



MINISTRY OF PUBLIC SAFETY



PROTOCOL FOR THE DETECTION AND REFERRAL OF POSSIBLE HUMAN TRAFFICKING SITUATIONS



Credits

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ABBREVIATIONS AND ACRONYMS

Conatt:	National Coalition Against the Smuggling of Migrants and Trafficking in Persons
ERI:	Conatt's Immediate Response Team
Ilanud:	United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders
Inamu:	National Women's Institute
Law against Trafficking in Persons:	Law against Trafficking in Persons and Creation of the National Coalition against the Smuggling of Migrants and Trafficking in Persons, No. 9095.
Protection Act to the Victim:	Law for the protection of victims, witnesses and other parties involved in criminal proceedings, amendments and additions to the Code of Criminal Procedure and the Criminal Code, No. 8720.
MSP:	Ministry of Public Security
PANI:	National Child Welfare Agency
IOM:	International Organization for Migration

GLOSSARY

Organized and transnational crime: includes serious criminal acts of an international nature perpetrated for profit and involving more than one country (UNODC, S.F).

Exploitation: is the obtaining by one or more persons of an economic or other type of benefit through the subjugation of one or more persons, using various means such as force, threat or deception to make them perform acts that harm or nullify their rights.

Myth: situation or thing to which judgments or characteristics that it does not have are attributed.

Revictimization: Refers to victimization that occurs as a result of the response of institutions and individuals to the victim and not properly that which occurs with the criminal act (UNODC, 1999).

Social vulnerability: social, cultural, economic, political and personal situations that place people in conditions of greater risk of violation of their human rights (Regional Conference on Migration, 2018).

PRESENTATION

Ehe crime of human trafficking has existed for a long time, it has been present worldwide, and in Costa Rica we have also known its activity, this crime has been addressed in greater depth in recent decades by different public institutions, particularly since the enactment of Law 9095 in October 2012, which establishes the National Coalition Against the Smuggling of Migrants and Trafficking in Persons (CONATT), which creates the necessary structure and determines the source of economic resources for institutions to prevent and care for victims, as well as the power to conduct investigations to punish the traffickers responsible. It is still a crime that is little identified by the population and is sometimes confused with the international trafficking of migrants, pimping or labor exploitation, but as a result of national efforts to combat it, it has become more visible. more and more every day.

Human trafficking is a highly lucrative criminal activity, which consists of turning the victim into an object to be traded or exploited in different ways without his or her consent and without receiving any remuneration. It is often compared to a form of modern slavery because of the seriousness of the human rights violations it entails. Human trafficking affects both foreigners and nationals within the country, but also Costa Ricans outside our borders.

It is essential to continue strengthening the national prevention strategy with an inter-institutional approach, as well as to reinforce police work at the level of technical capacities and the respective sensitization in a joint and articulated manner to identify, stop and prosecute this human scourge. The presence of the police forces attached to the Ministry of Public Security throughout the national territory, makes them the first instance of this problem.

The Ministry of Public Security's Protocol for the Detection and Referral of Possible Situations of Human Trafficking is a useful and necessary tool for police work in combating this scourge. In this sense, this *Protocol for the Detection and Referral of Possible Situations of Human Trafficking* of the Ministry of Public Security is a useful and necessary tool for police work in combating this scourge.

I am grateful for the interest and technical support of the Office of the Deputy Prosecutor against Trafficking in Persons and Smuggling of Migrants, as well as the International Organization for Migration (IOM) and the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders (ILANUD) for their technical and financial support for the preparation of this document.



Carlos Andrés Torres Salas
Vice Minister of Public Security

INTRODUCTION

Ehis protocol updates the *Protocol for the Detection and Referral of Child and Adolescent Victims of Trafficking of the Ministry of Public Safety and Security*.

is configured as an operational tool for the different police forces attached to the Ministry of Public Security, namely the Public Force, the Air Surveillance Service, the National Coast Guard, the Border Police, the National Police Academy and the Drug Control Police. It also serves as a guide for all officials of the different departments of this Ministry.

This document provides the theoretical basis for identifying possible situations of trafficking in persons, allows to know the particularities of this complex crime in order to define the actions to be taken by the police authorities, so that the first response provided is effective and allows the timely prosecution of the crime. This, in compliance with the national and international regulatory framework that regulates the matter.

Police authorities, on many occasions, are the ones who have the first contact with these situations due to their work in the different communities. For this reason, it is essential to have a proper understanding of the ways in which this crime operates, its modalities and the actions that should be taken by personnel when they identify a possible case of human trafficking.

Knowing and understanding the crime of human trafficking is important for all police forces, since there are institutional responsibilities in the approach and care of victims/survivors of human trafficking. This understanding will allow the Ministry's personnel to correctly and effectively use the different resources available to the State to address this crime and provide quality care, focused on protecting and guaranteeing the human rights of the victims.

This document was prepared by staff of the Ministry of Public Security from the departments of Police Legal Advice, Plans and Operations of the Public Force, the Directorate of Preventive Police Programs, the National Police Academy and the Border Police; it also had the technical support of the Deputy Prosecutor's Office against Trafficking in Persons, the National Police Academy and the Border Police.

Persons and Smuggling of Migrants of the Public Prosecutor's Office and the Technical Secretariat of the National Coalition Against the Smuggling of Migrants and Trafficking in Persons (Conatt). This update is part of a process of consultancy and technical assistance; product of inter-agency work between the International Organization for Migration and the United Nations Latin American Institute for the Prevention of Crime and the Treatment of Offenders.

CHAPTER I

WHAT IS HUMAN TRAFFICKING?

A. Definition

Human trafficking constitutes a serious violation of human rights, involving subjugation, exploitation, as well as - in many cases - taking advantage of a person's situation of vulnerability or state of need. In this activity, the person is reduced to an "object" or "thing" of commerce, to whom the rules of supply and demand apply. It is the exploitation of the person by the person, in which one of them obtains an economic benefit or of another nature, at the expense of the dignity and integrity of the other.

Exploitation: is the obtaining, by one or more persons, of an economic or other type of benefit, through the subjugation of one or more persons using different means such as force, threat or deception so that the person(s) perform acts that harm or nullify their rights. Exploitation can be developed for multiple purposes, the most recognized when talking about human trafficking are those involving **sexual or labor purposes**; however, **these are not the only ones**.

Not all cases of human trafficking in Costa Rica are for sexual or labor exploitation, but there are a number of other purposes such as forced begging, forced abortion, among others.



Likewise, legally, human trafficking constitutes a crime at national and international level and is defined by the United Nations as a transnational organized crime¹. However, even with this categorization, human trafficking does not always have the characteristics of an organized and transnational crime².

In the case of Costa Rica, in recent years, there has been a predominance of domestic trafficking cases, in which only one person is involved as the trafficker. This is typified in the Penal Code in article 172.

Human trafficking constitutes a serious violation of human dignity. Therefore, at the international level, 178 States have ratified the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially women and children, also known as the Palermo Protocol, 2000, which complements the United Nations Convention against Transnational Organized Crime. This instrument of international criminal law, when ratified by Costa Rica, is integrated into the Costa Rican legal framework; therefore, the provisions of this protocol are binding. In it, human trafficking is defined as:

"(...) the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.



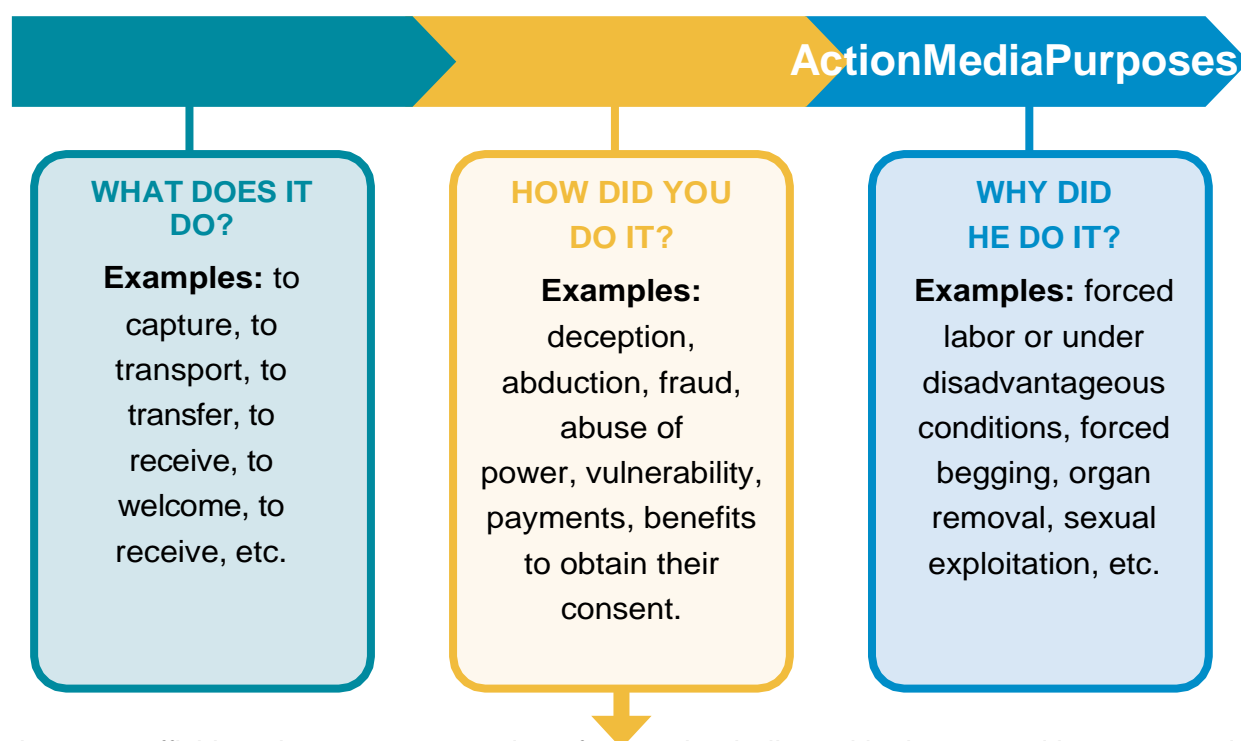
Such exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs (...)" (Article 3).

1 United Nations Convention against Transnational Organized Crime.

Available at: <https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-s.pdf>

2 See definitions of organized and transnational crime in the glossary, p 9.

First of all, it should be understood that the objective of trafficking is the exploitation of the person for multiple purposes, such as organ trafficking, forced labor, sexual exploitation, forced begging, among others. To this end, the perpetrator carries out actions such as recruiting, transferring, transporting and harboring the victim, using as means or modes of execution their situation of vulnerability, deception, violence, intimidation or others, to subject them to their objective: **exploitation**. In summary, the generic definition of human trafficking can be divided as follows:



In human trafficking, the means or modes of execution indicated in the second box are used to obtain the victim's consent. For this reason, although in some cases the victim apparently consents to the situation during the process, this consent is flawed and this does not exempt the trafficker from criminal liability; rather, it constitutes the crime of trafficking in adult persons. This means that, for example, when consent is obtained through abuse of a situation of vulnerability, deception or the supply of drugs, such consent is not valid to exempt the trafficker from criminal liability.



In the case of persons under 18 years of age, the use of means or ways to obtain their consent is irrelevant to determine that a case of trafficking in persons is involved.

This is very important because, depending on the cultural reality of the minor, we could be facing situations of human trafficking in normalized practices. For example, when in a rural community a child or adolescent is sent to work in a house or farm in exchange for food, thus affecting his or her safety, protection, right to study and, in general, his or her development.

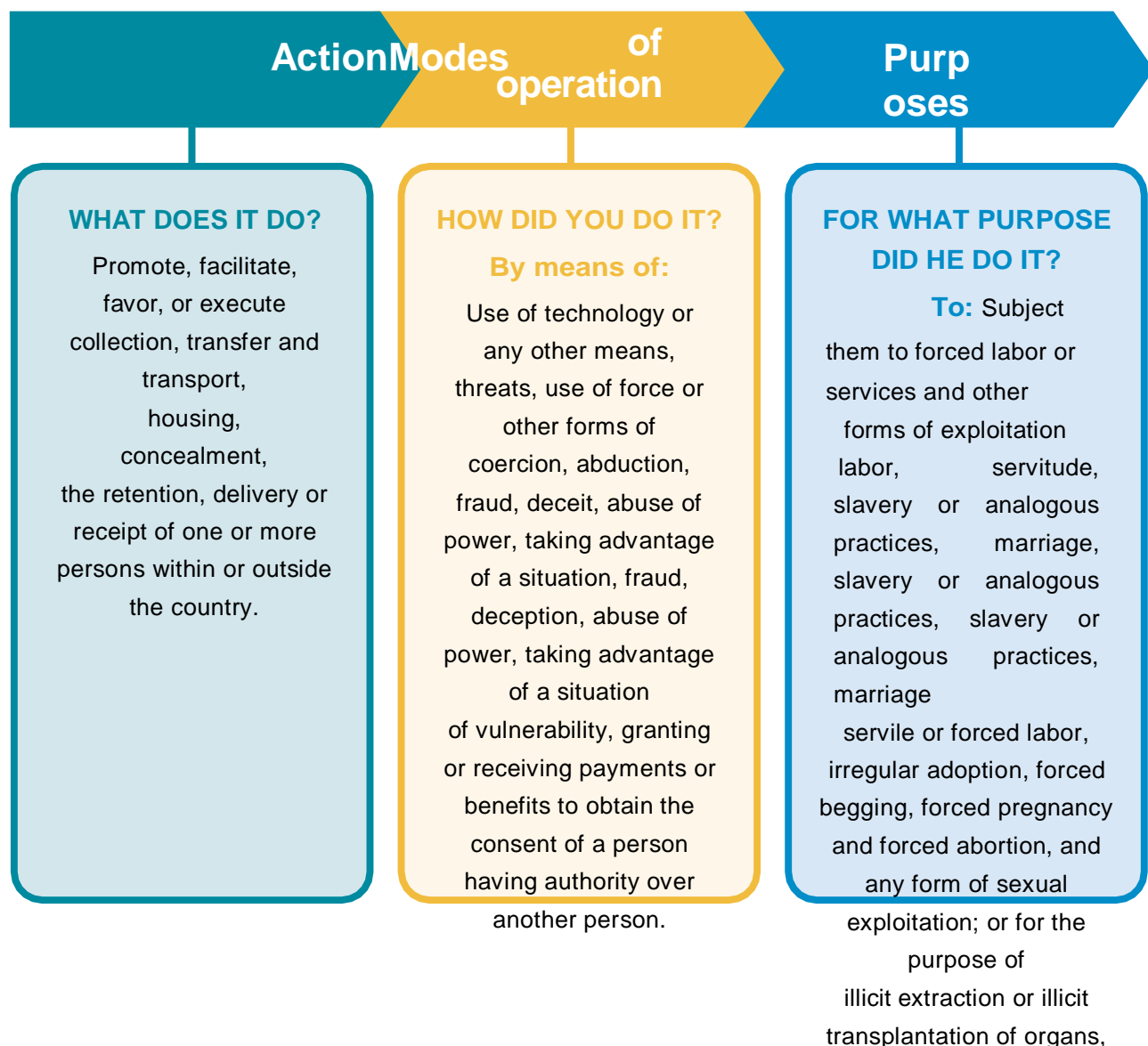
Finally, human trafficking represents a serious violation of the human rights of the victim and his or her fundamental rights -which are established in the Political Constitution-, since the acts constituting human trafficking violate guarantees such as the right to a life free from slavery, freedom of movement, free choice of work under effective and satisfactory conditions, the right to rest and the right to an adequate standard of living, among others.

The eradication of human trafficking is of utmost importance for sustainable development, which is why the 2030 Agenda, approved by the United Nations General Assembly at its sixty-ninth session, proposes the elimination of human trafficking among its goals to achieve goals 3, 5, 8, 8, 10 and 16, which refer respectively to healthy lives, gender equality, the promotion of sustained, inclusive and sustainable economic growth, decent work, the reduction of inequality and the promotion of peaceful and inclusive societies.

B. Human trafficking in Costa Rica

Costa Rica has progressively and proactively carried out a series of actions and created mechanisms for a comprehensive approach to human trafficking. These range from actions such as the criminalization of the crime, to the creation of an organized inter-institutional structure to improve the prevention, detection, attention, investigation and punishment of the crime, such as the National Coalition against the Smuggling of Migrants and Trafficking in Persons.

Thus, Article 172 of the Penal Code establishes the crime of trafficking in persons, with penalties ranging from 6 to 16 years of imprisonment for those who engage in the conduct described in said provision. The following is a summary of the criminal offense in terms similar to the above outline:



tissues, cells or

fluids.

Next, an analysis of the definition contained in article 172 of the Penal Code will be developed, in which the terms in which the definition is broken down will be explained:

Guiding verbs: In the criminal offense of trafficking in persons in Costa Rica there are four guiding verbs, which are "to promote, facilitate, favor or execute". These are carried out through the following actions: recruitment, transfer, transportation, lodging, concealment, retention, delivery or reception of one or more persons inside or outside the country. These actions comprise the different stages, trafficking in persons and the participation of different actors. The stages are as follows:



- **Recruitment:** consists of attracting victims. The means may be diverse, such as the use of technologies, kidnapping, deceptive offers of work, study, better living conditions, etc. It can even be partially misleading, in the sense of indicating the activity to which the person will be dedicated, but not the conditions in which this activity will be developed or describing conditions that are not those that finally arise.



- **Transport or transfer:** the victim may be taken to the place where the exploitation will take place; although, not in all cases of trafficking, the transfer or transport of the victim takes place; it may happen or start in the victim's own home. Transportation may be forced or tricked. It may or may not include crossing borders and may even involve uprooting, although this does not occur in all cases.

t Violence or exploitation may begin during transportation; many victims are beaten, raped or threatened in multiple ways and subjected to cruel treatment in order to break their will. If border crossing occurs, this border crossing may happen legally or illegally, although **human trafficking does not always involve border crossing.**



- **Receive, deliver, lodge, harbor, conceal or retain:** occurs upon arrival at the place of destination, where the exploitation takes place.

- t Internal trafficking:** victims are recruited, transferred or exploited in the country where they are nationals or residents. It may take place in the victim's own home or in another province. This is the most frequently detected and investigated in Costa Rica.
- t International trafficking:** victims are recruited in their country of nationality or residence and are transferred to another country, where they will be exploited. This transfer can be by legal or illegal means.

Regardless of whether trafficking in persons is internal or international, it may involve one person or several persons.

Accordingly, trafficking is a process that may involve three different places: the place of origin, transit and destination. In transnational trafficking, each of these places may correspond to two or more different countries.

Two main subjects are identified in this activity:

Dealer(s):

is the person or persons who carry out the governing verbs; that is, those who commit the activity of trafficking in persons.

Victim of trafficking:

is the person or persons upon whom the actions of the perpetrator of trafficking in persons are directed.



REMEMBER

Governing verbs:

Promoting, facilitating, favoring or executing the recruitment, transfer, transportation, harboring, concealment, retention, delivery or reception of one or more persons within or outside the country.

The purposes of trafficking are the various objectives for which the activity is carried out. The Penal Code in Article 172 currently contains the following purposes:



Forced labor or services and other forms of labor exploitation:

Work or service imposed on a person contrary to his or her will, for less pay than the work performed or for no remuneration at all.



Easements:

Performance of acts, work or rendering of services with the use of deception, threat or other forms of violence, under the subjection or dependence of another person.



Slavery or similar practices:

A situation or condition in which a person lacks freedom and rights because he or she is subject to the will and dominion of another person.



Servile or forced marriage

It occurs when a person is given or promised in marriage by another person without having the right to oppose, it is given in exchange for money or species. It also occurs when a person is subjected to expounding after marriage.



Irregular adoption:

Adoption of a person without following the procedure established in the Family Code, either through the judicial process, in the case of minors, or through a notary, complying with a series of requirements in the case of adults.



**Forced
begging:**

Forcing a person to ask for money or some material resource.



**Forced
pregnancy:**

Promoting, facilitating or performing the pregnancy of a woman for the purpose of financial gain or the sale of the product of pregnancy.



**Forced
abortion:**

Termination of pregnancy without the consent of the pregnant woman.



**Sexual exploitation
in any form:**

It is the subjection of a person to the performance of sexual practices with or without remuneration, by means of deception, violence or manipulation.



**Illicit extraction or
illicit
transplantation of
organs, tissues,
cells or fluids:**

Subtraction of human organs, tissues, cells or fluids without applying established medical and legal procedures.

It is important to know the definition of the purposes of trafficking in persons and the ways in which the crime operates, since this can make a difference in the actions of police forces.

C. Cases

In order to understand some of the details of the definition explained above, two examples taken from real cases of human trafficking in Costa Rica are presented:

Case 1

Mario is a 32-year-old man who lives on the streets and informally takes care of cars on Avenue 10. One morning a man named Andrés passes by and offers him a job with him in a construction site. He tells him that he will give him food, lodging and the construction job. Andres puts him in a car and takes him to a house where he gives him a room. He also gives him clothes and asks him to take a bath. Later, while he is locked in the room, he is asked to put a bag of drugs in his anus and to be sent to a penitentiary. Mario refuses.

A few hours later Andres brings Jairo, who beats him and between them they open his legs to force the drug into his anus. After this test, they remove the bag with the drug from his body and leave the room where Mario is locked up. Mario is left in the room hurt and does not know what to do, as he is afraid of being killed. On the third day, Andres and Jairo enter the room again and forcefully introduce a bag with drugs in Mario's private parts and tell him that they are going to take him that same day to a penitentiary to deliver the drugs. They threaten to kill him if he does not do so and take him all the way with a gun pointed at him. They tell him that if he escapes, they will shoot him.



When Mario gets out of the car where he was threatened and enters the penitentiary, he informs the Penitentiary Police of what is happening and asks them for help. Immediately, the authorities detain the traffickers and proceed to apply the corresponding protocol.

This is an example of internal trafficking, because the victim is exploited in the country where he/she is a national or resident. In addition, this is a case of trafficking in persons in the form of forced labor or services, because the person is forced and was forced to perform illicit activities (the introduction of illegal drugs into a prison).

Case 2

Mariana meets Franco in the Dominican Republic, where they are both nationals. She is having difficulty paying for college, so Franco offers her to go with him and other friends to work in Panama. After arriving in Panama, Franco tells her that what he has for her are sex jobs, so she gets scared and feels disappointed, although she feels committed because Franco had paid all her travel expenses to Panama.

Subsequently, Franco tells her that he wants to make a journey to work in the United States, so they must first enter Costa Rica illegally. There Franco takes her to Parque Morazán to work on a street corner and, at the end, forces her to give him the money received, without giving anything back to her.

Mariana manages to escape saying that she is going to meet a client; however, she asks a friend for help. She tries to recover her belongings, but Franco refuses, stating that she has to pay the investment he made in her through sex work. Mariana calls 9-1-1 for help.



The above is an example of international trafficking, because the recruitment occurs in the victim's country of origin, while the exploitation occurs in a second and third country. The purpose of trafficking in this case is forced prostitution.



D. Some myths and realities about trafficking in persons

Human trafficking is a complex crime that is difficult to detect. There is a lack of knowledge about what human trafficking is. As a result, a series of myths about this crime and stereotypes about the victims of trafficking have been created on the social scale. Some of these myths and stereotypes are mentioned and explained below:

	MITOREALITY
<p>Trafficking in persons and smuggling of migrants are the same thing</p> 	<p>They are two different crimes. The purpose of human trafficking is to exploit the victims. The purpose of migrant smuggling is to obtain economic benefit from the facilitation of illegal entry or exit to a country. Trafficking can occur internally; in smuggling there is always a possible exit from the country.</p>
<p>Trafficking is the same as commercial sexual exploitation.</p> 	<p>Although human trafficking may sometimes be for the purpose of sexual exploitation, not all cases of human trafficking are for sexual exploitation: there are other purposes such as labor exploitation, illicit organ removal or transplantation, and irregular adoption, for example. In addition, for sexual exploitation to be legally human trafficking, it requires all three elements of the definition, i.e., action, means and ends.</p>
<p>Trafficking only happens to people who are very needy or who have a high level of education</p>  <p>very low</p> <p>WIN €5.000.000,00</p>	<p>Although it is true that human trafficking is generally related to a situation of vulnerability, any person can be a victim of trafficking. There are different modalities, and therefore, any person can be a victim. People can be recruited by deception</p> <p>to carry out an activity or study and then end up in a situation of exploitation.</p>

MITOREALITY

Trafficking victims are always forced to engage in exploitative activity through physical violence and kidnapping



Trafficking victims find themselves in very different conditions. There are some victims who are tied up, beaten and locked up in a place, as shown on television. That may be one type of victimizer, but there are victimizers who handle things very differently. The forms of coercion of traffickers are diverse. There are victims who are being exploited in open and crowded places, as in the case of forced begging. Victims have different ways of operating. There are other pressure mechanisms used by traffickers; for example, threats against their lives or those of their families or debt, among others.

Victims do not feel they are victims and therefore do not want to be victims. and there is no obligation to do so



Human trafficking situations are very complex and, on many occasions, victims are convinced by their traffickers that they are not victims and that they are being trafficked.

favor. Decent work and freedom from violence or exploitation are rights, and therefore there is an inescapable duty of the State and society to guarantee them. It will be necessary to apply specialized treatment in order to break the cycle of violence.

He or she is to blame! He/she brought this on him/herself. No one has her/him exercising sex work



Sometimes it is believed that the person asked for it by appealing to his or her situation of vulnerability, thus validating victim blaming when the victim is a person who does not behave as expected or who has an identity that is not accepted. Staff must be very empathetic and understand that trafficking inherently involves a situation of vulnerability that is beyond the victim's control.

MYTH	REALITY
<p>They should behave better with the authority and be thankful that they are being paid attention to.</p> 	<p>When entering places where victims of trafficking are found, it is important to be aware of the possibility that they may not be in their normal capacities. They have high levels of anxiety and sometimes present some particular situations such as being drugged, alcoholic or facing depression or anxiety, among other conditions. Failure to provide a humanized and empathetic treatment exacerbates other potential victims who are around. This results in a poor handling of the situation.</p>
<p>He/she knew what he/she was coming for when he/she brought to work here, you can't complain</p> 	<p>Labor exploitation is one of the purposes of human trafficking, sometimes it can be considered that the person is performing a job; however, the conditions are not the regular conditions of a job or conditions allowed in the country and are not those that were initially offered. The person does not have the possibility of resigning or getting out of this situation.</p>
<p>Trafficking in persons does not occur in Costa Rica</p> 	<p>Human trafficking occurs in all countries of the world and Costa Rica does not escape this reality. For the period from the beginning of 2014 to September 2017, 91 cases of human trafficking were registered; of which, from January 2016 to September 2017, 29 people were criminally prosecuted.</p>

MITOREALITY

Trafficking, being an organized crime, does not correspond to the Administrative Police; it is an investigative crime that must be dealt with only by the Public Prosecutor's Office or Immigration.



Human trafficking is a crime of public action, and the administrative police that make up the different police forces are responsible for dealing with situations of human trafficking, especially because on many occasions they are the authorities of first contact with the victims. Likewise, not all cases of human trafficking are characterized as organized crime.

Human trafficking only occurs internationally, the victims are always foreigners.



Human trafficking can be transnational or internal. In the latter, there is no border crossing, but the exploitation occurs in Costa Rica to victims captured in the national territory, who may be Costa Ricans or foreigners. In international trafficking, the victims are also Costa Rican nationals in other countries.

E. The response of the Costa Rican government

There are currently a number of very important tools for a comprehensive approach to human trafficking, which have been progressively developed. Some of them are presented below:

Action / Law	Relevance
Anti-Trafficking in Persons Law and Creation of the Coalition National Anti-Smuggling of Migrants and Trafficking in Persons (Conatt), Law 9095.	It contains a series of tools for a comprehensive approach to the crime of trafficking in persons, some of which are outlined in this section.
National Coalition Against the Smuggling of Migrants and Trafficking in Persons (Conatt)	Created in 2005 by executive decree and elevated to the rank of law by Law 9095, it is a collegiate body responsible for the promotion, formulation, implementation, monitoring and evaluation of national, regional and local public policies for the prevention of smuggling of migrants and trafficking in persons, the care and protection of victims, and the prosecution and punishment of those responsible. It is composed of 21 state institutions that work in a coordinated manner and by a series of technical commissions. Among the institutions involved is the Ministry of Public Security.
National Fund against Trafficking in Persons	Created by Law 9095. Fund whose sole purpose is to finance administrative and operational expenses for the prevention, investigation, prosecution and detection of the crime of trafficking in persons.

Action / Law	Relevance
Immediate Response Team (ERI)	It is a specialized inter-institutional body under the coordination of the Technical Secretariat of Conatt. Its objective is to activate primary care measures for victims of human trafficking and their dependents. The General Directorate of the Public Force of the Ministry of Public Security is part of this team.
Deputy Prosecutor's Office against Trafficking in Persons and Smuggling of Migrants (Factra)	Specialized and leading prosecutor's office for human trafficking in Costa Rica, with jurisdiction throughout the national territory.
National policy for the prevention and comprehensive fight against trafficking in persons and related activities.	Created by Law 9095, it contains the strategic actions for the prevention and integral fight against human trafficking and its related activities, as well as the attention and protection of its victims as part of the State's preventive and punitive criminal policy. This is implemented by the institutions that make up the Conatt.
Law for the Protection of Victims and Witnesses and other Subjects Participants in Criminal Proceedings	It establishes the specific rules for the protection of victims of the crime of trafficking in persons. In addition, this law states that it is incumbent upon the Office of Attention to Victims of Crime of the Public Prosecutor's Office to organize and administer a protection program in order to guarantee the life, physical integrity, liberty and security of the person under protection.

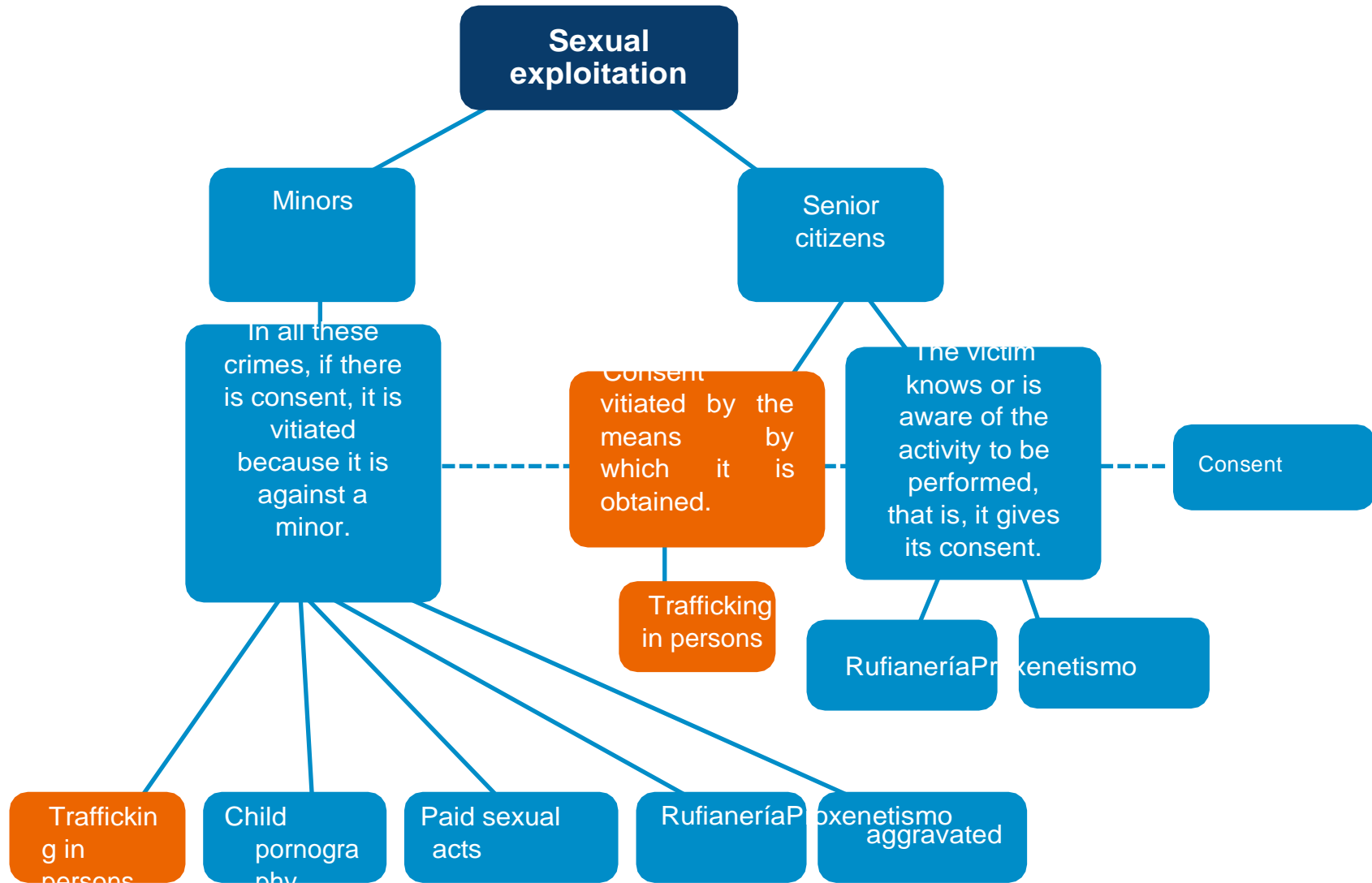
F. Difference between sexual exploitation and trafficking for the purpose of sexual exploitation

In Costa Rica there are several criminal offenses related to sexual exploitation. It is important to be clear about the difference between sexual exploitation and trafficking for the purpose of sexual exploitation. Certainly, sexual exploitation is a broad concept that includes, among others: pimping, pimping, trafficking in the form of sexual exploitation or servile or forced marriage and remunerated sexual acts.

In summary, the core of the discrepancy between cases of human trafficking for sexual exploitation and other crimes of sexual exploitation lies in the **means** that are used to obtain the consent of the victims.



The following is a diagram that graphically explains what is highlighted in the previous paragraph:



* The victim does not know or is unaware of the activity, and gives consent by means of threat, use of force or other forms of coercion, abduction, fraud, deception, abuse of power, a situation of vulnerability, the granting or receipt of payments or benefits; when these exist, the consent is vitiated, and therefore, it is not valid (art 172, Penal Code).

G. Difference between trafficking in persons and smuggling of migrants

The purpose of smuggling of migrants is to obtain economic benefit from the facilitation of illegal entry or exit to a country; this is what is commonly known as "coyotaje", as opposed to human trafficking, the purpose of which is the exploitation of the person. Trafficking can occur internally; in trafficking there is always a border crossing. Smuggling is oriented to illegal border crossing, while trafficking is focused on exploiting a person for the benefit of others.

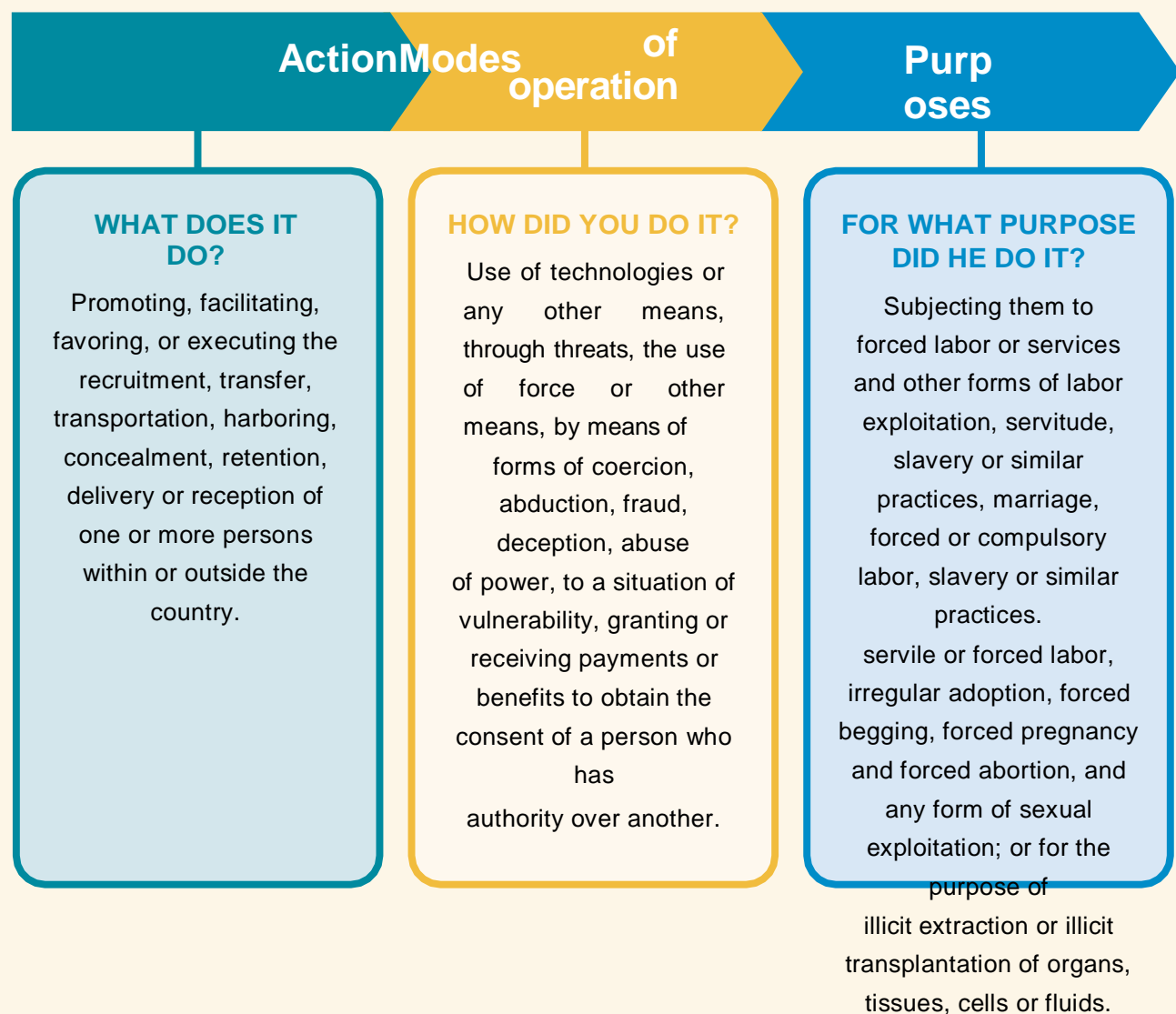
In addition, the crime of smuggling of migrants does not define the figure of victim as in the crime of trafficking in persons because, since it is an activity for which the migrant pays to be transported from one country to another, it refers to persons who are the object of the smuggling of migrants.



Summary Chapter I

Human trafficking involves the exploitation of the victim by the trafficker, in which one of them obtains a benefit, which may be economic or of another nature, to the detriment of the dignity and integrity of the other. In this activity, the person is reduced to an "object" or "thing" of commerce subject to exploitation for the different purposes established in the criminal offense.

In the Costa Rican Penal Code, trafficking in persons is typified in article 172, the criminal type could be broken down as follows:



With regard to persons under 18 years of age, the use or not of the means indicated is irrelevant to determine that one is facing the crime of trafficking in persons. Therefore, as long as the action is carried out and the purpose (exploitation) is identified, the situation will be considered trafficking in persons.

CHAPTER II

APPROACHES AND GUIDING PRINCIPLES IN ADDRESSING TRAFFICKING IN PERSONS

Human trafficking is a criminal activity that is based on taking advantage of people's vulnerability, on the exploitation of human beings by stripping them of their human dignity and constitutes a serious violation of human rights. Therefore, it requires a specialized approach to guarantee the protection of human dignity and the integrity of the survivors.

In addition to the administrative and procedural principles that govern the actions of public officials and justice operators, both in possible cases and in confirmed situations of human trafficking, a series of approaches and principles should be followed that serve as a guide for institutional action in the detection, referral and support provided by the different police forces in all situations that could constitute human trafficking.

Although it is true that anyone can be a victim of human trafficking, there are risk factors arising from the social inequality that prevails worldwide, which increase the risk of being a victim of this crime, so that the attention and approach to potential victims must be sensitive to social inequality and apply the principle of equality to provide humane and dignified treatment. In migration, there are factors of expulsion of people (Torres, 2016) such as poverty, marginalization, lack of employment and violence, as well as factors of attraction such as job stability, education, absence of war or conflict, among others.

In the approach to people suspected of being victims of trafficking, it is necessary to recognize that these - in some cases - have complex life histories, either as a result of the situation in which they find themselves or because of their condition prior to being trafficked, due to various situations of social vulnerability. Therefore, it is recognized that, in addition to the particular reality of each person, there are structural conditions that expose to a greater risk of being a victim of this phenomenon (United Nations, 2014). Certainly, gender is a determining factor in the recruitment of men, women, boys, girls and adolescents. Thus, gender inequality and gender-based violence create situations of vulnerability for women and people of diverse gender identity.

Particularly in Latin America, due to the situation of structural violence against women that is a product of the dominant patriarchal culture, women are exposed to migrate in an unsafe way(s) or to be lured by particular forms of deception and with this they are more exposed to human trafficking (Torres, 2016).

Likewise, depending on the purpose of human trafficking, the level of vulnerability is different; for example, because machismo turns women into objects. The condition of being a woman in a patriarchal social structure such as the Costa Rican one makes them more vulnerable to being a victim of human trafficking for the purpose of sexual exploitation, even to a greater degree if they are trans women (UNODC, 2020).

What is structural violence?

This occurs as a result of a series of social conditions that limit access to and enjoyment of rights by some individuals or population groups. In the case of women
In Latin America, certain cultural and social conceptions of being a woman perpetuate social inequality and normalize violence against women.





Currently, according to data from the United Nations Office on Drugs and Crime (UNODC, 2020), at the global level, traffickers take advantage of pre-existing vulnerability factors in the victims of human trafficking, such as economic need, which is the determining and incident factor in 51% of the cases, the situation of children from families considered dysfunctional in 20% of the cases, as well as people with other conditions such as mental illness, drug use and other neurological conditions that occur in 10% of the cases.

The international reality is not far from the Costa Rican reality. According to officials of the Office for the Attention and Protection of Victims of Crime (OAPVD) of the Public Prosecutor's Office, in some cases the victims of trafficking are people with drug addiction problems or who have been forced to resort to activities such as sex work to survive, among other situations. Also, in some cases, traffickers supply them with drugs to maintain their power over the victims.

In the case of human trafficking, care must be provided in a sensitive and respectful manner, allowing for appropriate police action free of prejudice, so that the processes are effective and generate adequate protection for the victims, avoiding re-victimization. This is central to the approach.

Percentage of cases of trafficking in persons due to pre-existing factors of which



51%
Economic
need



20%
Children with
dysfunctional



13%
His partner
is a drug



10%
Cognitive, behavioral
and neurological disorder



10%
Migratory
status



9%
Children without
parental care



6%
Low educational level
or no knowledge of



3%
Physical
disability

Data reported in the Global Report on Trafficking in Persons. UNODC, 2020.

For proper detection and referral, it is essential that police attention be provided in accordance with the principles and approaches presented in this chapter, since it is not possible to address these cases without their application, due to the characteristics of this crime and the needs of each of the victims.

Human trafficking situations have particularities, such as the fact that victims sometimes do not consider themselves victims or do not trust police personnel. For this reason, these situations are often not easy to detect, but require training, awareness and education for first contact personnel.

A. What are approaches and how do they work?

The approaches constitute the frame of reference for action in the face of possible cases of human trafficking. In the approach to the crime of trafficking in persons, in phases such as detection and referral, it is necessary to take into consideration these theoretical-practical aspects that should be transversal in all police actions, as they are the baseline for dealing with possible victims.

The most relevant applicable approaches are:



Human rights-based approach: recognizes all people as holders of human rights and determines that existing social inequalities require specific measures to ensure the full enjoyment of rights for all people.



Gender approach: considers the social and cultural structures and conditioning related to sex and gender identity that place people in different situations in relation to their physical or biological characteristics, which generates greater vulnerability situations for some people according to their identity in a sex-gender system.



Children's and adolescents' rights approach: recognizes that minors are inherently active holders of rights and, therefore, both the family and the State are responsible for guaranteeing them.



Contextual approach: it takes into consideration that people's characteristics, possibilities and needs are determined by historical, socio-cultural and economic conditions of a context and demands must be met according to their specificities.



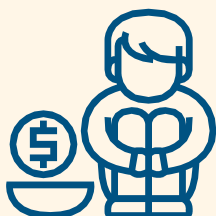
Generational approach: it takes into account the development of the person in his or her life cycle. This means that institutional action must be adjusted to the characteristics of people according to their age group.



Diversity approach: aims at recognizing human diversity in relation to culture, age, ethnicity, gender, religion, disability, sexual identity and orientation, among other identity conditions.



Intercultural approach: recognizes people as having different cultures that should be valued and respected equally without hierarchies between one culture or cultural knowledge over another.



Power approach: recognizes the existence of power relations and that the victims of human trafficking are in an unfavorable situation in terms of power management with respect to the traffickers and also the officials who deal with possible cases of human trafficking.

The approaches function as a guide for the proper treatment of possible victims of this crime, so that their rights are guaranteed, as they are the basis for addressing these situations. They should be applied according to the needs of each victim and the competencies of police personnel.

B. What are the principles and what are they for?

In addition to the approaches explained above, the Law against Trafficking in Persons sets out a series of principles applicable to trafficking in persons; these are mandatory for police personnel when detecting, referring and dealing with victims of this crime. The principles constitute a kind of key that determines the way to act in certain situations, they serve to fill legal gaps or loopholes, interpret norms and provide guidance in complex situations. The principles are interconnected, general and universal.

The applicable principles are summarized as follows (Art. 2, Law 9095):

Principle of equality and non-discrimination: respect for the human rights of trafficked persons must be guaranteed without discrimination on the basis of ethnicity, disability, sex, gender, age, language, religion, sexual orientation, political or any other opinion, origin, nationality, economic status or any other condition.



Principle of protection: the protection of the life, physical and sexual integrity, liberty and security of the victims of the crime of trafficking in persons, witnesses of the crime and the victim's dependents, who are under threat, is considered paramount, without the victim's collaboration with the investigation or the filing of a complaint being a requirement for granting protection.



Principle of proportionality and necessity:

assistance and protection measures should be applied according to the particular case and the special needs of the victims and their dependents.



Principle of the best interest of the minor:

in any action involving a minor, his or her best interest must prevail, which guarantees respect for his or her rights with adequate attention and protection. The determination of the best interest is based on the condition of active subject of the rights and responsibilities of the minor, his or her age, degree of maturity, capacity for discernment and other personal conditions, the socioeconomic conditions in which he or she lives and the correspondence between individual and social interests.



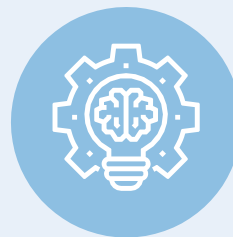
Principle of confidentiality:

all information and activities related to the protection of the victims of the crime of trafficking in persons, their dependents and witnesses, shall be confidential, so its use shall be reserved exclusively for the purposes of the investigation or the respective process.



Principle of due diligence:

the personnel of the different police forces must act ex officio, diligently, without delay and in a serious, objective and impartial manner upon suspicion of a possible case of human trafficking.



Principle of presumption of minority of age: in case of doubt, it shall be presumed that the adolescent is under 18 years of age and all the special protection provided for minors shall be provided.



Principle of human dignity: the victim has the right to fair and equal treatment with due respect for his or her human dignity, especially with regard to personal autonomy and integrity physical, sexual, emotional, moral and



Principle of participation and information: information shall be provided clearly, accurately and in understandable language. The opinions and specific needs of the victims must be considered when making decisions that affect them. In the case of minors, the right of expression must be guaranteed at all stages of the process, always taking into account the best interests of minors.



Principle of no revictimization: in addressing trafficking in persons, any action or omission that harms the physical, mental or psychological state of the victim should be avoided, including exposure to the media.

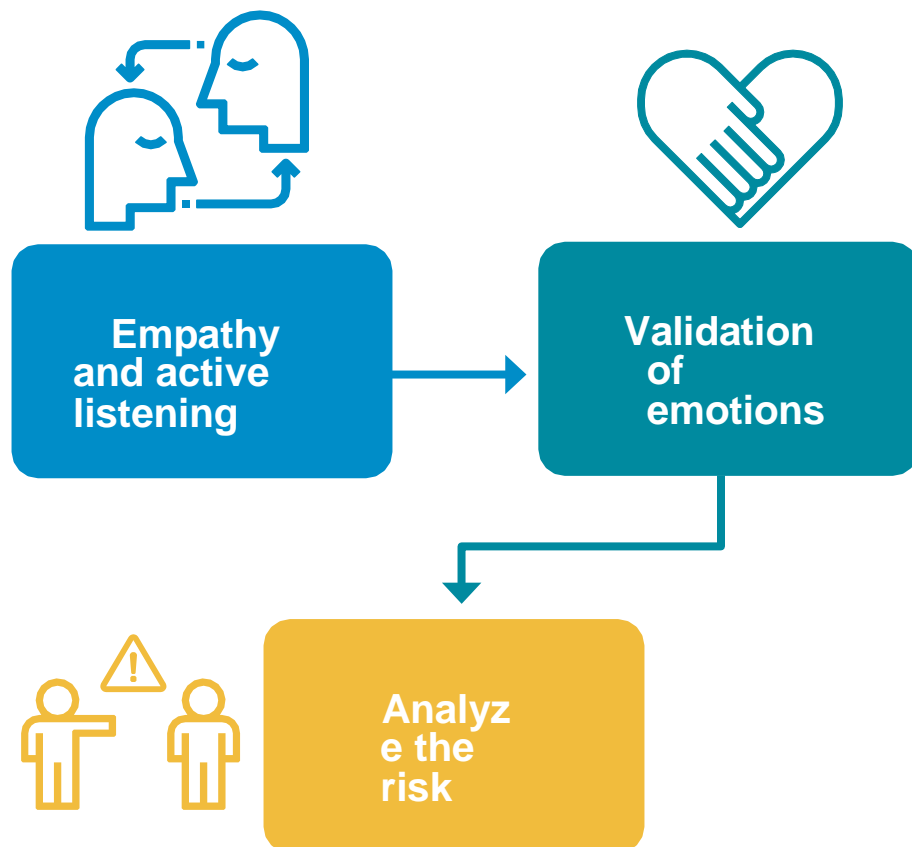


The approaches and principles are not optional: they are mandatory. Their non-compliance generates international responsibility for the State, as well as administrative responsibility for the officials in case they do not act in accordance with this orientation. This is because they are based on international human rights conventions that are mandatory for Costa Rica and other regulations.

C. Immediate approach³

Police officers who provide the immediate approach must apply the tools with the objective of providing support to the person who is in a possible situation of emotional crisis. They must also avoid re-victimization, therefore they must act diligently and provide the care required to guarantee their human rights. This, according to the approaches and principles in the care of a person in these conditions.

Because law enforcement agencies deal with human trafficking situations incidentally in the first instance, the use of crisis care tools in the immediate approach is critical. There are several stages of crisis intervention, which are explained below:



³ Partially adapted from: Ministry of Public Security. (2014). Curso Básico Policial Violencia Intrafamiliar *Manual del/la estudiante*. National Police School: Costa Rica.



i. Empathy and active listening

It consists of understanding where the other person is emotionally. To do this, we must try to reduce the stress and tension that the person has at that moment and provide calm, as well as apply empathic listening. It is recommended:

✓ demonstrate understanding

✓ use a confident but firm tone of voice ✓

not to show fear or anger

✓ promoting calmness in the environment and people

You should observe the context and analyze which strategy generates more calmness in the person: whether to talk about what is happening or divert attention from the situation, offer a glass of water or a handkerchief. Ask the person what happened, listen to him/her without interrupting and allow the person to unburden himself/herself. If the person does not want to comment further, do not ask any more questions or talk any more. Try to provide a safe space where the person can calm down momentarily.

Active listening is required; that is, observing and listening to the person with attention and a neutral attitude. Use gestures such as nodding the head, looking at the person attentively, not interrupting, among others. Avoid asking too many questions, asking "why?" or asking questions in an authoritative tone. Ask if the person needs any personal hygiene items, clothing, food or medication.

This listening should be done with confidentiality of the information provided, in accordance with the aforementioned principles.



ii. Validation of emotions

The person should be allowed to unburden themselves and express what they are feeling with the intensity they are experiencing at that moment. Questions that reflect the emotion can be used, using phrases such as:

✓ "I understand what you are going through, I know it's not easy."

✓ "I understand how you feel."

✓ "I can see that you are in a distressing situation." ✓ "I can see that

this situation may be surprising and very difficult for you."

✓ "I imagine you feel a lot of fear in this kind of situation."

Allow the person to express what he/she feels and cry or express him/herself as needed. Following the exploration of emotions, you can say some words of support, using phrases such as:

✓ "We are here to help you"

✓ "You have done very well to turn to the Police. It is the first step in seeking a solution to your problem."

✓ "The facts are going to be investigated."

✓ "He's being strong and brave right now."

What you should avoid during contact with a person in emotional crisis:

- scolding the person;
- questioning him why he has not come out of that situation;
- blaming him/her for the violence or actions of others;
- tell her not to cry;
- judge him or her by the feelings she or he expresses;
- to impose their way of thinking or acting;
- talk about yourself and monopolize space by talking about yourself or other people;
- give moral or religious advice;
- interrupt or saturate with questions;
- exploring emotions too quickly without having let the person speak;
- distract yourself and think about something else;
- not giving you enough attention or interest.



iii. Analyze the risk

In this phase, the possible risks and situations that need immediate attention must be analyzed; to do so, it is important to define the existing danger, assessing aspects such as risk to physical integrity, danger to life, among others. See the box on step 2 in chapter III.

D. Cases

Every action of the State in the protection and safeguarding of victims of human trafficking must be oriented within the framework of the approaches developed and using the principles explained. The following are two cases that exemplify actions based on these principles and approaches:

Case 1

Armando, who is a police officer of the Public Force, in an operation at a nightclub in Jacó, identifies Mariana, who appears to be a worker at the club, although she looks very young.

Mariana, who is a 16-year-old girl, in a disguised and frightened manner, asks him to take her out of the place immediately, that she needs to get out of there. Armando observes that Mariana is drugged by the way she talks to him and that he does not understand much of what she says. Armando, with the support of Sandra, a fellow police officer, immediately takes her to a safe place in the police station.

While Armando communicates with Alfa Lima and coordinates with the Prosecutor's Office and PANI, Sandra accompanies Mariana, who is very frightened and in emotional crisis.

In this place, Mariana tells Sandra everything she has been going through in the last few weeks because of the sexual exploitation she suffers in this nightclub. Sandra listens to her, paying attention to every word Mariana says. At one point when she pauses in her story, she asks her if she or anyone in her family is in danger or under any threat. Mariana responds in the negative. Sandra thanks her for having the strength and courage to share these facts and tells her that she was right to ask the police for help. She then informs her that the situation will be transferred to the Public Prosecutor's Office for further investigation.

- ▶ In this case, the police officer complied with the principles of "due diligence" because they acted without delay, "proportionality and necessity" because they considered her condition. There was also no revictimization because they treated the victim with empathy and carried out the corresponding procedures in a place where she felt safe and her integrity was protected with equality and without discrimination. Despite not understanding what the victim was saying or knowing that she was initially drugged, they guaranteed her rights without discrimination. Protection was provided because her integrity was immediately protected, with respect for human dignity, since she was given fair and equal treatment, her needs were considered, the best interest of the minor was taken into account to protect her integrity due to her age.

Although they did not know his age, they provided him with the care that corresponds to a person under 18 years of age, in accordance with the principle of "presumption of minority".



Case 2

Don Juan is a Nicaraguan man who found it difficult to support himself and his family responsibilities. For this reason, he decides to migrate and look for work in Costa Rica. In Sarapiquí, Don Juan meets Braulio, who offers him a job on a pineapple farm and tells him that the pay is 300,000 colones per month. At the end of the month's work Juan receives only 100,000 colones and is told that he is being paid that because he does not have a work permit and, in addition, because he has had deductions made for food and lodging for the entire month. He also tells him that he should be grateful that they are giving him work.

Juan indicates that he wants to stop working, but at the farm they tell him that if he dares to leave they will call Immigration and have him deported. Juan, out of fear and necessity, continues on the farm because he is afraid of being deported and has to send some money to his family for subsistence.

One day when Don Juan was fixing the fence of the farm, he saw a policeman whom he saw almost every morning patrolling. He asks him what he can do about it. The police officer empathizes with Don Juan and tells him that what they are doing to him is inappropriate and that the authorities can help him, that it will not have negative repercussions for him, such as deportation. In addition, he immediately takes him into custody and acts in accordance with the established protocol.

- ▶ In this case, the officer complied with the principles of "due diligence", because he acted without delay; "proportionality and necessity", because he applied the necessary measures for the victim of human trafficking. There was no revictimization because he was treated in an empathetic manner, he let her know that it was not his responsibility and gave her a brief explanation of her rights; "principle of protection" because he immediately protected her and respected her human dignity.



Summary Chapter II

It is essential that police attention be provided in accordance with the principles and approaches presented in this chapter, since it is not possible to address these cases without their application, due to the characteristics of this crime and the needs of each of the victims.

Approaches

The approaches constitute the frame of reference for action in the face of possible cases of human trafficking, and should be transversal in all police actions, because they are the baseline for their attention. The most relevant applicable approaches are the following:



Human rights-
based approach



Gender focus



Focus on the
rights of children
and adolescents



Contextual
approach



Generational approach
Approach to
diversities



Power approach



Cross-cultural

Applicable principles

The principles constitute a kind of keys or keys that determine how to act in certain situations. They serve to fill legal gaps or loopholes, interpret the rules and provide guidance in complex situations.



Principle of the best interest of the minor



Principle of proportionality and necessity



Principle of human dignity



Principle of confidentiality



Due diligence principle



Principle of non-revictimization



Principle of equality and non-discrimination



Principle of participation and information



Principle of protection



Principle of presumption of legal age of minority



FOR THE DETECTION AND REFERRAL OF POSSIBLE HUMAN TRAFFICKING SITUATIONS

CHAPTER III

COURSE OF ACTION

A. Roles of law enforcement personnel in possible human trafficking cases

In cases of human trafficking, the police personnel of the Ministry of Public Security serve as the primary response body. According to Article 8 of the General Police Law (paragraphs e, g, h, i, in Annex I), among the functions of the police are the duty to ensure the integrity of the rights of citizens, cooperate, coordinate and refer to other agencies, collaborate with the repression and prevention of crime and collaborate with the courts, the Public Ministry and other authorities in the required police actions. In addition, in the submission of evidence and reports.

The function of the police officers of the Ministry of Public Security falls within the aforementioned and may not perform functions related to the investigation of the crime of trafficking in persons, since this is the responsibility of the Public Prosecutor's Office, the Professional Migration Police (in the crime of trafficking in persons) and the Judicial Investigation Agency (OIJ).

However, police officers of the Ministry of Public Security should take some immediate actions in order to identify whether the situation they are dealing with has elements that allow them to suspect a case of human trafficking, in order to proceed to communicate it to the police legal advisor and that this person immediately informs the Prosecutor's Office, the Professional Migration Police or the Judicial Investigation Agency; or the institutional representative before the Immediate Response Team.

In all phases of the approach to possible situations of this crime, police officers should orient themselves in accordance with the principles outlined in the previous chapter and apply the appropriate special care measures as required by the possible victims of human trafficking.

B. Step by step

STEP 1

Preliminary detection of the possible case

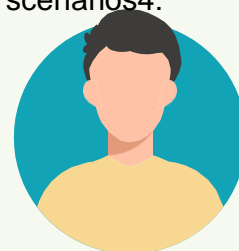
The detection of a possible case of human trafficking can be initiated in multiple ways; broadly speaking, it can be divided into two scenarios⁴:

1. By identifying the potential victim

The following box presents some basic indicators.

The potential victim:

- You received a job or study offer, but you do not know where you are going to work or study or the people who hired you or made you the offer.
- The person who made the offer provided him with the means of transportation, including travel documents.
- The person transporting or sheltering her took her identification and travel documents.
- Has been subject to control or surveillance.
- She has been kept under constant threats against her or her relatives.
- She has been forced to work in an activity different from the one she was promised or in conditions different from those promised and against her will.
- You are forced to work to pay off a debt.
- It has been subjected to an exploitative situation.
- She has been coerced to participate in illicit activities.
- She has been physically, sexually or psychologically abused for the purpose of maintaining her subjection and coercing her freedom.
- She was abducted from her place of origin and then transferred and exploited.
- There was exploitation of a situation of vulnerability by a third party (poverty, marginalization, lack of opportunities or unemployment).
- She has undergone surgery to remove some of her organs.



⁴ Partially taken from Dirección General de Migración y Extranjería, Policía de Fronteras, Organismo de Investigación Judicial y Ministerio Público de Costa Rica. (SF). *Guidelines for inter-institutional coordination on crimes of human trafficking and smuggling of migrants in Costa Rica*. International Organization for Migration, National Coalition against Smuggling of Migrants and Trafficking in Persons, United Nations Office on Drugs and Crime.

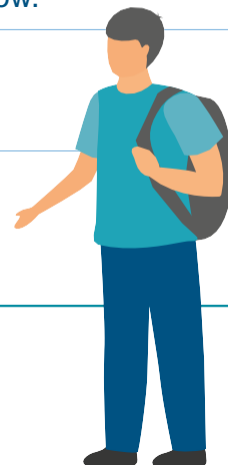
2. By express request:

- Nota criminis information.
- Citizen call.
- Request of the judicial authorities.
- Identification on public roads.
- Places open to the public.
- Critical points.
- Permanent positions.
- Public events.
- Incident report by the 9-1-1 communication center.
- Radio and other media.

In the case of a minor, some additional indicators for identification are⁵:

The minor:

- ✓ Travel alone or separately.
- ✓ Travels or encounters an adult person to whom he/she is not responsible for the care or guardianship or does not know.
- ✓ Has been a victim of rights violations (robbery, rape, mistreatment, exploitation or other).
- ✓ Person under 15 years of age "working" or being forced into begging.



⁵ Partially taken from Dirección General de Migración y Extranjería, Policía de Fronteras, Organismo de Investigación Judicial y Ministerio Público de Costa Rica. (SF). *Guidelines for inter-institutional coordination on crimes of human trafficking and smuggling of migrants in Costa Rica*. International Organization for Migration, National Coalition against Smuggling of Migrants and Trafficking in Persons, United Nations Office on Drugs and Crime.

STEP 2

Police action at the site of the incident.

The second step corresponds to the actions to be taken by the police directly at the site of the incident. The following are the steps of the protocol to be followed at the site:

- a) Police officers should immediately appear at the site of the incident.
- b) They must then proceed to separate the persons present and identify the persons on the site - among other things - in order to determine which could be victims and which could be possible traffickers.
- c) In this place it is of utmost importance to make a brief risk assessment and take the necessary measures to protect the integrity of the possible victim; this can be done with the following questions:

- At that moment do you feel at risk and why?
- Are you threatened, have you been threatened or are your close people threatened by someone?
- Do you have any concerns at this time?



You, as an effective police officer, must assess what risk conditions can be identified at the present time.

STEP 3

Coordinate with the Red Cross the assessment of possible victims, since they could be under the effect of some relaxing substance or drug that affects their health.

STEP 4

Immediately thereafter, the police legal advisor must be informed so that he or she may inform the Public Prosecutor's Office of the facts (Arts. 71, Law 9095 and 281 of the Code of Criminal Procedure, see Annex I).

With the communication to the police legal advisor, the specific instructions indicated by the competent authorities must be followed.

Take into account the following specific conditions of the victim:

- If the potential victim is a minor or appears to be a minor, coordinate with the Patronato Nacional de la Infancia.
- If you are an adult woman, with the National Women's Institute.
- If you are an elderly person, with the Consejo Nacional de la Persona Adulta Mayor (CONAPAM).
- If you are a person with a disability, over 18 years of age and under 65 years of age, with the National Council for Persons with Disabilities (CONAPDIS).
- If you are an indigenous person, with the National Council of Indigenous Affairs (CONAI).



STEP 5

Prepare a police report recording the following:

Once the situation has been attended and communicated, it is important that the police officer who attended the situation takes into account, at least, the following considerations:

- Always bear in mind that the approach must be gender-sensitive. Among the measures, as a minimum, the approach of a woman should be carried out by a female police officer and, if it is a man, by a male police officer.
- Details of the incident attended, describing the conditions in which the persons were found.
- Identification data of the possible victim.
- statements of the possible victim. It should be collected verbatim and in the first person.
- Exact address where the facts occur.
- In the event that the potential victim wishes to provide information about possible traffickers or witnesses, obtain as much information as possible to assist in identification.
- If possible, include any other details related to the incident that may be relevant to the investigation; for example, license plates of the vehicles that were at the scene or any other information related to the incident that may be relevant to the investigation; for example, the license plates of the vehicles that were at the scene or any other information that may be relevant to the investigation.
another review.
- In the case of apprehensions, the police report is made by means of The seizure and confiscation system (Sistema de Aprehensiones y Decomisos, SAD), but by means of an official letter.
- Evaluate the relevance and timeliness of the observation report.
- If required by the Prosecutor's Office, carry out a graphic survey of the scene by means of photographs or images.
- Submit the report to the Public Prosecutor's Office and to the Directorate of Plans and Operations of the Public Force (regardless of the police force carrying out the boarding).



- Department of Law Enforcement Plans and Operations

email: planesyoperaciones@fuerzapublica.go.cr

Phone: 2600-4111

- Office of the Deputy Prosecutor against Trafficking in Persons and Smuggling of Migrants (FACTRA)

email: fa_tratapersonas@poder-judicial.go.cr

Phone: 2295-3606, 2295-3180, 2295-4865, 2295-3764 and 2295-3873

"There are victims who need to tell things. If the victim starts to tell you should ask, because it is possible that it is a need for that person to tell at that moment, it is a need to know what happened and that they are paying attention to them; maybe not details, but if the person is telling you can generally encourage them to continue telling, if the person does not want to tell you do not ask them any more because that is what they need to tell you later. will go to the prosecutor's office to testify. If the person wants to tell, there is no revictimization, not listening to her or telling her not to tell is revictimization".



Professional in Psychology of the Office for the Attention and Protection of Victims of Crime (OAPVD) of the Public Prosecutor's Office.



STEP 6

Communication to the person representing the ERI

After the proceedings, communicate the situation to the representative of the Ministry of Public Security before the Immediate Response Team (ERI) of the Conatt, which works in the Police Directorate of Legal Support. Also, inform the Department of Plans and Operations.

C. Other actions: support, support and coordination

Pursuant to Article 284 of the Code of Criminal Procedure, the different bodies of the Administrative Police, exceptionally and under the functional direction of the Public Prosecutor's Office, act as auxiliaries of the Judicial Police. For this reason, in addition to their own attributions, they have this function.

Due to their function as auxiliaries of the judicial authorities, police officers of the Ministry of Public Security must also execute protection measures for the victims of the crime of trafficking in persons and collaborate in the execution of other orders issued by the judicial authorities (Arts. 71 and 284, Code of Criminal Procedure).

They must also provide protection to victims of trafficking in persons who do not participate in criminal proceedings (Art. 47, Law Against Trafficking in Persons).



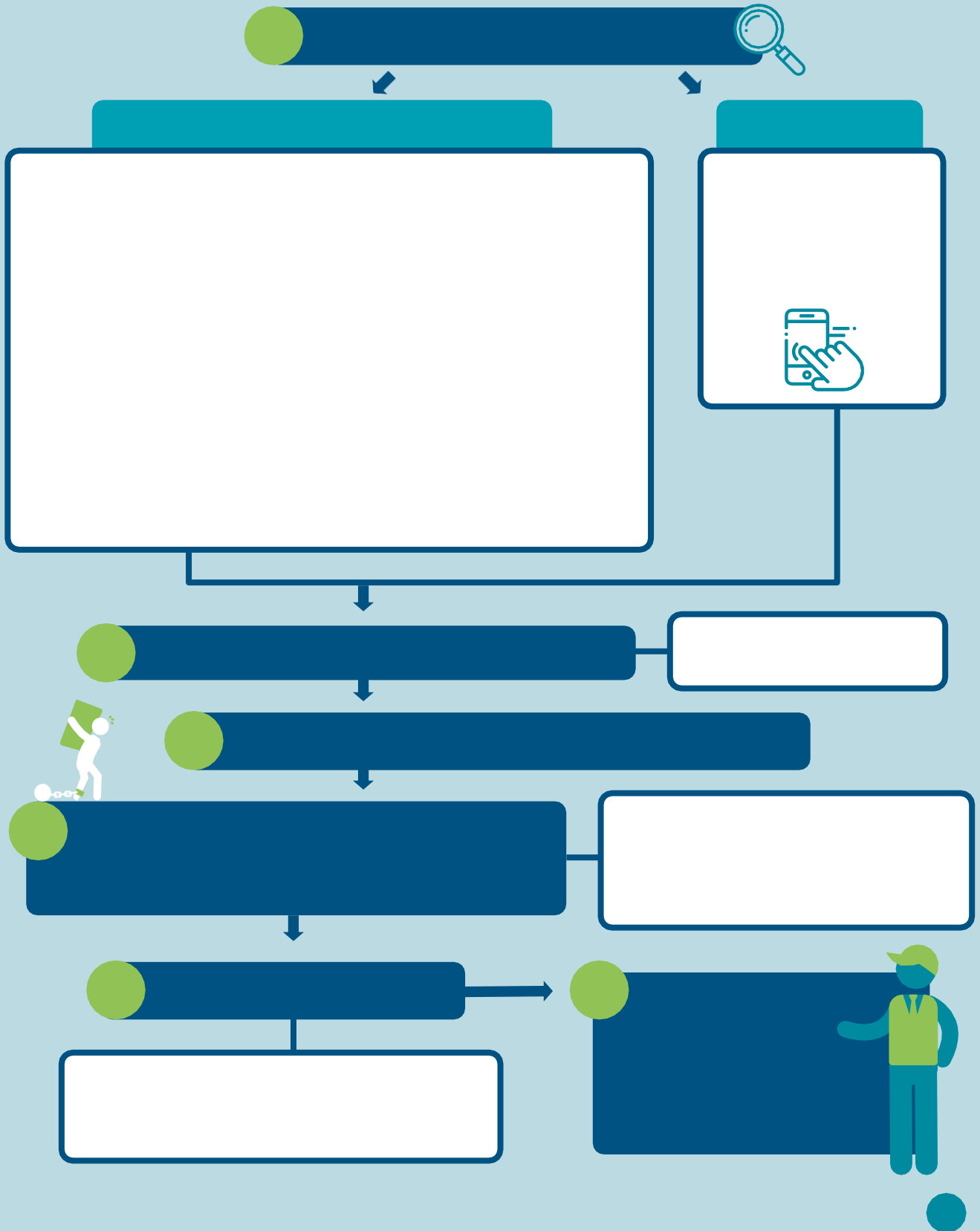
Road map for the attention of possible situations of trafficking in persons

- Questionable job or study offer.
- Loss of identification documents.
- Submission to control or surveillance.
- Constant threats.
- Forced to work to pay off a debt.
- Subjected to exploitation, physical, sexual or psychological abuse.
- Coerced to participate in illicit activities.
- Abduction from their place of origin.
- Has undergone organ harvesting surgery
- They have taken advantage of their vulnerable situation.
Travel alone or separately.
- A minor who is traveling alone or is with an adult who is not responsible for his or her care or guardianship, is "working" or being forced into begging, among other situations.
- Call
- Public event
- 911 incident report, other forms.

Identify risk conditions at the site

that you identify a possible case of trafficking in persons and follow the instructions for the respective coordinations

See details of data required in the Protocol for the identification and referral of possible human trafficking situations.



CHAPTER IV

COLLABORATION AND ASSISTANCE TO THE COMPETENT AUTHORITIES

The function of all police forces is to cooperate and assist each other (Article 8, paragraph E, General Police Law). Likewise, in accordance with Article 284 of the Criminal Code, the different bodies of the Administrative Police act as auxiliaries of the Judicial Police. Therefore, in addition to their general attributions, they must comply with this duty of assistance under the functional direction of the Public Prosecutor's Office. It is essential to bear in mind that this duty is established for specific aspects and expressly requested by the Prosecutor's Office.

According to the Law against Trafficking in Persons, all survivors/victims of trafficking in persons have the right to comprehensive care and protection, even if they are not involved in the criminal process. In the exercise of their rights, they have the opportunity to access protection and care measures guaranteed by the police forces of the Ministry of Public Security, as well as other institutions.

The police officers of the Ministry of Public Security, due to their function as auxiliaries of the judicial authorities and other administrative authorities; among them, the Professional Migration Police, have the duty to:

- Execute protection measures for victims of the crime of human trafficking and collaborate in the execution of other orders issued by the different judicial (Arts. 71 and 284, Code of Criminal Procedure, see Annex I) and administrative authorities involved in the fight against human trafficking.

- Provide protection and assistance to victims and survivors of this crime (Art. 47, Law Against Trafficking in Persons, see Annex I).

All victims of human trafficking are accredited by Conatt's Immediate Response Team. Requests for accreditation are made by the institutions that provide care, such as the Office for the Attention and Protection of Victims of Crime, the National Women's Institute and the National Children's Trust.

According to the Victim Protection Law (Art. 4) and the Law against Trafficking in Persons (Art. 37, inc. f), victims of trafficking in persons have at least three months to decide whether to file the respective complaint: known as the "window period". During this time they are under the care of the Office for the Attention and Protection of Victims of Crime. After the period granted, the attention continues in the hands of said office, in those cases in which the victim participates in the criminal process. On the other hand, the victim may be attended by the other institutions mentioned above.

The Ministry of Public Security intervenes in the event that procedural and extra-procedural intervention measures are provided. Some examples of protection measures would be follow-ups, monitoring of the survivor/victim, as well as other measures necessary for the protection of her integrity.

In addition to the above, when a request for assistance, protection or shelter is made by a survivor/accredited victim of human trafficking, it is necessary to apply the principles mentioned in Chapter II and to prepare a brief report to be submitted to the authorities in charge of executing the measures, i.e:

- National Child Welfare Agency
- Office for the Attention and Protection of Victims of Crime of the Public Prosecutor's Office
- National Women's Institute
- Ministry of Public Security

These institutions that make up the Immediate Response Team have the power and obligation to provide care and protection to victims of human trafficking.

Due to the particularities of the crime of trafficking in persons and to guarantee the protection of the human rights of the victims, it is essential that, in the event of any eventuality that occurs with a protected person or upon learning that the person under special protection may be under the use of drugs or involved in any incident, the facts are immediately reported to the Conatt Immediate Response Team, since it may be an indicator of a particular situation with implications for the survivor/victim.



Key contacts

- **Deputy Prosecutor's Office against Trafficking in Persons and Smuggling of Migrants:**

- Telephone: **2295-3606**

2295-3180

2295-3873

- E-mail: fa_tratapersonas@poder-judicial.go.cr

- **Judicial Investigation Agency, Specialized Section against Gender Violence, Trafficking in Persons and Smuggling of Migrants:**

- Teléfonos: **800-8000-OIJ**

800-8000-645

- E-mails: ojj_dsexuales@poder-judicial.go.cr
cicooij@poder-judicial.go.cr

- **Office for the Attention and Protection of Victims of Crime:**

- Phone: **2253-2935**

- E-mail: victimadelito@poder-judicial.go.cr

- **Professional Migration Police:**

- Telephone: **2106-4005**

2106-4001

6418-9009By WhatsApp message

- E-mail: denunciatrataytrafico@migración.go.cr

- **Management of Smuggling of Migrants and Trafficking in Persons (GTT) of the DGME:**

- Telephone: **2299-8100** Extensions 2157 or 2156

- E-mail: trataytrafico@migracion.go.cr

Summary Chapter IV

The police officers of the Ministry of Public Security, due to their function as auxiliaries of the judicial authorities and other administrative authorities; among them, the Professional Migration Police, have the duty to:

- Execute protection measures for victims of the crime of trafficking in persons and collaborate in the execution of other orders issued by the different judicial (Arts. 71 and 284, Code of Criminal Procedure) and administrative authorities working in the fight against trafficking in persons.
- Provide protection and assistance to victims and survivors of this crime (Art. 47, Law Against Trafficking in Persons).

The Ministry of Public Security intervenes when procedural and extra-procedural intervention measures are ordered. Some examples of these protection measures are follow-ups, monitoring of the survivor/victim, as well as other measures necessary for the protection of her integrity.



SUPPORTING AND RECOMMENDED MATERIAL

[Psychological first aid as a resource for police intervention.](#) Basic Police Course on Domestic Violence. Ministry of Interior and Police.

[Protocol for the care and protection of unaccompanied or separated foreign minors outside their country of origin.](#) General Directorate of Migration and Alien Affairs, National Child Welfare Agency (Patronato Nacional de la Infancia).

[Model of comprehensive care for survivors who are victims of the crime of trafficking in persons.](#) Conatt.

[Protocol of Action for Special Migratory Situations \(ESME\).](#) General Directorate of Migration and Aliens

[Psychosocial intervention guide for direct assistance to trafficked persons.](#) International Organization for Migration.

[Manual of approach, orientation and assistance to victims of human trafficking with a gender and rights approach.](#) International Organization for Migration.

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ANNEXES

ANNEX I. Table of related regulations

Law	Article	Provision
Code of Criminal Procedure, No. 7594 of 04/10/1996.	71	<p>Rights and duties of the victim. Even if the victim has not become a plaintiff, he/she shall have the following rights within the process: (...)</p> <p>2) Protection and assistance rights:</p> <p>a) Extraprocedural protection:</p> <p>The victim shall have the right to request and obtain special protection in the event of serious risks or threats to his or her life or physical integrity or that of his or her family members, due to his or her denunciation or intervention in the process. The Public Prosecutor's Office, the police, the judge or the trial court hearing the case shall take the necessary measures to ensure that this protection is provided. The victim shall be heard in all proceedings in which it is intended to provide protection. The Office of Attention to the Victims of Crime of the Public Prosecutor's Office shall coordinate with all the prosecutors' offices in the country for the protection of victims and shall channel, through them, the necessary information to support the protection measures or requests for precautionary measures, as regulated in the final paragraph of Article 239 of this Code.</p> <p>b) Procedural protection:</p> <p>When their knowledge represents a risk to their life or physical integrity or that of their family members, due to their denunciation or intervention in the process, the victim will have the right to reserve their identification data, such as name, identity card and address, telephone numbers or place of work, and that they are not included in the documentation of the process; In addition, in the exceptional cases indicated in article 204 bis of this Code, the victim shall have the right to keep his or her individualizing physical characteristics confidential, when, due to the nature of the act, these are not known by the accused or other persons related to him or her, without prejudice to the right of defense. In order to ensure his testimony and protect his life, the available technological means such as videoconference or any other similar means may be used to make the agreed protection effective, both when using the jurisdictional advance of evidence and at trial, under the terms and according to the procedure regulated in articles 204 and 204 bis of this Code.</p>

Law	Article	Provision
Code of Criminal Procedure, No. 7594 of 04/10/1996.	71	<p>c) Underage victims, female victims of sexual abuse or violence and victims of human trafficking and violent acts shall be entitled to assistance and support measures by the personnel designated for such purpose, both in the Judiciary as well as in the Ministry of Security and other institutions, in order to reduce revictimization due to their intervention in the process and facilitate their participation in the different judicial proceedings, such as expert opinions or hearings.</p> <p>d) Underage victims shall have the right to have their best interests considered when any diligence or expertise is carried out and, especially, when their testimony is received; to this end, the Public Prosecutor's Office, the judge or the trial court hearing the case shall adopt the necessary measures to reduce the formalities and receive their testimony, under the special conditions required. An opinion may be requested, if necessary, from the Department of Social Work and Psychiatry and Forensic Psychology or from some other expert or expert, duly appointed, always safeguarding the right of defense, as regulated by Articles 212, 221 and 351 of this Code.</p> <p>e) The victim shall be entitled to paid leave of absence from his employer, public or private, when he has to attend judicial proceedings, expert opinions or appear before a court summons and for the time necessary to do so. In order to prove attendance to such acts, the office hearing the case or before whom the proceeding is carried out shall issue the respective voucher, indicating the nature of the act and the effective duration of the proceeding. The Public Prosecutor's Office, the judge or the trial court hearing the case shall adopt the necessary measures to prevent the victim from being subjected to multiple summons or appearances; in addition, whenever possible, the hearings shall be scheduled so that the testimony is given as soon as possible and the leave granted is not abused.</p>

Law	Article	Provision
Code of Criminal Procedure, No. 7594 of 04/10/1996.	283	Preliminary proceedings Officers and agents of the judicial police who learn of a publicly actionable crime shall, within six hours of their first intervention, inform the Public Prosecutor's Office. Under the direction and control of the prosecutor in charge of the investigation, they shall carry out preliminary proceedings to gather or secure, as a matter of urgency, the elements of conviction and prevent the escape or concealment of the suspects. The same rule shall apply when the Public Prosecutor's Office entrusts them with a preventive investigation.
	284	Administrative police actions The agents of the administrative police shall be considered officers or agents of the judicial police, when they perform the functions that the law and this Code impose on them, and the employees of the former shall be auxiliary. The administrative police, insofar as they perform judicial police acts, shall be under the authority of judges and prosecutors, without prejudice to the general administrative authority to which they are subject. It shall act whenever the judicial police cannot do so immediately, but from the moment it intervenes, the administrative police shall be its auxiliary.
	288	Report on preliminary proceedings Police officers and auxiliary police officers shall submit a report to the Public Prosecutor's Office on the actions they have taken to investigate a criminal act.
	423	Initial step The suspect arrested in flagrante delicto shall be immediately transferred, by the acting police authorities, to the Public Prosecutor's Office, together with all the evidence available. No written police report or police report shall be required; the oral statement of the acting authority shall suffice.

Law	Article	Provision
Code of Criminal Procedure, No. 7594 of 04/10/1996.	424	<p>Proceedings by the Public Prosecutor's Office.</p> <p>The prosecutor will immediately initiate criminal proceedings to establish whether there is merit to initiate the investigation. For this purpose, the prosecutor will rely on the initial version provided by the police authority that first intervened, as well as any accompanying evidence.</p>
Law for the protection of victims, witnesses and other parties involved in criminal proceedings, amendments and additions to the Code of Criminal Procedure and the Criminal Code, No. 8720 of 04/03/2009	12	<p>Application and procedure for out-of-court protection measures (...)</p> <p>a) Request: the application of protection measures shall begin upon request to the Crime Victims Assistance Office of the Public Prosecutor's Office, made by the person, the prosecutor, the judge, the public defender, the complainant, the OIJ or the Ministry of Public Security. When the request is not received directly by the Office of Attention to the Victim of the Crime of the Public Ministry, the public official who receives it must channel it, within a maximum peremptory term of twenty-four (24) hours, to the Office of Attention to the Victim of the Crime of the Public Ministry, under penalty of incurring responsibility.</p> <p>The request will contain the general data of the person, a succinct account of the facts, a brief statement of the dangerous situation that motivates the request, as well as any other element that may guide the decision. In urgent cases, the request may be verbal, with the information necessary to identify the person and the situation of risk, without prejudice to the subsequent formalization of the request in writing.</p> <p>When the protected person is a minor, the request may be submitted by his or her legal representative or the person who has him or her under his or her care or custody. If this requirement cannot be fulfilled because the interest of the minor is opposed to that of those exercising parental authority, the National Child Welfare Agency (PANI) shall represent the interests of the minor. However, in all cases, in the case of minor victims protected by the present Law, it shall proceed in accordance with the Code of Childhood and Adolescence and the Convention on the Rights of the Child.</p>

Law	Article	Provision
Law for the protection of victims, witnesses and other parties involved in criminal proceedings, amendments and additions to the Criminal Procedural Code and the Criminal Code, No. 8720 of 04/03/2009	15	<p>Specific rules for the protection of victims of the crime of trafficking in persons</p> <p>Victims of human trafficking shall have the following rights:</p> <ul style="list-style-type: none"> a) Receive information about their rights, in a language they understand and in a form accessible to their age and maturity. b) To remain in the country, in accordance with the immigration legislation in force, and to receive the documentation that accredits such circumstance. c) Not to have your name included in any special registry.
General Police Law, No. 7410 of 26/05/1994	8	<p>Attributions</p> <p>These are general powers of all police forces:</p> <ul style="list-style-type: none"> a) To safeguard the constitutional order. (...) c) Ensure the integrity of property and the rights of citizens. d) Ensuring the surveillance and maintenance of public order. e) To act according to the principle of mutual cooperation and assistance, seeking due coordination, in accordance with the instances and bodies provided for this purpose. f) To act, on a supplementary basis, in the performance of the necessary emergency actions, when faced with situations that must be attended to by a specialized police force.

Law	Article	Provision
General Police Law, No. 7410 of 26/05/1994	8	<p>g) To execute and enforce all that is resolved or ordered by the courts of justice and the electoral bodies in matters within its competence, at their request.</p> <p>h) Collaborate with the courts of justice, the Public Prosecutor's Office, the Attorney General's Office and the Comptroller General's Office in all required police actions and send them the evidence and reports, as appropriate.</p> <p>i) To collaborate in the prevention and suppression of crime, on the basis of reciprocity, with international police organizations, in accordance with the conventions in force. (...)</p> <p>ñ) To act according to the principle of reciprocal cooperation and assistance, in order to comply with the provisions of the General Immigration and Alien Law and its Regulations.</p> <p>(The preceding paragraph was added by Article 262 of the Immigration and Foreigners Act, No. 8487 of November 22, 2005)</p> <p>(...).</p>
	29	<p>Competition</p> <p>The Migration and Alien Police will be responsible for the surveillance and immigration control of nationals and foreigners, in accordance with the legal provisions in force.</p>

Law	Article	Provision
General Police Law, No. 7410 of 26/05/1994	30	<p>Attributions</p> <p>These are specific duties and attributions of this police force:</p> <ul style="list-style-type: none"> a) To ensure compliance with and observance of the Political Constitution, international treaties, migration laws and their regulations. b) Execute the judicial and administrative resolutions issued on this matter, in accordance with the law. c) Exercise the police functions required to execute the laws on migration and foreigners, with due observance of the Political Constitution, international treaties and conventions, laws and their regulations.
	44	<p>Functions. The functions of the Police Legal Support Directorate shall be:</p> <ul style="list-style-type: none"> a) To provide legal and police support and advice to the General Directorate of the Public Force. b) Provide police legal support to all members of the police units that make up the Public Force. c) To issue technical legal criteria related to police actions, when required or when circumstances so warrant. d) Provide police legal support in routine operations and in all those planned by the Department of Plans and Operations when required.

Law	Article	Provision
General Police Law, No. 7410 of 26/05/1994	44	<p>e) Issue the necessary recommendations to ensure the exercise of constitutional guarantees and the maintenance of public order and social peace, when so requested by the police units through the General Directorate of the Public Force.</p> <p>(...)</p> <p>g) To provide timely and reasonable legal support in legal cases brought against police officers, and to provide the necessary follow-up to the results of the criminal proceedings.</p> <p>(...)</p> <p>i) To provide the legal and technical training necessary or required by police officers.</p> <p>(Thus added by Article 1 of the Law for Strengthening the Civilian Police, No. 8096 of March 15, 2001)</p>
Childhood and Adolescence Code, Law No. 7739 of 06/01/1998.	5	<p>Best interest</p> <p>Any public or private action concerning a person under eighteen years of age must consider his or her best interests, which guarantees respect for his or her rights in a healthy physical and mental environment, in order to ensure his or her full personal development.</p> <p>The best interest determination shall consider:</p> <p>a) Its condition as a subject of rights and responsibilities.</p> <p>b) Their age, degree of maturity, capacity for discernment and other personal conditions.</p> <p>c) The socioeconomic conditions in which it operates.</p> <p>d) The correspondence between individual and social interest.</p>

Law	Article	Provision
Code of Childhood and Adolescence, Law No. 7739 of 06/01/1998.	19	<p>Right to protection against serious danger.</p> <p>Minors shall have the right to seek refuge, assistance and guidance when the threat to their rights entails serious danger to their physical or spiritual health; likewise, to obtain, in accordance with the law, adequate and timely assistance and protection from the competent institutions.</p>
	111	<p>Representation of the Patronato Nacional de la Infancia.</p> <p>In judicial processes and administrative proceedings involving the interests of a minor, the Patronato Nacional de la Infancia shall represent the interests of the minor when his or her interests are in conflict with those of those exercising parental authority. In all other cases, the Patronato will participate as an intervener.</p>
	120	<p>Victim assistance.</p> <p>Minors who are victims of crime should always be assisted and recognized by experts in dealing with this group.</p> <p>All judicial authorities or those who must collaborate in the processing of the process. The specialized professionals of the Legal Medicine Department of the Judiciary and the technical or administrative police auxiliaries must be previously trained.</p>
	124	<p>Interrogation training.</p> <p>Officers of the Judicial Investigation Agency or the Administrative Police, as the case may be, shall be duly trained to interrogate minors. During interrogations, they shall be limited to receiving the minimum information essential to ascertain the facts and shall guarantee respect for their dignity, honor, reputation, family and personal life.</p>

Law	Article	Provision
Childhood and Adolescence Code, Law on Children and Adolescents, Law No. 7739 of 06/01/1998.	125	<p>Interrogations.</p> <p>The judicial or administrative authorities shall avoid, as far as possible, repeated or persistent questioning of juvenile victims of crime and shall be reserved for the decisive stage of the proceedings. When a more extensive deposition of the minor is appropriate, his or her right to express his or her opinion shall always be taken into account.</p>
Law against Trafficking in Persons and Creation of the National Coalition against the Smuggling of Migrants and Trafficking in Persons (Conatt), No. 9095 of 10/26/2012.	39	<p>Obligation to report possible cases of trafficked persons</p> <p>Any official of public or private entities who determines, by reason of his or her function, that there are reasonable grounds to presume that a person is a victim of the crime of trafficking, shall immediately coordinate with the members of the Immediate Response Team, the Public Prosecutor's Office or through the 911 service, in accordance with the provisions of the regulations of this law and the approved action protocols.</p>
	47	<p>Protection of victims of trafficking in persons and related activities</p> <p>Victims of trafficking in persons who decide not to file a complaint or cooperate with the authorities may receive police protection in situations of threat, subject to a risk assessment. Protection will be provided by the Ministry of the Interior, Police and Public Security, in accordance with the protection program established by the regulations of this law.</p>
	70	<p>Non-punishability</p> <p>The victims of the crime of trafficking in persons are not criminally or administratively punishable for the commission of misdemeanors or crimes, when these have been committed during the execution of the crime of trafficking in persons and as a consequence thereof, without prejudice to the legal actions that the aggrieved party may exercise against the perpetrator or perpetrators of the facts.</p>

Law	Article	Provision
Law against Trafficking in Persons and Creation of the National Coalition against the Smuggling of Migrants and Trafficking in Persons (Conatt), No. 9095 of 10/26/2012.	71	<p>Duty to report</p> <p>Public officials shall be obliged to report, before the specialized police bodies or before the Public Prosecutor's Office, any situation that constitutes reasonable suspicion of human trafficking or smuggling of migrants. Members and representatives of the institutions and organizations that make up the National Coalition have the same obligation.</p>
Regulations to the Law against Trafficking in Persons and Creation of the National Coalition against the Smuggling of Migrants and Trafficking in Persons (CONNATT), Executive Order No. 39325 dated 09/09/2015.	46	<p>Referral of possible cases.</p> <p>The instance that requests a summons of the ERI to submit a specific case for evaluation of its members, must bring to the same a report of the situation in which the elements that presume the presence of the crime of trafficking in persons are visualized, as well as the following documents to create the file: copy of passport or identity document, photographs, educational and labor records if any, accreditation application form and the letter of request for accreditation with confidential data and others that are necessary according to the case.</p> <p>If a more extensive assessment is required, the ERI may conduct the necessary interviews for a better resolution, as well as request additional documentation and information from the corresponding authorities related to the case.</p>
General Law of Migration and Foreigners, No. 8764 of 08/19/2009.	15	<p>The Professional Police of Migration and Foreigners will be a specialized police force of the Public Force; it will be attached to the General Directorate of Migration and Foreigners and will be governed by the General Police Law, No. 7410, of May 26, 1994, and its reforms. This police force shall have specific competence to control and monitor the entry of persons into or out of the national territory, as well as the stay and activities carried out in the national territory by foreigners, in accordance with the provisions of this Law and its Regulations. (...)</p>

Law	Article	Provision
General Law of Migration and Foreigners, No. 8764 of 08/19/2009.	16	The Professional Immigration and Alien Police shall have jurisdiction throughout the territory of the Republic, as well as in the official missions that by reason of their position have to exercise outside it, in accordance with the provisions of international treaties and conventions signed and ratified by the country in this area. Its members shall be authorized to exercise their functions twenty-four hours a day and shall have public faith for purposes of notification, summons and preparation of minutes, and for all purposes of the application of this Law and its Regulations.
	18	<p>Duly identified members of the Professional Migration and Alien Police shall:</p> <p>2) To carry out, with full respect for human rights, immigration control during the entry of persons into the national territory and their exit from it, as well as on the activities of foreign persons living in the country, verifying compliance with the requirements established in this Law; likewise, to conduct investigations into the crimes of human smuggling and trafficking in persons, as well as any other infraction of a migratory nature as an auxiliary body of the Public Prosecutor's Office.</p> <p>26) Conduct research in the field of migration, corruption and transnational organized crime.</p>

**SEIZURE, SEIZURE or FINDING REPORT N°.**

The undersigned officers of the Public Force in compliance with the express provisions of the General Police Law No. 7410, the penal code and the criminal procedure code proceed to the following record:

LOCATION OF THE SITE OF THE EVENT

LOCATION OF THE SITE OF THE EVENT					
Local event	Local event	Province	Qty	District	Address (Avenue or Street)
Exact address of the site of the event:		Type of place (public building, house, commercial premises, etc.).			

1.	NO E	Ce u l a	Sex	E a	Nationali a	ec a e birth
Exact Address and Phone Number						
Known as: Did not want to sign () Does not know how to sign ()						
physical risks:						
Clothing:						
2.	NO E	C u l a	Sex	E a	Nationali a	ec a e Nacimiento
Exact address and phone number:						
Known as: Did not want to sign () Does not know how to sign ()						
physical risks:						
Clothing:						

[illegible]

Police unit to which he belongs : _____
ORIGINAL: Judicial Authority, COPY 1. Statistics Department, COPY 2.

ANNEX III. Observation Report



As the _____ hours _____ minutes of the day
 with _____
 of the month of _____ of the anus _____ the undersigned officers
 of the Public Forces, finding us in: _____

Based on Article 136 of the Criminal Procedural Code of Costa Rica Law No. 7594

We proceed to make the following observation report, in which the acts and circumstances that have been found on site by the police authority will be recorded:

Remarks:

Acting Officers	Cédula	Signature
Performance Witnesses	Cédula	Signature

Original: Corresponding Authority / Copy: Police Unit



MINISTERIO DE
**SEGURIDAD
PÚBLICA**



WITH THE SUPPORT OF



REGIONAL PROGRAM ON
MIGRATION

