



UNHCR

United Nations High Commissioner for Refugees

Haut Commissariat des Nations Unies pour les réfugiés

Country Operations Plan 2008-2009

Costa Rica

Country Operations Plan Costa Rica 2008-2009

Part One: Context and Strategy

Operational Context

- Country/Sub-Regional Situation as it relates to the work of UNHCR including as appropriate for your operation:
 - Political, Social, Economic, Security, Human Rights and Asylum issues

The rationale of UNHCR presence in Costa Rica is two-fold: Costa Rica as one of the major asylum countries in Latin America and at regional level, as a technical services provider.

At national level, with a long humanitarian tradition and a broad experience with refugee populations in the eighties and nineties Costa Rica has a lot to offer in the area of international protection. At the same time, the current context positions Costa Rica predominantly as a country of destination for migrants, and to a lesser extent also as a country of transit for migrants. Some 15% of the total population of 4 million is foreigner (600,000 persons) with the large majority being of Nicaraguan origin. Yet, people in need of international protection continue to arrive in the country in a smaller, but significant proportion.

The government of President Oscar Arias has made migration and refugee issues an important part of the national agenda; asylum issues nonetheless, have been largely subsumed into broader migration considerations. The new migration policy is aiming at a proper balance between control and migration management on one side and integration and community participation on the other. However, during its first year the Government has also demonstrated a great preoccupation for national security, which in turn has made migration procedures -including the asylum system- more restrictive. At the moment the Government is promoting the reform of the existing migration law. For the time being the major priority of the Government is the approval by the Costa Rican parliament of the Central American Free Trade Agreement (CAFTA) with the USA.

The refugee population in Costa Rica is, after Ecuador, the largest in Latin America and amounts according to the latest statistics to 11,500 persons. The total population in need of international protection is estimated at some 17,000 persons, most of whom originate from Colombia. The Costa Rica operation continues to be part of the Colombia situation and faces similar challenges as operations in Panama, Ecuador and Venezuela in terms of access to procedures, restrictive interpretation of the refugee definition, and for the enjoyment of economic, cultural and social rights (employment, housing and access to health and education facilities). However, refugees and asylum seekers are also coming from other Latin American countries such as Cuba, Haiti and Venezuela, and a minor number of asylum seekers come from African countries. Increasingly, persons of concern to UNHCR cross the border between Panama and Costa Rica instead of arriving by air, this is also due to the difficulties for Colombians to obtain a visa to enter the country.

Many Colombians fleeing the longstanding conflict in their country find themselves in Costa Rica in an irregular situation without proper documentation. Colombians in need of international protection are facing an enormous challenge to locally integrate in Costa Rica and discrimination against them is on the rise. The national media have frequently associated security incidents with the fast growing migrant and refugee population.

The Costa Rica operation implements the priorities of UNHCR's regional framework as outlined in the Mexico Plan of Action (MPA). The country is facing similar refugee issues and protection priorities as other Latin American countries that adopted the Mexico Declaration in 2004. Among these are the revision of national legislation in line with international standards and the need to improve the refugee status determination (RSD) procedures. Of particular importance, however, is the lack of an appropriate reception and registration system of refugees and asylum-seekers which makes obtaining baseline data on the general situation of the persons of concern difficult. This situation also poses significant challenges in identifying the actual location and needs of the refugee population at large (with exception of those persons of concern who approach the community workers at the Implementing Agency, who remain a minority).

The office in coordination with the Government, has identified the need to reestablish a separate refugee department, which disappeared as the result of a reorganization process in 2005, in order to ensure adequate refugee eligibility and reliable statistics. In addition to providing technical and financial support to the Government for reestablishing the Refugee Department, it is also important to closely monitor the RSD decision making process to ensure refugees are properly identified through a fair and efficient procedure. Legal advice and counseling to asylum seekers, including in the appeal stage, may also need to be enhanced in order to attain this goal. As stated above it is important to reinforce border monitoring between Panama and Costa Rica. This porous border has seen increased migration movements, including Colombians in need of protection. The office will have to make additional efforts to link up with border authorities and civil society partners to preserve access to asylum and to avoid refoulement.

Following the priorities of the Mexico Plan of Action the office will strengthen its efforts to find durable solutions. While voluntary repatriation to Colombia is not considered feasible in the near future, the biggest challenge for the refugee population in Costa Rica remains the achievement of sustainable local integration. Costa Rica's National Development Plan refers to the migrant and refugee population and the need to implement more programs to facilitate their integration and increased participation in community structures. However, there are many needs for the national population as well as 20% of the population in Costa Rica lives below the poverty line, making the eradication of poverty a priority. The refugee population has mainly settled in urban areas where competition for scarce resources is high. Studies have indicated that it is particularly difficult for refugees to find stable employment and adequate housing. Local integration efforts are also hampered by increased discrimination and xenophobic trends; there is an increasing fear to hire Colombians or rent a house to them as the 'Colombian refugee' is perceived as a possible security threat.

The office will redouble its efforts to facilitate refugees' self-reliance, also by prioritizing joint projects with national bodies and benefiting both nationals and refugees. The existing micro credit and employment schemes will be further strengthened and a new credit program for housing will be implemented to improve the housing situation of the refugee population. Although the Government is preoccupied with the costs implied by the provision of basic health and education services to migrants and refugees, it has been open and willing to assure access, particularly to the more vulnerable groups. With the knowledge that most refugees reside in urban areas the office has also intensified its interventions in municipalities with high concentration of migrants and refugees. The opening of a 'house of rights' in the municipality of solidarity, Desamparados, intends to provide legal aid, psychosocial support and orientation on local integration issues to the population of concern to UNHCR.

In the spirit of the Mexico Plan of Action the Costa Rica operation will continue to apply resettlement as an effective protection tool, a durable solution and a responsibility sharing mechanism. The office will submit resettlement cases to the traditional resettlement countries such as Canada, Sweden and the USA, but increasingly resettlement cases will be presented to the emerging countries such as Argentina, Brazil, Chile and Uruguay. The criteria for resettlement will remain the same, with priority given to protection and security cases, but also including cases that lack local integration prospects with an increased focus on women-at-risk and survivors of SGBV.

At the regional level, UNHCR is confronted with increasingly restrictive asylum policies, fuelled by rising security concerns and the implementation of migratory control measures. States require UNHCR's support to reinforce and consolidate their national legal and institutional frameworks to effectively identify those in need of international protection, mixed within broader migratory flows, and respond to the increasing humanitarian concerns of Colombians in need of protection.

Against this challenging context, UNHCR Costa Rica provides regional technical services to and works in coordination with governments, international organizations and regional fora, academia, organizations of civil society and other UNHCR offices. This involves the implementation of a capacity-building approach which includes enhancing the mainstreaming of asylum and refugee related matters in the agenda of the human rights and political bodies of the OAS and other regional migration fora; the development and implementation of a regional training strategy in Latin America; the use of human rights standards for refugee protection; and promoting and disseminating refugee law, mainly through the UNHCR's Spanish web site.

- Populations of concern/ themes¹ to be addressed in UNHCR programmes

The population of concern in Costa Rica continues to be of majority Colombian origin. The monthly average of asylum seekers has declined from 120 persons during 2005 and the first half of 2006 to some 80 persons per month during the second half of 2006. It is expected that the flow of asylum seekers from Colombia will continue with a monthly average of 80 to 100 persons in 2008-9. As stated above, it will be important to increase border monitoring in the South of Costa Rica, also to see that access to fair asylum procedures is guaranteed. A slight increase has also been observed in the number of Venezuelan asylum seekers. The percentage of female asylum seekers is expected to remain at 42% and the largest part of the population has settled in urban areas.

The characteristics of the majority Colombian new arrivals have changed in recent years (compared with initial trends 2000-2004). As compared to the previous trend of majority urban, middle class, highly educated families and individuals, the newer trend includes many persons of Afro-Colombian origin, arriving alone, with low socioeconomic and education levels. This newer trend will require changes in the UNHCR operational approach during 2008-9.

The lack of statistical reports being emitted by the Government continues causing difficulties in assessing total refugee flows. Estimates for the total refugee population in Costa Rica were nearly 11,500 refugees by the close of 2006 and some 12,500 by the end of 2007. In addition, there are an

¹ A "theme" is chosen when several, different populations are covered under one programme (e.g. an urban programme) or when the programme is mainly directed at the capacity building of institutions (e.g. "asylum system development"). Use themes only if you cannot establish a programme around one well defined refugee/returnee/IDP population. A theme is not any cross-cutting issue. Cross-cutting issues such as HIV/AIDS, environmental management etc. should be included in the programme for the relevant beneficiary populations wherever possible (see Chapter 4, Section 4.2).

estimated 5 to 6,000 other persons of concern, most of who are in an irregular migratory situation. In 2008-9, this number may increase significantly due to slowdowns in the RSD system and continued problems in the Migration Department.

As a technical services provider, UNHCR Costa Rica will continue to implement a regional program on the strengthening of UNHCR working relationship with the OAS and the promotion of refugee law.

- Summary Results of Assessments including Participatory Assessment with populations of concern, Annual Protection Report, Standards and Indicators, and other assessments undertaken by UNHCR and partners, per programme as defined by population of concern or theme.

During the last few years the office in Costa Rica has made good progress with the mainstreaming of age, gender and diversity in all its projects and activities. Communication with refugee groups and visits to 'refugee' neighborhoods have improved and increased, which in turn has permitted a more structured way of conducting participatory assessments. Situation analysis and participatory assessments are seen as a constant process which directly influences the planning and implementation of the projects. Additional attention has been given to prevent and respond to incidents of Sexual and Gender Based Violence and to address the prevalence of HIV-AIDS among the population of concern. The approach of the office has been to avoid the creation of parallel systems, but instead use existing, national expertise in relation to SGBV and HIV-AIDS, ensuring access for the refugees. In this context it has been indispensable to create alliances with government and civil society partners.

In addition to participatory assessments and focus group discussions undertaken with refugee groups identified by age, gender, and diversity, participatory planning exercises were undertaken with all major government and non-governmental partners. This was to assure a stakeholder voice and involvement in planning for 2008-2009. During a recent COP workshop it was felt that the UNHCR strategy for Costa Rica has broad 'ownership' among stakeholders. In direct meetings with implementing partners, audit requirements were reviewed in line with new time limits for presentation of certificates.

The vast majority of the refugee population in Costa Rica lives in urban settings and in private homes. A recent needs assessment undertaken regarding housing indicated that despite stable income, 93% of the refugee population lives in rented houses, apartments or rooms, whereas 71% of nationals own their own home. According to Costa Rican law, refugees should have the same access to renting and buying a house as nationals; however, landlords are often reluctant to rent their houses to refugees and banks usually impose restrictions on refugees when applying for regular housing loans. The Costa Rican State implements housing programs to provide and finance low-cost houses for nationals and permanent residents; however, refugees are not considered eligible for these programs due to their status as temporary residents.

A small-scale focused study conducted in 2006 to evaluate the situation of refugee children and adolescents revealed the existence of risk factors which had previously gone undetected. Of 121 children and adolescents included in the study, 49.6% were described by their parents as exhibiting negative behavioral changes since leaving their country of origin. More than 30% experienced some degree of difficulty, ranging from moderate to severe, in adapting to their educational environment. An additional 17% of minors were not studying at the time of the study due to procedural complications which had not permitted them to incorporate into the national education system. Furthermore, the changes in family dynamic associated with the refugee experience were also found to be negatively affecting a significant number of children and adolescents, highlighting the need to

strengthen psychosocial support. Refugee women explicitly expressed a desire for increased psychosocial support at the individual and family level particularly in situations in which families had been reunited after lengthy separations. Furthermore, both refugee women and adolescents placed particular emphasis on the detrimental effects of xenophobia on their lives and their desire to play an active role in counteracting the negative perception of Colombians commonly found among the national population.

Despite the above-mentioned small-scale study and participatory assessments, there continues to be a lack of systematic, disaggregated information regarding the situation of the refugee population in Costa Rica. To obtain better baseline data, UNHCR will coordinate with its operational partners to conduct small-scale focused studies especially allowing for in-depth analysis of the situation of refugee women, children and adolescents.

UNHCR Strategy

- Achievements to date per programme as defined by population of concern or theme

In line with the MPA, “Cities of Solidarity”, important achievements were made in local integration/self-reliance promotion including the doubling in breadth of outreach of the successful micro credit program (112 new credits in 2006, %47 women). Similar growth in beneficiaries was achieved with the Labor Insertion Unit (82 placements in 2006). The University of Costa Rica “Community Outreach Project,” continued to provide trained student interns to support projects with operational partners in key sectors. The Vocational Training Center was formed to increase refugee access to English training and computer skills, and the Community Child Care project was further consolidated to assist primarily women heads of household with labor insertion.

In protection matters, the office provided inputs for the law reform process and for a draft refugee decree as part of the new regulations to the new migration law. In order to facilitate the process for family reunification, standard operating procedures were discussed with the Migration Office and the Costa Rican Consulate in Bogotá. UNHCR provided ample training on refugee law and ‘Country of Origin Information’ to migration officers. The office reinforced the national and regional protection networks strengthening its partnership with the Ombudsman Office, the University of Costa Rica, the General Attorney’s Office and the Permanent Forum on Refugees and Migrants.

Since an increasing number of asylum seekers enter Costa Rica via the porous Panamanian border, the office undertook two missions to the border area with Panama and initiated training of border officials from both Panama and Costa Rica on refugee protection activities. Further monitoring of the border region is necessary to ensure that those of concern to UNHCR are protected.

The creation of a Durable Solutions Unit in 2006 created a new internal structure permitting a more strategic use of resettlement. The office continued to submit cases to traditional countries (Canada, US and Sweden); however, an important number of resettlement requests were presented to the emerging countries in the region (Chile and Brazil) to further consolidate their programs. Again in 2006 resettlement solutions involving the US Resettlement Program remained minimal. Regarding resettlement to emerging countries in Latin America, the office put efforts in the establishment of a solid selection process intending to respect the case profile required by each receiving country. Nevertheless, the office experienced difficulties in planning selection missions from Brazil and Argentina, basically due to budgetary constraints.

Already up and running in 2007, the House of Rights in Desamparados represents solid progress in developing collaborations with local governments and municipalities. The House will provide

important legal orientation and psychosocial services to refugees, nationals, migrants, and UNHCR persons of concern in this and other surrounding communities, with the objective of improving co-habitation and local integration. The House will also focus strongly on prevention of and response to SGBV and HIV/AIDS.

The Office's SGBV prevention and response strategy was significantly strengthened in 2007. Early in the year, UNHCR, IP and operational partner staff were trained on UNHCR's guidelines regarding SGBV. In addition, the Office focused on the identification and consolidation of national protection networks and the design of SOP's for prevention and response. Through the House of Rights and strengthened networks with national actors such as the INAMU and others, UNHCR will strengthen the local community's and the refugee community's capacity to prevent and respond to SGBV.

During 2006, UNHCR contributed in the process to elaborate national guidelines for a coordinated repatriation of children victims of trafficking in Costa Rica. In 2007-2008, UNHCR will participate in the preparation of a national plan against trafficking in persons and smuggling of migrants coordinated by the National Coalition against Trafficking in Persons. UNHCR will make a special emphasis on the need to assess the circumstances that result in cases of trafficking/smuggling or persons, and the possibility that victims of such activities may be in need of international protection as refugees. UNHCR will also make reference to UNHCR's guidelines on trafficking and its potential role in trafficking cases when in the presence of refugees, particularly to guarantee the rights of the victims and coordinate their assistance.

In terms of housing, in 2006, UNHCR established contact with Foundation Costa Rica-Canada (a private housing credit institution) to initiate a Housing Loans Pilot Project which aims to provide housing loans to some 35 refugee families in 2007. UNHCR will contribute via IP ACAI in creating a loan guarantee fund to cover 5% of the total loan amounts granted to refugees and protect the project against potential loan default. In addition, in 2006, UNHCR initiated discussions with the Ministry for Housing and other government entities to promote refugees' access to the State Housing Bond and other credit mechanisms, as provided by the State to nationals and other permanent residents. In March 2007, the Ministry for Housing informed UNHCR about the Government's willingness to grant state housing bonds to low-income refugee families in Costa Rica.

Although the general environment towards refugees has deteriorated due to the dissemination of negative information linking refugees to delinquency and crime, contacts with certain journalists have improved and campaigns such as the "Lego" campaign have drawn positive public attention towards refugees and UNHCR. This attention has been reinforced by public awareness activities which have increased visibility, such as WRD, the visit of GWA Angelina Jolie and Brad Pitt to Costa Rica and participation in the World Women's Day.

As a regional technical service provider, UNHCR Costa Rica through the Regional Legal Unit has given emphasis to the implementation of the Mexico Plan of Action, particularly as regards to the reinforcement of national eligibility commissions and the strengthening of national and regional protection networks. The regional institutional and legal framework for the protection of persons of concern to UNHCR has been strengthened with the support of external actors, mainly the political and human rights bodies of the Organization of American States. At regional migration fora, UNHCR has underlined the difference between migrants and refugees and has supported States to implement practical measures to identify and protect asylum seekers and refugees within broader migratory flows.

- Protection and Solutions Strategy for 2008-2009 per programme as defined by population of concern or theme

In 2008-9, UNHCR will continue advocating for the improvement of the legal protection framework, through the lobbying and provision of technical advice on refugee law to relevant authorities, thus contributing to the effective implementation of international protection standards for all persons of concern. In particular, the Office will advocate and lobby for more appropriate arrangements in the documentation process, aiming at reducing/eliminating the costs involved for refugees, and ensuring that temporary work permits be granted to asylum seekers. These measures will enhance the refugees' access to basic services, as well as facilitate their self-sufficiency from a very early stage.

By stepping up its monitoring and capacity-building activities in the area of reception, registration and processing of asylum claims, including the legal interpretation of the refugee definition, UNHCR Costa Rica will have a direct impact on the quality of RSD procedures undertaken by the national authorities. These activities will increase the capacity of national authorities to identify persons in need of international protection within mixed migration flows. UNHCR participation will also contribute to improving the perception of fairness and integrity of the asylum system. To address new security challenges for the refugee population and humanitarian staff, additional contacts will be established with the corresponding authorities to define procedures on how to follow up on security incidents.

Furthermore, enhanced coordination and partnership with existing national institutions –particularly the Ombudsman's Office– and civil society organizations will reduce the risk of creating parallel structures and promoting the misconception that refugees are of concern only to the UNHCR. New alliances will be made to broaden the existing protection network. Similarly, further dissemination of refugee law will foster a better understanding and a more positive and respectful attitude towards the refugee population. The Office will make additional efforts to inform the refugee population about their rights and obligations, through the production of information leaflets that will be distributed in key places frequented by refugees.

The new detention center for migrants in San Jose will require technical and financial support from UNHCR to ensure that basic items as well as psychological and legal orientation are available to potential asylum seekers. In this perspective, special attention will be given to detained women and children.

The possible re-establishing of the Refugee Office within the Migration Department, as the centralized authority to undertake RSD in the country, will require technical and financial support from UNHCR Costa Rica. Capacity building activities focused on the registration and process of asylum claims and an enhanced monitoring role of UNHCR will be coupled with financial contributions to collaborate with the Government's efforts to ensure the Refugee Office will be adequately equipped to undertake RSD in a fair and efficient manner.

In terms of durable solutions, emphasis will continue to be placed on shifting away from an assistance approach to self-reliance. UNHCR Costa Rica will focus on the consolidation and growth of existing successful initiatives while also expanding to new areas. The Durable Solutions Network will serve as a space for discussions on collective approaches between operational partners including the analysis of individual cases. A community-based approach will be strengthened in implementing projects with women, female heads of household, adolescents, children, elders, and other differentiated groups. In addition, the Office will pay particular attention to strengthening psychosocial support and counseling on a community level and on an individual level to survivors of trauma and SGBV. Humanitarian assistance will continue to be provided to recent arrivals and emergency cases and to vulnerable beneficiaries awaiting resettlement to third countries.

In line with a continued increase in demand for micro credit and a five year sustainability plan in place, an increased focus will be given to self-employment schemes. New product and service development will seek to reach increasing numbers of more vulnerable refugees through the delivery of smaller, “high risk” loans, implying fewer requirements and loan guarantees. Training opportunities will be increased to include “on-site” individualized training, continued business skills training courses, and a new emphasis on trade specific courses (baking, manicure, salon techniques, cooking, etc) in many cases taught by other successful refugee entrepreneurs themselves. Additional assistance in the commercialization of refugee products/services will occur through the development of market links between small producers and those involved in commerce activities and sales. The program will maintain its strong gender focus.

Micro credit training opportunities will be augmented by the new Vocational Training Center located at IP ACAI (funded by US Embassy) which will offer English courses and computer skills to increase the marketable skills of refugees. The Labor Insertion Unit will continue efforts at direct job placement as well as public relations activities aimed at increasing knowledge amongst the employment sector. Trainings will also continue being addressed to refugees themselves to increase awareness of their labor rights.

UNHCR will work to achieve an effective implementation of the Housing Loans Pilot Project with Foundation Costa Rica-Canada. The goal is to consolidate this project so as to benefit a larger number of refugees in the following years (30 to 40 families in 2007), while at the same time trust is built among housing credit institutions with regards to the refugees’ capacity to take on housing credits and obtain their own houses in their asylum country. UNHCR will also conduct information/training sessions with institutions of the national financial network for housing in order to promote a better understanding of refugee rights and facilitate a real access of refugees to housing credits.

In keeping with *UNHCR’s third commitment to refugee women*, the Office will implement standard operating procedures to ensure a coordinated strategy for the prevention, identification and response to victims/survivors of sexual and gender-based violence (SGBV). The strategy will involve international agencies, national authorities (ombudsman’s office, migration, and judicial authorities), existing public institutions (such as the National Institute for Women) and local organizations already working in this field to ensure their awareness regarding the situation of refugee women and to establish a coordinated strategy for prevention and response. UNHCR will support the renovation of a safe house for female victims of domestic violence. This house is run by the National Institute for Women and could also facilitate access for refugee women victims of SGBV.

Furthermore, the Community Child Care initiative established in 2006 will be consolidated in 2008-9 to provide professional child-care to an increased number of refugee children also focusing on benefiting primarily female-headed households and facilitating their labor insertion.

Resettlement will continue operating with a diversification strategy as traditional and European countries still play a key role processing an important number of cases, permitting the emerging countries in the region to further consolidate their programs. A progressive disengagement of traditional and European receiving countries should only be considered in light of the reception capacity and concrete achievements in the regional emerging countries. Vis-à-vis the European resettlement countries and together with resettlement colleagues from UNHCR Ecuador, the Office advocates for combining a system in which a percentage of cases will be submitted on dossier-basis throughout the calendar year and having only small selection missions, mostly from emerging countries in Latin America. Such a mechanism would permit the Office to avoid the problem of organizing large selection missions from traditional resettlement countries, which normally create a pull-factor (refugees fabricating security cases to benefit from resettlement). Secondly, by sending an

important number of cases on dossier-basis, the Office will be able to better respond to resettlement needs, as they arise throughout the year.

To counteract the increasingly negative perception of Colombian refugees, web stories and press articles will be written to emphasize the positive contributions of refugees, so they can be perceived by public opinion as positive change elements. Journalists also need to better understand the Colombian conflict and its human repercussions. To this end, they will be encouraged to draft positive refugee stories, carry out field visits and participate in training sessions addressed to journalists and journalism students. In addition to the use of media as a public opinion vehicle, refugees themselves need to be more informed of their own rights. Accessible and informative brochures and other materials will inform both refugees and the public on refugees' rights and UNHCR's work. General information campaigns and public awareness activities will also contribute a better public understanding of UNHCR's role in the country. In addition, a community-based approach will be developed in which the role of refugees as advocates for themselves will be strengthened through activities which promote interaction between the local population and the refugee community.

UNHCR Costa Rica as a regional services provider, following UNHCR Global and Regional Strategic objectives #1 (ensuring protection to all persons of concern to UNHCR), #2 (affirming and developing an international protection regime), #6 (developing dynamic partnerships), #7 (guaranteeing age, gender and diversity perspective into operation) and #8 (strengthening external relations), and under the framework of the Mexico Plan of Action, will continue to focus on reinforcing national bodies in charge of refugee status determination and the creation and consolidation of national and regional protection networks. Access to independent legal counselling by asylum seekers and refugees is considered key to ensure due process guarantees in any refugee status determination procedure. Furthermore, promotion of refugee law should be promoted as an important protection tool to engage universities in Latin America to include refugee law as part of their curricula, but also to grant access to education and other community services/facilities to asylum seekers and refugees. Therefore a new approach to promotion of refugee law is required and will be further developed during the period 2008-2009.

- Overall Objectives and their Links to GSOs/ RSOs

The strategic objectives for the Costa Rica operation will be consistent with the High Commissioner's Global Strategic Objectives and the Agenda for Protection. The objectives, however, are adapted to the specific regional and country context. Within the framework of the MPA, Costa Rica as part of the Colombia Situation follows the priorities and broad goals of the Americas Bureau.

The overall goal for the Costa Rica operation is to ensure protection for all persons of concern and to attain increased self-reliance for the refugee population, applying a community-based and differentiated approach in terms of age, gender and diversity mainstreaming.

The following strategic objectives are directly linked to the Costa Rica operation:

- Enhance protection of and durable solutions for, refugees and persons of concern in Latin America through the Mexico Plan of Action, mainstreaming the age and gender perspective in all activities (GSO # 1, 2,3,5,7)
- Consistent with the Mexico Plan of Action, promote and consolidate a viable resettlement programme for Latin American countries to enhance the use of resettlement as a strategic protection tool, durable solution and burden and responsibility sharing mechanism (GSO #3,5)

- Continue and, to the extent possible, expand capacity building activities in the region (RLU) particularly concerning the reinforcement of the legal and institutional framework for the protection of persons of concern to UNHCR in the Americas, through the OAS and the promotion of refugee law (GSO # 1,2,6, 7, 8);
- Strengthen External Relations and Fundraising at the country level, through a communication strategy serving and disseminating the objectives and activities throughout the Americas (Spanish Website) (GSO #8);
- Improve security arrangements applying an integrated approach that promotes the safety of staff and populations of concern (GSO #9);
- Ensure sound management of human and financial resources (GSO #10)

○ Planning Figure Table

Planning Figures²				
Population	Dec. 2006	Dec. 2007	Dec. 2008	Dec. 2009
Colombians and others	11,515	12,500	13,500	14,500
Others of concern	5,400	6,000	7,000	8,000
Total	Some 17,000	18,500	20,500	22,500

As a technical service provider, the main beneficiaries of the regional activities of UNHCR Costa Rica are: governmental officials, organizations of civil society, as well as UNHCR offices in the region. The regional activities implemented will also have an indirect impact on the different categories of population of concern to UNHCR in the Americas.

○ Partnership and Collaboration

In 2008-9 UNHCR's main implementing partner will continue to be ACAI (*Asociación de Consultores y Asesores Internacionales*), a national NGO dedicated to refugee issues through partnership with UNHCR for more than 15 years. ACAI is the key partner in provision of assistance, psychosocial support and legal counseling as well as for durable solutions. ACAI will be requested to make a shift away from assistance towards community services and income generation to effectively promote the self-reliance of the population. A further implementing partner relationship will be continued with APRODE (*Asociación de Profesionales en Desarrollo*) for the continued implementation of the micro credit programme.

Signed agreements with both the University of Costa Rica (UCR) and the Ministry of Labor will also continue during 2008-9. These agreements involve the implementation of the projects "Community Outreach Project (UCR)," and the Labor Insertion Unit (Ministry of Labor).

As part of the Cities of Solidarity component of the MPA, close connections will continue to be developed and coordinated with local and municipal governments (i.e. House of Rights in

² These planning figures should summarize Annex 3 of the 2007 COP/ROP.

Desamparados). Cooperation will also continue with UNICEF who is developing a center for alternative conflict resolution within the House of Rights. After a first contribution from the Dutch Embassy, ACAI and UNHCR will continue its fundraising efforts for the 'solidarity city' Desamparados.

To further develop relationships with refugee receiving communities and local governments, the micro credit program will also benefit an important number of national, migrant, and other "person of concern," in order to foster positive relationships with local officials and assure that development assistance spreads to both refugees and receiving communities.

In line with previous donations received by ACAI (through UNHCR interventions with the US Embassy) it is expected that the US Embassy will provide new financial support for integration programs both in 2008 and 2009. Prior embassy funds covered operational costs for child care and vocational initiatives, both of which will continue to be implemented by ACAI in 2008-9.

In terms of prevention of SGBV and HIV/Aids, partnerships will be solidified with national actors, including the National Women's Institute (INAMU), the Ombudsman's Office, IOM, Health authorities and the UNCT.

UNHCR will continue to participate within the UN country team, undertaking and supporting common initiatives including follow up to the CCA and UNDAF processes. UNHCR will also continue its participation in distinct UN thematic groups including the UN Communications Group, UNAIDS and the UN Gender Group.

Efforts to promote Solidarity Resettlement will continue to be in line with the Quito Recommendations. A fluent coordination with UNHCR colleagues in the region will be consolidated, as well as a better understanding of the specificities of the Colombian refugees in Costa Rica. Progress will continue to be made in terms of developing a close working dynamic with resettlement colleagues in Ecuador.

The Foundation Costa Rica – Canada will fully finance between 30 and 40 housing loans to refugee families as part of the 2007 Housing Loans Pilot Project. While UNHCR will create a guarantee loan fund of %5-10 of loan totals, assuming low default rates (as has been the case in Micro credit), in this way, no costs will be incurred by UNHCR. The Minister for Housing's offer to admit low-income refugee families as possible beneficiaries of state housing bonds will represent an important contribution of the Costa Rican Government to the efforts of the refugee population to achieve self-sufficiency and firmly settle locally.

For the achievement of its regional operational objective, UNHCR Costa Rica will continue to expand and consolidate strategic alliances with external actors such as the political and human rights organs of the Organization of American States, the University for Peace, regional migration fora (Puebla and Lima processes), the academia and organizations of civil society.

Regional activities planned by UNHCR Costa Rica will required an enhanced legal staffing structure and will be implemented in close coordination with the Americas Bureau. Legal and technical support will be provided under a corporate contract by a private foundation in charge of the maintenance and upgrading of the Spanish web site. However, some of the regional activities undertaken by UNHCR Costa Rica will be jointly funded by the Norwegian Refugee Council, the University for Peace, the Inter-American Court of Human Rights, and some Latin American Universities.

- Assumptions and Constraints

Assumptions

- Current trends of new Colombian asylum seekers arriving in Costa Rica will continue with an approximate monthly average of some 80 asylum claims.
- Continuance of the Colombian conflict in the short, medium term will mean repatriation continues to be mostly unfeasible, leading UNHCR Costa Rica to focus efforts on promotion of local integration and resettlement.
- Networks and strategic alliances with state and non-governmental actors will be strengthened in response to a more difficult environment for refugees in Costa Rica
- Specificity for refugees within larger migration trends will be achieved through the reestablishment of a specific refugee department at the Migration Office
- Individuals and families seeking resettlement will increase in number, especially those cases with lack of local integration opportunities.
- The reform of the migration legislation, more in accordance with the international standards, should provide a greater protection to the asylum seekers, refugees and stateless persons.
- The refugee ID document emitted by the Migration Office will become cheaper (reduced from current \$48) facilitating refugee access to quality documentation.
- Improvements will occur in RSD procedures with respect to agility and quality (with respect to 2006 and early 2007).
- UNHCR and partners will continue to approach and establish stronger bonds with municipal governments.
- Important numbers of refugees will be eligible for permanent residency, naturalization, or other changes of legal status.
- Youth and adolescents who entered the country in 2000-2002 will begin graduating from high school/universities and will have increased access to integration opportunities in Costa Rica, due to involvement in the system during recent years.
- The “New Profile” of refugees, many of Afro-Colombian origin and arriving from rural and coastal areas including: Buenaventura and Valle de Cauca, will continue forming an important percentage of recent arrivals and asylum seekers entering irregularly through Panama. UNHCR and partners will need to formulate a response to the distinct needs of this population.
- The southern border with Panama will continue to be porous and require closer monitoring by UNHCR.
- MOU signed with the political and human rights organs of the OAS continued to be further developed and implemented
- UNHCR secures a more proactive participation in regional migration fora
- Strategic alliances are consolidated with other external actors
- More financial and human resources are provided to UNHCR Costa Rica

Constraints

- The government, population, and institutions of Costa Rica will continue to recognize the rights of refugees, yet in practice; important limitations could continue to impede refugees from exercising many of these declared rights.
- Xenophobia amongst the general population, promoted by the public declarations of government officials, and spread by a sensationalist national media, could grow and continue to severely limit refugee integration possibilities.
- RSD, while improving slightly from the 2006 ‘impasse’ (with hardly any resolutions), could continue to be slow and inefficient, causing backlogs of asylum seekers who will wait for

extended periods of time without any integration prospects or access to employment – increasing dependence on UNHCR assistance.

- Fear regarding security on a national scale could continue to affect public opinion, and as a result, government policy, resulting in increasingly restrictive policies and procedures for asylum seekers. Security risks for persons of concern and staff increases.
- Overall lack of knowledge and recognition of refugees, the specificity of their situation comparative to other migrations, and their rights in Costa Rica, could continue to pose an important barrier to their accessing services and exercising rights.
- The Migration Office could continue its ongoing trend of failing to provide accurate and/or consistent statistical data regarding refugees and asylum seekers. The lack of a registration list with the totality of refugees and asylum seekers in the country could continue to make population assessments and the compilation of baseline data, extremely difficult undertakings.
- The Costa Rican consulate in Bogotá will continue to exhibit restrictive policies in terms of emitting visas for asylum seekers – possibly resulting in situations of refoulement of potential asylum-seekers who enter the country irregularly.
- Training and promotion of refugee law activities are not seen as Office’s priorities at the regional level
- Financial Resources provided by external actors continue to be limited and uncertain for regional activities

In the past years, some regional activities mainly related to training and promotion of refugee law could not be implemented either because of financial cuts, competing priorities of external actors or not being considered as priority policy issues.

- Potential for Durable Solutions and Phase Out

As voluntary repatriation is not a likely option in the short/medium term, local integration and resettlement continue to be the main durable solutions for 2008-9. Central to the development of adequate solutions will be the work of the newly formed (2007) Durable Solutions Unit comprised of programme, resettlement and community services staff.

UNHCR Costa Rica will continue to consolidate its strategy including a self-reliance focus and the use of resettlement as a protection tool. During 2008-9 the micro credit program will continue to reinforce its sustainability. New funds injections will offset high, immediate demand for credit, while levels of revolving capital and interest will continue to grow in terms of the monthly recuperation rates meaning more and more loans can be delivered from recycled capital flows. The residual effects of micro credit program growth continue to be the increased socioeconomic wellbeing of families and job creation for other refugees and nationals through the development of refugee small business. Eventual program phase out will depend on the sustainability of the revolving loan fund and continued loan demand through 2009.

UNHCR Costa Rica will continue facilitating resettlement to both traditional and emerging resettlement countries. In the process of identifying cases for resettlement, particular attention will continue to be paid to the protection needs of female refugees while securing not to create a pull factor. Based on the context observed in 2006, the Office estimates that the number of persons in need of resettlement will decrease in 2007, compared with previous years. Our planning figures are based on the assumption that in 2007 the persons in need of resettlement will be about 350. This assumption resulted from considering various elements; a) the fact that the resettlement program, in place since early 2003, has progressively resettled an important number of refugees (over 1500) which in practical terms means that there is no backlog and; b) the setback observed in the functioning of the RSD

machinery persists in the first months of 2007, resulting in less asylum seekers entering the asylum procedure therefore, less potential refugee cases for resettlement. With the current RSD scenario in place, similar trends are expected for 2008-9.

Given the harsher national environment for asylum seekers and refugees (slowdowns in RSD, increased number of “persons of concern”, increased xenophobia, etc), protection and durable solutions work will continue to be essential in the short/medium term and thus no foreseeable phase out of operations is considered at this time.

In addition, because of the capacity building focus of the functions entrusted to UNHCR Costa Rica as a technical services provider, it is not anticipated for the Office to phase out from its regional activities in the short or medium term.

- Summary Management Strategy for UNHCR

In line with Global Objective related to ‘**Improving management**’ (GSO #10) the Costa Rica operation will do its utmost to consolidate results-based management and the implementation of MSRP. To improve results-based management the Costa Rica office has volunteered to pilot the FOCUS software and is currently in the process to improve data management in the office of its main partner ACAI. The office will also make additional efforts to improve policy development, planning, reporting and evaluation.

Recently the office has seen an increase in security incidents affecting both refugees and the humanitarian aid workers in the country. The refugee population has suffered several security incidents, prompting new resettlement requests. Security management will be improved through regular contacts with the security authorities and the elaboration of a security protocol. At the same time there is an urgent need to improve security measures in the premises of UNHCR and its implementing partners, as staff has been confronted with some security incidents involving refugees. Depending on the outcome of UNHCR’s reform process the office in Costa Rica will take a decision to move from the current office premises and to find more suitable premises for a new structure.

Based on the experience gained by the office during the last and current years the operational focus on durable solutions will continue into 2008-9. The new structure of the durable solutions unit in the Costa Rica office is a multidisciplinary one which will facilitate the inclusion of a variety of technical approaches in the day by day work while accomplishing the highest standards of efficiency and integrity. This new strategy will require additional staff. The focus on durable solutions unit will be strengthened by an associate programme officer P2 (responsible for reporting and financial control of IPs) to consolidate its monitoring and evaluation role. An international UNV (in 2007 and former UNV/programme) will support the protection unit to assure a continued monitoring presence within the Migration Office as well as general support for capacity building, law reform and quality RSD processes. Furthermore, the office will continue to work with internships.

In order to be able to provide the necessary administrative support to the new Regional Hubs (Legal and Operational Support) the administrative unit will be expanded with the following posts:

- Secretary GL4, Admin/clerk GL4 and Driver GL2.

Moreover, the Administration/Finance Assistant post (GL6) will be upgraded to Senior GL7 to deal with the increased administrative workload in Costa Rica.

The structure of the Regional Operational Support Unit in Costa Rica will be defined in Geneva and depends on the outcome of the reform process. Both this Operational Support Unit and the Regional Legal Unit will be supervised by the Deputy Director post of the Americas Bureau.

The Regional Legal Unit, providing technical services throughout the Americas, is currently composed of one Senior Legal Officer (NOD) and an Associate Legal Officer (NOB). In order to achieve its regional goals, it is anticipated that an enhanced structure is required for the period 2008-2009 through the creation of three new posts: a Legal/Protection Officer (P3), a second Assistant Protection Officer (NOA) and a legal assistant/clerk (GS4). Because of the regional scope of some of the functions entrusted to UNHCR Costa Rica, traveling costs to attend and participate in regional activities have been contemplated as well as the proportionate administrative costs in terms of telephone, office supplies and rental of premises.