

6-30-2020

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Damaris Stein

Department of Political Science, University of Freiburg, stein.damaris@gmail.com

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Recommended Citation

Stein, Damaris (2020) "The Challenge for the Central American Integration System (SICA): The Withdrawal of Costa Rica During the Cuban Migrant Crisis 2015," *Global: Jurnal Politik Internasional*: Vol. 22 : No. 1 , Article 6.

DOI: 10.7454/global.v22i1.482

Available at: <https://scholarhub.ui.ac.id/global/vol22/iss1/6>

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THE CHALLENGE FOR THE CENTRAL AMERICAN INTEGRATION SYSTEM (SICA): THE WITHDRAWAL OF COSTA RICA DURING THE CUBAN MIGRANT CRISIS 2015

Damaris Stein

Department of Political Science
University of Freiburg

Email: stein.damaris@gmail.com

Submitted: 15 May 2020; accepted: 21 June 2020

Abstrak

Amerika Tengah memiliki pengalaman terbanyak dalam upaya integrasi regional selain dari Eropa dan integrasi regional yang sedang meningkat dengan pembentukan Sistem Integrasi Amerika Tengah (Central American Integration System/SICA). Namun, dengan pengalaman Kosta Rika meninggalkan SICA selama krisis migrasi Kuba pada 2015, organisasi tersebut berusaha untuk memajukan integrasi. Tulisan ini berfokus pada faktor-faktor yang berkontribusi terhadap keluarnya Kosta Rika dengan melihat: (1) tingkat kelembagaan SICA; (2) kebijakan Kosta Rika yang menghambat integrasi Amerika Tengah; dan (3) alasan utama Kosta Rika terhadap bentuk tindakan non-integrasi. Artikel ini berpendapat bahwa penyebabnya dapat ditemukan pada tingkat institusional dan nasional. Artikel ini pun menunjukkan bahwa SICA gagal memperdalam integrasinya karena ambisi supranasional yang ada dalam kerangka institusionalnya. Selain itu, melalui metode penelitian kualitatif, telah ditemukan bahwa kebijakan luar negeri Kosta Rika dikarakteristikan dengan penolakan terhadap badan organisasi SICA. Artikel ini diakhiri dengan mengajukan empat alasan utama untuk menjelaskan tindakan non-integrasi Kosta Rika yang dapat dimasukkan ke dalam (1) aspek historis, (2) tidak ada manfaat perdagangan dari keanggotaannya, (3) masalah imigrasi, dan (4) legitimasi masalah SICA.

Kata kunci:

Regionalisme, Sistem Integrasi Amerika Tengah, Kosta Rika, Krisis Migran

Abstract

Central America has the longest experience with regional integration efforts apart from Europe and regional integration was on its rise with the establishment of the Central American Integration System (SICA). However, the organisation has been struggling to move the integration process further; experiencing a climax of fragmentation when Costa Rica left SICA during the Cuban migration crisis in 2015. This article focuses on the factors which contributed to the withdrawal of Costa Rica by looking at: (1) the institutional level of SICA; (2) Costa Rica's policies that have hindered Central American integration; and (3) Costa Rica's main reasons for its non-integrationist actions. This article argues that the cause can be found at both the institutional level and the national level. It further shows that SICA failed at deepening its integration due to its supranational ambitions installed in its institutional framework. Moreover, through qualitative research methods, it has been found that Costa Rica's foreign policy is characterised by defying SICA's organisational bodies. This article concludes by proposing four major reasons to explain Costa Rica's non-integrationist actions which can be subsumed under (1) historical aspects, (2) no trade benefits from its membership, (3) immigration issues and lastly, (4) the legitimacy problem of SICA.

Keywords:

Regionalism, Central American Integration System, Costa Rica, Migrant Crisis

INTRODUCTION

In the last two decades, we have witnessed an expansion of regional integration initiatives around the world. Behr and Jokela identified three main reasons for states to begin regional integration: an economic benefit, a political reason, or the fostering of a regional identity (Behr & Jokela, 2011, p. 11). Hence, regional organisations can have various functions and are created to fulfil different purposes. As the current Brexit debate demonstrates, regionalism can always go both ways, either deepening integration or declining. Accordingly, all these three functions have two extreme operational poles: the economic function ranges from economic protectionism to economic union, the political function ranges from political conflict to pooled sovereignty, and finally the identity function ranges from clash of civilisations to regional identity (Behr & Jokela, 2011, p. 11). Many regionalism studies have focused on the extraordinary integration process of the European Union, which was primarily established as a platform for peaceful dispute settlement and to prevent further wars but evolved into a deep cooperation¹. Further studies deal with the tackling of the migrant wave that also reached the European Union in 2015 and its political and social approach towards migration (Fulvio, 2018). The migrant crises in the European Union challenged the relations between the member states within its own framework, although not dismantling it but rather driving integration further (Charpentier, 2016, p. 34).

Central America has the longest experience with regional integration efforts apart from Europe (Kühnhardt, 2010, p. 81). Despite its first regionalism efforts reaching back to the 19th century, the Central American integration has not been very deep. The Central American Common Market (MERCOSUR) failed due to the economic crisis and the civil wars that shattered the region in the 1970s and 1980s. Its successor is the still nowadays acting institutional framework The Central American Integration System, which was created in 1993 by Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama. Belize joined shortly after and in 2013, the Dominican Republic entered as a full member as well. However, little research has been done on the recent integration movements in Central America because it has long suffered from an institutional paralysis (European Commission, 2003, p. 75). This was especially brought into public focus by the Cuban migrant crisis in 2015. Over eight thousand migrants, who had been on their way to the United States, were stranded at the border between Costa Rica and Nicaragua.

A border conflict evolved since Nicaragua refused to let the refugees cross its national border. This led to an undersupply of provisions on Costa Rica's side of the

border. The problem was immediately referred to The Central American Integration System (Spanish: *Sistema de la Integración Centroamericana*, short SICA), the concerned regional organisation, to find a joint solution. Unfortunately, no solution was found within SICA's bodies, although both countries are founding member states of SICA. The conflict resulted in the political withdrawal of Costa Rica from the organisation. That development shows that SICA did not serve as a problem-solving tool and that regional institutions are to be carefully established and maintained to function as such. The main research question addressed in this paper is: Why did Costa Rica leave the SICA? The paper will examine what might have led up to the escalation of the conflict between Nicaragua and Costa Rica and why SICA has struggled to achieve a deeper integration.

This paper focuses on the Central American integration process between the years of 2012 to 2016. The organisation of the article is as follows. In the analytical framework, the author briefly outlays the development of the Cuban migrant crisis, which is followed by a description of SICA's institutional framework embedded into a legalisation approach and regional theories. The research method follows a qualitative research design. The discussion will look at Costa Rica's behaviour and the factors that may have contributed to the withdrawal of Costa Rica. The section will focus on an analysis of SICA's institutional framework and its weak points. The paper ends with concluding remarks and the outlook on further research in the last section. The research is expected to contribute to International Relations studies relating to the theory and analysis of regional institutions and foreign policy, especially those interested in Central American politics and regionalism.

ANALYTICAL FRAMEWORK

2015 marked the year of a global mass migration crisis all around the world. Migration became a major challenge for international cooperation schemes (Amalia, 2018, p. 39). There are various articles investigating how regional organisations tackle the issue. An article from Loïc Charpentier about the European Union and their migration crisis management suggested that such a crisis can deepen relations between the European countries more effectively. Further institutionalisation of different policies emerged in the European Union as reaction to the crisis (Charpentier, 2016, p. 45). However, the majority of literature on refugee issues focuses on the destination countries perspective, which is heavily discussed by scholars, both in International Relations and migration studies. The

perspectives from sending and transit countries, in which displaced people get stuck has been neglected (Castles, 2010, p. 1565). SICA and the Central American countries as transit countries entered a very difficult period in 2015 due to the Cuban migrant crisis. The crisis was brought into motion by the beginning political convergence of Cuba and the United States (US). Former US President Barack Obama and the Cuban Head of State Raúl Castro began to improve diplomatic relations between the two countries at the end of 2014. This historical turn led to a huge Cuban migrant wave trying to enter the US before the preferential treatment for Cubans to apply for political asylum would be terminated and the benefit from the migratory advantages granted by the Cuban Adjustment Act would be revoked. Most of the migrants preferred to take the land route through Central America. This is due to the “wet foot - dry foot” policy, which states that Cuban refugees can only apply for asylum when they have set foot on US soil (Spiegel Online, 2016). Therefore, travelling by boat to Florida held a much higher risk of getting caught by the US Coast Guard Police and consequently having to return to Cuba.

After thousands of migrants have crossed Panama and Costa Rica in 2015, the asylum seekers had reached the Costa Rican border where their journey ended abruptly. The border to Nicaragua was closed. Thousands of Cubans got stuck and waited to pass the border. The international traffic at Peñas Blancas was blocked, also affecting Central American trade. Nicaragua justified its actions by stating that Costa Rica had caused a humanitarian crisis by handing out thousands of transit visas. Nicaragua accused its southern neighbor of violating its sovereignty by allowing the Cuban migrants to enter Nicaraguan territory (Spiegel online, 2015). Costa Rica hoped that SICA would allow for communication and may be a good platform to find a solution to the problem. However, the three Central American countries, Guatemala, Nicaragua and Belize, were unwilling to find a joint solution for the migrant crisis in Costa Rica on the summit. Costa Rican President, Luis Guillermo, did not understand why these three countries agreed on not supporting Costa Rica in this crisis. Consequently, Costa Rica decided to leave SICA, therefore retiring politically from it. In the meantime, Costa Rica stopped granting temporary visas to arriving migrants from Cuba (Barton, 2016). Since discussions did not bear fruits, Costa Rica made arrangements with El Salvador and Mexico. The migrants would be put on a plane to get to El Salvador and then put on buses, which would take them to Mexico. The airlift solution was to be an absolute exception, SICA told reporters. Only eight thousand Cubans who had received a temporary visa could use this agreement.

The other migrants who were still on their way to Costa Rica would be deported to Havana (Henkel, 2015).

Approach to Legalisation

In order to fully understand why SICA could not serve as a conflict solving regional organisation it is worth to take a closer look at its legalised institutional framework. According to Goldstein et al. (2000) legalised institutions can be explained in terms of their functional value, the preferences and incentives of domestic political actors, and the embodiment of particular international norms. This paper focuses on SICA's functional value and the preference of Costa Rica's political actors. The integrational purpose of SICA is defined by its member states with the following four goals:

The Central American Integration System (SICA) is to realise the integration of Central America in order for the Isthmus to become a Region of Peace, Freedom, Democracy and Development (General Secretariat of the Central American Integration System, n.d.).

The legal framework is built upon the Tegucigalpa Protocol, which amended the Charter of the Organisation of Central American States (ODECA) of 1962. The goals of Peace, Freedom, Democracy and Development, which are also written in Spanish on their logo, are the foundation of SICA. The goals of freedom and peace expect a management of the migration crisis without causing a border dispute over migrants that are on their way through SICA member states to reach the United States of America. The Tegucigalpa Protocol states in article 4 (g) that its members shall proceed in accordance with the principle that "Legal certainty with respect to relations between the Member States and the peaceful settlement of their disputes", thus making SICA an explicit platform for dispute settlement. The Protocol also requires the Meeting of Presidents to deal with regional questions on which it is required to take decisions, with regard to democracy, development, freedom, peace and security. The Meeting of Presidents shall be required in particular to: (a) Define and direct Central American policy by establishing guidelines for the integration of the region, as well as the provisions necessary to ensure the coordination and harmonisation of the activities of the bodies and institutions of the region, and the verification, monitoring and follow-up of its mandates and decisions (General Secretariat of the Central American Integration System, 1991, p. 5).

Regionalism

Finding a definition for regionalism has been attempted by many scholars.² Joseph Nye defined a region as “a limited number of states linked by a geographical relationship and by a degree of mutual interdependence” and regionalism as a result from “the formation of interstate associations or groupings on the basis of regions” (Nye, 1968, p. 7). Since the emerging world order is increasingly multipolar, regional cooperation and integration are likely to continue to play a major role, although not having received a lot of scholarly attention until recently (Behr & Jokela, 2011, p. 43). This neglect is undeserving as regional cooperation continues to be high on the agenda of states and other actors (Behr & Jokela, 2011, p. 43).

Previous studies of regional cooperation have focused on the economic integration and economic benefits as drivers for integration. As stated by Kusumaningrum in his article on the Community of Latin American and Caribbean States (CELAC), a liberalisation of trade and thus further integration should lead to an increase of “export-oriented industrialisation capacity”. In addition, foreign interest in the region coming mainly from China and the EU are found to be drivers of regionalism (Behr & Jokela, 2011, p. 43). Naturally, investors want to keep their risk low and they would increasingly invest in regions which have managed to stabilise their economy. Consequently, a stable economy serves as a pull-factor for foreign investments (Tussie, 2014). However, “the Latin American region is economically quite fragile” but shares a common interest in improving its economic stance in developing regional organisations (Kusumaningrum, 2019, p. 132). As has been mentioned in the introduction, regional organisation can serve three functions: economic interaction, political interaction and regional identity.

RESEARCH METHOD

Having established the background mechanism of SICA and the problems arising with the Cuban migrant crisis, this paper uses a descriptive qualitative research that focuses on the study of Central American Regionalism. Two units of research will be undertaken. Firstly, the research is guided by a qualitative approach to analyse the legalised institutional level of SICA drawing on the Tegucigalpa Protocol as the major data source. The study will systematically examine SICA’s main bodies and their decision-making procedures since “[t]he institutional design and decision-making procedures of regional integration processes [...] are further key features of regionalism” (Behr & Jokela, 2011, p. 14). The second part of the analysis is a case study of Costa Rican policy using the

approach proposed by Behr and Jokela who identified three main reasons for states to deepen regional integration: an economic benefit, a political reason, or the fostering of a regional identity (Behr & Jokela, 2011, p. 11). It will be examined how SICA's institutional problems and Costa Rica's attitude toward regional integration shaped their behaviour towards SICA. Primary data are obtained from content analysis of publications on SICA's official website and research dissemination from any journals or newspapers that refer to Costa Rican policy or the framework of Central American cooperation. This study uses data collection techniques by narrowing the time space between 2012-2016.

DISCUSSION

SICA's Institutional Problems

The SICA consists out of 42 different entities that are based on the following main bodies: (1) The Meeting of Central American Presidents (MCAP), consist of The Council of Ministers (COM), General Secretariat of Central American Integration (SGSICA), and Executive Committee (CE-SICA); (2) Central American Court of Justice (CCJ); (3) Consultative Committee of the Central American (CCSICA); and (4) Central American Parliament (Parlacen).

The General Secretariat of the SICA is located in the Republic of El Salvador. The Meeting of Presidents is the supreme organ of the SICA and is held every six months by all Presidents and Head of States of the Member States. This meeting can also take place extraordinarily if wanted by the member states. The Presidency of the Meeting rotates every six months. The Council of Ministers is part of this organisational structure and is the primary organ. SICA is only a de facto intergovernmental institution, despite having some supranational elements embedded in its framework. Looking at the several bodies of SICA, it will become clear what institutional problems it faces, and consequently which bodies pose as obstacles hindering the regional integration. Firstly, the Meeting of the Presidents and the Council of Ministers will be analysed in the light of their decision-making procedure. Secondly, this paper will speak about the problematic stand of the Parlacen and lastly, about the environment of the Central American Court of Justice, in which it tries to foster its supranational rulemaking.

These first two SICA main bodies are completely intergovernmental by design of the Tegucigalpa Protocol. The decisions made by the Meetings of Presidents (MCAP) must be adopted by consensus (General Secretariat of the Central American Integration System, 1991, p. 5). That makes it difficult to come to a decision if the states are reluctant

to work together and only meet every six months under a different leadership. Hence, a good will towards the integration process is essential for the functioning of this caucus. However, this decision-making procedure is especially problematic because Nicaragua and Costa Rica have had a tense relationship for a long time, which will be mentioned in detail later. Likewise, the Council of Ministers (COM) is also ruled by consensus.

In addition to that, all ministers must be present in the meetings of the COM to be able to decide on a matter. This means, that if there is one minister or vice minister missing, the procedure of the COM will be blocked. Consequently, a single member state could shut down the apparatus by not sending its minister to the COM. This is exactly what happened when Costa Rica politically withdrew from the SICA. Furthermore, each member state has a single vote, providing state egalitarianism in both the COM and the MCAP. Since the integration is not very deep, the national states do not want to give up any part of their sovereignty. The Tegucigalpa Protocol states that the various ordinary, sectoral or intersectoral meetings of the COM are to be convened as often as “necessary or at the request” of one of the members or of the MCAP (General Secretariat of the Central American Integration System, 1991, p. 7).

Despite being the primary organ of the SICA, the Protocol only establishes its formation through a vague formulation. Nonetheless, the COM is required to provide the “necessary follow-up to ensure the effective implementation of the decisions” adopted by the MCAP in the sector in which it is competent, and “to prepare the topics for possible discussion” by the Meeting (General Secretariat of the Central American Integration System, 1991, p. 7). This means that the COM is additionally responsible for the implementation of the MCAP decisions. The SICA does not have a permanent body for agenda-setting or decision-making that ensures that the communication between the states is working. The institutional setup is loosely anchored. The following paragraph of the Tegucigalpa Protocol is the only instruction given for the implementation of the MCAP decisions.

This Protocol and instruments additional thereto and emanating therefrom shall take precedence over any bilateral or multilateral agreement or protocol between Member States on matters relating to Central American integration. However, the provisions of such agreements or treaties shall remain in force between such States so long as they do not contravene this Protocol or hinder the pursuit of its purposes and aims. Any dispute

concerning the implementation or interpretation of the provisions of this Protocol and other instruments referred to in the preceding paragraph shall be submitted to the Central American Court of Justice (General Secretariat of the Central American Integration System, 1991, p. 11).

This paragraph pinpoints one of the SICA's main problems: The Tegucigalpa Protocol does give SICA agreements precedence, but it allows bilateral and multilateral agreements with third countries. Furthermore, when entering an agreement with a third state, the SICA member state only needs to inform SICA, but does not need permission or approval for the deal. That gives SICA states a lot of freedom to make, for example, trade agreements with third states. Another crucial point is that the Protocol lays down that "Any dispute [...] shall be submitted to the Central American Court of Justice.", which is problematic as the Central American Court of Justice is unrecognised by many SICA members. To conclude: These two intergovernmental bodies have the power to execute a declaration, but the apparatus is not fit to see the declarations through. Consequently, many declarations are not enforced because of their non-binding character. We will look at the two supranational bodies in the next step.

The Parlacen acts as the parliament of SICA and is directly elected by the people of the participating countries. It is one of the supranational elements established by the Tegucigalpa Protocol. Despite its democratic structure, the Parlacen has not much legitimacy. Especially the low turnout in the elections shows how much the citizens lack knowledge and involvement of the Parlacen (Giupponi, 2017, pp. 245–247). Although it being the only body that makes it possible to take the public opinion into consideration, the Parlacen can only give advice to the MCAP and the COM. Furthermore, not all SICA member states participate in the Parlacen, which composes a huge problem and practically renders the Parlacen unnecessary. Not only the Parlacen has difficulties to establish itself as a functioning supranational body, but also the Central American Court of Justice (CCJ) is struggling to be forceful enough. The CCJ has not achieved to have weight in the SICA's institutional conduct for over 20 years. Guatemala integrated into the CCJ in 2008, but Costa Rica, Panama and Dominican Republic have not ratified the CCJ in their national institution to this day. Thus, the major obstacle for the CCJ is to overcome the reoccurring attacks of its own SICA member states. Especially Panama and Costa Rica did not show affirmative behaviour towards the CCJ. But even the other countries, who ratified the CCJ, wanted to limit the interference of the international body as well.

Integration seemed to go backwards. For example, the CCJ rulings were ignored. For instance, in 2012, Guatemala declared that the CCJ was incompetent to know internal issues and to rule over the member states. Furthermore, Guillermo Porras criticised the CCJ in 2012 for never having completed its high court since it only had representatives from El Salvador, Honduras and Nicaragua (Redacción Perro Bravo, 2012), which is still true to this day. Summing up, not all the member states participate and therefore question the authority of the CCJ, therewith undermining its power.

In conclusion it can be said that the greatest challenge for SICA is to overcome its weakness of the rule of law and to get the respect and support from its member states. Although encompassing many political fields, there are no binding regulations and the protocols are set up on a voluntary basis. The supranational bodies suffer from the democratic legitimacy and cannot solidify their function. The organisations are therefore de facto purely based on intergovernmental work, which is mostly based on the decision-making by the ministers of economic integration. The Tegucigalpa Protocol and other treaties have arranged for a supranational component in its main organs, such as the Court of Justice and Parliament, however in practice intergovernmentalism is still the rule (Giupponi, 2017, pp. 245–247).

Furthermore, not all member states participate in the five main bodies which causes inconsistencies and weakens the credibility of the SICA. The character of the institution is still loose and non-binding and that combined with unwillingness of the member states to integrate further means that the integration is not deepening. Central America is still fragmented. This last problem is not an institutional problem but still highly affecting the integration process: the different interests of the member states which also causes a fragmentation of the cooperation process. For example, Costa Rica is not fully participating to protect its political and economic stability by refusing to bind itself to less developed countries. Panama has a huge financial sector and is not interested in a partnership with the mostly agrarian SICA member states and Nicaragua claims it cannot lower tariffs because of its precarious economic position. This clearly shows why some scholars state the deepening of the integration is not probable. The conditions are not good to further integrate. That is also why external incentives become more and more important (Kurtenbach, S., 2013, pp. 49–53). Therefore, it is advisable to revise the cooperation scheme of SICA, much like the Euro-Mediterranean Partnership (EMP) was changed to The Union for the Mediterranean (UfM) in order to maintain the process of regionalisation (Elistania, Nurmeiga, & Permadi, 2019, p. 257).

Despite all its institutional troubles, as we have seen, it is not only in the hand of SICA to push integration forward. A key factor for successful integration is the good will of the members to expand cooperation. Costa Rica has been a difficult partner to work with, as will be shown in the next part of this paper.

Costa Rica – The Country that Hinders the Integration Process

Costa Rica has been historically reluctant to take action in the international space. Thus, it is often called the Switzerland of Central America. Concerning the SICA, four main choices have been identified which Costa Rica made that have hindered the integration process of Central America as a region: (1) Not recognising the authority of the CCJ; (2) Not taking part in the Parlacen; (3) Threatening to leave SICA and politically withdrawing from it; and (4) Not ratifying any agreement of free movement.

In 2012, Costa Rica officially stated that the CCJ was not competent to rule, a very similar step compared to the statement Guatemala made. This political move was a reaction of the Costa Rican government to a CCJ ruling in a case that was filed against Costa Rica by Nicaragua. In response to the ruling, the Costa Rican government ratified its position of not recognising CCJ as a competent court and threatened to leave SICA, a first hint of what has now come to pass (Redacción Perro Bravo, 2012). It is evident, that Costa Rica has always considered abandoning SICA and has used that option as a political instrument. Following the conflict, Parlacen members accused Costa Rica of hindering the integration and that especially Panama was suffering from that since Costa Rica cuts Panama geographically off. Panama, however, had also tried to leave the Parlacen but due to legal reasons could not withdraw (Parlamento Centroamericano, 2019b).

There are claims that Costa Rica and Panama have put their commercial interests above the regional integration process. In addition, their economies are booming in comparison to the other Central American states. Furthermore, Costa Rica's economic ties are stronger to Colombia than to other countries in the area (Redacción Perro Bravo, 2012). Consequently, it can be assumed that Costa Rica does not see that the integration delivers enough trade benefits. However, the intra-regional trade increased from \$6 million (US) in 1963 to \$1.8 billion at the end of the 1970s. That clearly shows that the integration expanded the trade between the Central American countries. The problem is that the integration process stopped in 1969 because of “deep sociological changes and cleavages” that ended in the Football War between Honduras and El Salvador. This led to Civil Wars in Nicaragua, El Salvador and Guatemala (Kühnhardt, 2010, pp. 82–84).

To conclude, Costa Rica might fear that it is a possibility that Costa Rica's stable democratic system will be affected by the relatively young and unstable democracies. This is further supported by the fact that Costa Rica has the highest Human Development Index of the Central American countries (UNDP, n.d.). It is clearly further developed. Another aspect might be the demographic characteristics of the Central American countries due to colonisation. Costa Rica is classified in the group of countries of European descendants, whereas most of Central America is grouped into *mestizo* population countries (Kusumaningrum, 2019). This distinction might pose an identification obstacle to the Costa Rican population.

Lastly, Costa Rica never ratified any free movement treaties so far. For instance, the Central American free trade area that was established in 1993 included a free movement of persons, however, Costa Rica did not ratify. Consequently, only El Salvador, Honduras, Guatemala and Nicaragua have removed the need for their citizens to apply for a visa (Giupponi, 2017, p. 245). This so called CA4-agreement was later also ratified by the Dominican Republic.

A former president of the CCJ said that in order to achieve CA-8's implementation, it was now necessary for Belize, Costa Rica and Panama to adhere. There also have been talks about a customs union. Mauricio Diaz, member of Parlacen, expert on international rights said that the first step into the direction of a Central American Union is to achieve the customs union. There are many benefits to the customs union, principally to give more potential to economic, social, and educational-cultural areas and to achieve friendship between the neighbouring countries (Rugama, 2016). It is evident that most Central American states want to take integration further.

Having looked at the behaviour of Costa Rica, four reasons have been found why it would have hindered the integration, which ultimately escalated into the political withdrawal from the SICA: (1) historical aspects (2) its strong economy and no trade benefits (3) immigration issues and the border disputes between Nicaragua and Costa Rica and lastly, (4) the legitimacy problem of the SICA. It has been talked about the historical aspects of Costa Rica's reluctant foreign policy and its strong economy. Concerning argument (3), it is interesting that Nicaragua and Costa Rica have fought over their border for a long time. The main issue is the border river and its fishing rights. The next problem Costa Rica has with Nicaragua is the immense labour migration and the mostly poor people coming over to Costa Rica. Especially here more efforts are needed and bilateral relations between Costa Rica and Nicaragua should be improved. To get

back at the Cuban migrant crisis, when the conflict escalated, it can be said that many scholars suspect that Nicaragua acted on Cuba's behalf during the Cuban migration crisis in Costa Rica. Both countries have interacted politically in the past. On the contrary, Costa Rica has shown close political ties to the US. Moreover, Nicaragua and Costa Rica have been debating about border issues for decades, especially about the rights on their border river.

To be precise, Cuba aimed at forcing President Obama to revoke *the Cuban Adjustment Act*, the law that allows all Cuban nationals to get refugee status if reaching US grounds. Nicaragua might have tried to aid Cuba in achieving this goal (Henkel, 2015). Lastly, as has been seen in the previous chapter, Costa Rica is not involved in the Parlacen and does not accept the CCJ. The internal reasons are thus clear. Interestingly, integration is now achieved by external pressure. For instance, the European Union is keen on taking the integration process in Central America further (European Commission, 2003). It might be problematic since the European way of integration does not work for all regions as good as in Europe, where the rule of law is widely accepted.

This last paragraph points out why Costa Rica could benefit participating in SICA. An advantage for Costa Rica is that the more countries Costa Rica has on its side, the more power they have in negotiating a deal. In this respect, Costa Rica could achieve a higher trade benefit from working with SICA. Furthermore, by cooperating, peace building and spreading democratic values in the younger democracies would be beneficial to all the Central American countries. Lastly, you can change organisations from inside. That means that Costa Rica can now enter the SICA again and can demand change, which is exactly what Costa Rica has tried to do. Costa Rica said it would not return to the political discussions of SICA until they do not promote reforms in the body (Parlacen ofrece apoyo al SICA para lograr la 'integración centroamericana, 2016).

The benefits of integration are important, and it is becoming increasingly essential to adopt unified measures to compete in a globalised economy. SICA is the only regional institution in which the Central American states can develop strategies for regional security and combating organized crime. But if Costa Rica keeps hindering the integration instead of helping to strengthen the community, it will become difficult to overcome the problems of the region. This recognition should be an incentive for the Central American States to resume and rescue the effort to consolidate a tribunal in which they can resolve their differences (Redacción Perro Bravo, 2012). However, Costa Rica has been hindering

the integration process continuously and SICA has difficulties to establish itself as a respectable institution.

CONCLUSION

Referring to Behr and Jokela, it can be said that Costa Rica does not see the economic benefit, nor does it want to foster a regional identity. It has always seen itself as an exception. However, there are many political reasons for Costa Rica to rejoin the SICA. The only problem is the institutional framework, that needs to be changed. After months of behind the scene meetings, Costa Rica rejoined SICA after stating conditions for its return at the end of 2016. For six months Costa Rica had not sent any delegates to SICA bodies. Costa Rica's Foreign minister said his goal is achieving the consensus needed to revise and update the legal instruments. Thereby stating that SICA still needs to be improved and that all Central American countries must work together in achieving this (Anders, 2016). In January 2019, members of the Parlacen debated about reforming the constitutive treaty (Parlamento Centroamericano, 2019a). The political withdrawal of Costa Rica was used as leverage for change and improvement.

This paper focused on the question: Why did Costa Rica leave the SICA? In conclusion it can be said that three levels of analysis have been undertaken. The first level dealt with SICA's institutional problems. Despite Costa Rica's non-integrationist past, the institutional framework of SICA is not fit for the Central American countries. The Parlacen and the CCJ are a step too ambitious, since most of the countries are still not ready to acknowledge a supranational entity. The second level dealt with Costa Rica's behavior and examined the political steps Costa Rica had chosen to take that hindered the Central American integration. These are: (1) Not recognising the authority of the CCJ; (2) Not taking part in the Parlacen; (3) Threatening to leave SICA and politically withdrawing from it; and (4) Not ratifying any agreement of free movement. On the third level of analysis, reasons have been found to explain why Costa Rica chose to dilute the integration process. These are the four reasons: (1) historical aspects; (2) its strong economy and no trade benefits; (3) immigration issues and the border disputes between Nicaragua and Costa Rica; and lastly (4) the legitimacy problem of the SICA.

This research is expected to increase the repertoire of knowledge and research on the study of regionalism and the study of the Central American region. Further research is needed to determine whether SICA is on the way to a functioning regional organisation. It would further widen the scope to examine the role of the other Central American

countries regarding the integration process. In addition, it might be fruitful to the study to include the role of the European Union and examine how norm diffusion and the transfer of values might play a role in its endeavor to promote integration in other regions.

ACKNOWLEDGEMENTS

I am grateful for the helpful comments from the journal's anonymous reviewers and the guidance and proofreading from the journal's editors. I also convey my gratitude to everyone that support and involved in the research process of this article. I would like also to express my deep gratitude to my lecturer Lukas Maximilian Müller of the Department of Political Science at the University of Freiburg for giving me the opportunity to do this research and providing invaluable guidance throughout.

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Notes:

¹ See for example Obwexer, W., et al. (2018) and Caporaso, J. A., Cowles, M. G., & Risse-Kappen, T. (2001).

² See Deutsch (1957), Russett (1967), Thompson (1973), Katzenstein (2005), Söderbaum (2002), Mansfield & Solingen (2010) and Breslin & Higgott (2000).