

2-12-2004

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Recommended Citation

LADB Staff. "Costa Rica Cracks Down On Resident Nicaraguan Workers." (2004). <https://digitalrepository.unm.edu/noticen/9168>

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Costa Rica Cracks Down On Resident Nicaraguan Workers

by LADB Staff

Category/Department: Costa Rica

Published: 2004-02-12

Hundreds of Costa Rican police descended on a Nicaraguan community in the Costa Rican capital and arrested at least 192 people. At about 5:30 in the morning on Jan. 30, some 300 police burst into Ciudadela La Carpio in La Uruca, San Jose, a community of 35,000, rousting the Nica immigrant population and demanding to see residency documents.

People unable to produce the papers, along with many who had documents, were loaded onto buses and taken to a processing area near the Parque Nacional de Diversiones. Once there, many were let go after inspection, but more than 600 had to wait hours while officials of Migracion y Extranjeria verified their status. The net haul for the operation was 19 people held on outstanding warrants, and 173 held because of migratory irregularities. Of those last, deportation proceedings were initiated for 22, another 51 were given five days to get their papers in order, and the rest were subjected to further verification.

This was to be just the beginning, Minister of Public Security Rogelio Ramos told the media; other such operations would soon be taking place throughout the country. La Carpio was chosen to begin with because it was a high-crime area. Ramos cited crime figures for last year, 260 domestic-violence cases, robbery and assault cases, and complaints that there were gangs operating. Ramos gave assurances that the blitz was undertaken with civility and professionalism, that no one was mistreated, and that strict adherence to the law governed the arrests.

This was insufficient for the Catholic Church and several human rights groups, which quickly petitioned the Defensor de Habitantes, Jose Manuel Echandi, to investigate the possibility of human rights violations. The Nicaraguan Embassy in San Jose sent out personnel to look after the detainees. The bust soon developed into a high-level international incident involving presidential phone calls.

Costa Rican President Abel Pacheco said he had spoken with Nicaraguan President Enrique Bolanos and told him the police "did not violate any human rights. They did not enter one home. They cordially asked for people to present their documents."

Not so cordial Nicaraguan Ambassador to Costa Rica Nestor Membreno soon contradicted Pacheco and asked for an "exhaustive" investigation. "There is video that shows that, in reality, they did not proceed in the correct manner," he said. Seizing upon Membreno's words as evidence of evidence, Costa Rican Immigration Director Marco Badilla told the Tico Times that "the very fact that the national press was allowed to be present during the operation and videotape it should serve as proof that police acted according to the law." He also said that only 15 of the 350 cops involved in the raid were from Immigration. "What we did was not a raid," he said. "It was a verification sweep conducted by immigration police, permitted by law." Ramos also said La Carpio was among the ten most violence-prone communities in the country, and one of the reasons for the raid was a massacre two weeks ago during which a Nicaraguan killed his wife and children and himself.

Clearly highlighting Nicaraguans as a police problem, the Public Security Ministry's statement on the killing in La Carpio stressed, "Of the 245 incidents of domestic violence handled by police, 156 involved Nicaraguans. Of the 86 incidents handled involving disobedience of restraining orders, 43 of those cases involved aggressors of that nationality." Membreno saw in this a warning to Nicas, "to instill, it seems to me, a type of fear among the people so they won't believe things are so good here and won't continue coming." He added that his government was looking for a way to work with Costa Rican authorities to avoid "this type of raid," but it was clear from earlier statements from Badilla that the Costa Ricans were concerned their immigrant population would become unmanageable within six years.

More recently, the immigration chief said he was counting on legislation now before the Asamblea Nacional. One bill would criminalize trafficking in humans and punish employers of undocumented workers with significant fines. Another would raise monthly income requirements for retired foreign residents from US\$600 to US\$3,000 and for foreign investors from US\$1,000 to US\$6,000 (see NotiCen, 2003-02-27). The latter bill will likely not come up in this year's session, but Badilla was clear on the concept. "We don't want people in Costa Rica who bring in so little money," he said for publication.

In the meantime, he said after the La Carpio sweep, this kind of activity will be "more substantial than ever before." Nicas fill the same niche in Costa Rica that Central Americans and other Latinos fill in the US; they do the work that citizens refuse to do. They are agricultural workers, domestics, security guards, and construction workers. They are simultaneously welcomed and shunned, lately more the latter. Although a passport is needed for Nicas to enter Costa Rica, usually just a cedula, or internal residency document will do. But between Dec. 17 and Jan. 6, in what Badilla called "very drastic measures," 6,631 people bearing cedula were denied entry.

The Public Security Ministry says there are somewhere between 500,000 and 700,000 Nicaraguans in the country, and they account for as much as 76% of the country's immigrant population. In Nicaragua, officials agree that these are drastic measures, and they have not accepted Tico protestations that there were no violations of their nationals' human rights.

President of the Comision de Derechos Humanos de la Asamblea Nacional Maria Auxiliadora Aleman said consular officials had informed her that Nicaraguans had been dislocated, in itself a violation, and that they had been physically harmed. She said a delegation would travel to Costa Rica to look into the situation in La Carpio, a community described in the local press as "like finding yourself in any settlement in Managua, with the difference that they have lights, water, and even telephones.

Eight hundred Nicaraguan families live there with the same evils as the Nicaragua poor: they have no titles to property and live under the threat of natural disasters, sicknesses, and a crime problem that would make anyone's hair stand on end." Despite the Nicaraguan show of indignation at the treatment of their compatriots, Costa Rica appears prepared to keep up the pressure. President Pacheco said, "Nicaragua has a right to inquire if its nationals in Costa Rica are affected by the rigorous application of the law in this country in the same way that Costa Rica has the right to impose order in areas like migration."

Commenting on the day after the Nica delegation arrived to meet with Costa Rican officials, he was careful to deny any damage to relations because of the issue and emphasized, "We continue being brothers and sisters." The delegation came to no firm conclusions. Fonseca told the press on Feb. 10, "We will continue looking after the rights of Nicaraguans in Costa Rica." Others in the delegation said they would continue to monitor the situation. In La Carpio, Isabel Cantillano, a 34-year-old mother of six, told a reporter, "We came from El Sauce because there was no work. Here at least the kids eat." "Somehow or other, we just have to survive," added neighbor Cesar Orozco.

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