized immigrants

IMCIT_1: Restrictions for naturalized immigrants.

Does the country restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized (even if they only have that one nationality)?

Answer: Yes

Code: 1

Explanation: Political rights. Only after 10 years of residence in the country after nationalization foreigners are allow to be candidates.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 108. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

For how long are the restrictions applied?

Answer: More than 5 years, but not indefinitely

Code: 0.25

Explanation: Only after 10 years of residence in the country after nationalization foreigners are allow to be candidates.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 108. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Do the restrictions apply to electoral rights?

Answer: Yes

Code: 1

Explanation: Only after 10 years of residence in the country after nationalization foreigners are allow to be candidates.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 108. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Do the restrictions apply to public office posts?

Answer: Yes

Code: 1

Explanation: Only after 10 years of residence in the country after nationalization foreigners are allow to be candidates.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 108. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Other type of restrictions

Answer: No

Code: 0

Explanation: No other type of restrictions.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

6.2.2. Loss or suspension of citizenship after residence abroad for immigrants who naturalized

IMCIT_2. Loss or suspension of citizenship.

Does the country deprive their national citizens by naturalization who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad?

Answer: Yes

Code: 1

Explanation: Yes, nationals by naturalization that emigrated cannot be deputies because they are not a practicing citizen and also because candidacy is allow after ten years of residence in the country after obtaining nationality.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 108. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

Are these rights recovered upon return?

Answer: yes

Code: 1

Explanation: Rights are recovered upon return.

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

6.2.3. Restrictions on citizenship for naturalized immigrants who are dual nationals

IMCIT_3: Restrictions for naturalized immigrants who are dual nationals.

Does the country restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized and have another/other nationality/ies?

Answer: Yes

Code: 1

Explanation: Article 108 Constitution To be a Deputy is required: 1) To be a practicing citizen; 2) To be Costa Rican by birth, or by naturalization with ten years of residence in the country after obtaining nationality; 3) Be at least 21 years of age. "There are some restrictions on the right to stand as candidate for persons who hold multiple nationalities, those who were naturalized and those who were born abroad. Moreover, these citizens are not represented in the National Assembly or local governments. Furthermore, naturalized citizens are not entitled to exercise electoral rights in local, regional elections and national elections until twelve months after obtaining a certificate of naturalization. Representatives in the National Assembly must be Costa Ricans by birth, or by naturalization with a requirement of ten years of residence in the country after naturalization" (Alfaro-Redondo 2015: 6).

Sources: Constitución Política de Costa Rica [Political Constitution of Costa Rica]. 1949. Art. 108. / Alfaro-Redondo, R. Access to Electoral Rights Costa Rica. Fiesole: EUDO Citizenship Observatory, 2015. Access date not available.

How long do the restrictions apply?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do the restrictions apply to electoral rights?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Do the restrictions apply to public office post?

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

Other type of restrictions (beyond electoral and public office posts).

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable