

Context Analysis Ambulantes Project Interviews

Overview of the situation of Internal Agricultural Migration in Mexico

In Mexico, an estimated 2.3 million people work as internal agricultural migrants, or 'Jornalero/as'¹. It is important to note that this population has a high proportion of indigenous people. Twenty four percent speak an indigenous language, which is three times higher than the rate of the national population.

A 2018 study from the National Human Rights Commission estimates that agricultural workers have 5.9 years of schooling on average, more than three years below the national average², and that 43% earn below the legal minimum wage. Internal agricultural migrants are a group with precarious incomes and few economic options in their communities of origin, explaining why they are forced to migrate.

Internal agricultural migrants do not have guaranteed employment and on average work 180 to 200 days a year. Ninety-four percent do not have a written contract, and 9 out of 10 workers do not have access to health care or any employment benefits³.

This population faces a diverse set of motivating factors, chief among them the inability to turn a profit with small-scale farming in communities of origin in the center and south of Mexico. Additional drivers of migration are the social deprivation, marginalization, insecurity, violence, and extreme poverty suffered across municipalities in rural and indigenous regions.

The rapid growth of agro-industrial production in the north, northwest and center of Mexico has opened a labor market for thousands of migrants and their families. Despite poor labor conditions and the violation of labor rights, this market offers workers sustenance and provides an alternative to deficiencies in their own communities. Having taken the decision to migrate, there is no guarantee of fair and dignified work or the working and living conditions that are established in the Federal Labor Law and in international human rights instruments and conventions to which Mexico is a signatory.

The National Network of Jornaleros and Jornaleras, in its report [Violación de Derechos de las y los Jornaleros Agrícolas en México](#), describe the precariousness of living conditions for internal agricultural migrants which deepen the gender, class and ethnic inequalities of the country and

¹ For additional Information, consult "En México 2.3 millones de personas son jornaleras agrícolas: Conasami. Instituto Nacional de Desarrollo Social | 18 de agosto de 2020 | Comunicado:

<https://www.gob.mx/indesol/prensa/en-mexico-2-3-millones-de-personas-son-jornaleras-agricolas-conasami>

² Comisión Nacional de los Derechos Humanos (2018). Study regarding intervention by labor authorities in the prevention of trafficking in personas and detection of potential victims of agricultural fields, page. 38. Consult at: <https://www.cndh.org.mx/sites/all/doc/Informes/Especiales/Estudio-Autoridades-Trabajo-Trata.pdf>

³ *Ibid*

contribute to the normalization of violence and violations of human and labor rights in workplaces. Internal migration is increasing due to a reduction in local agricultural employment and a simultaneous increase of labor demand in agro-industrial production. Labor issues are exacerbated by the absence of an agricultural policy which strengthens the rural economy and promotes human rights in migrant communities of origin. (REJJA, 2019, pp. 11).

The National Human Rights Commission has made several recommendations that demonstrate the constant violations of the labor rights faced by internal agricultural migrants. Each recommendation integrates important elements and highlights the conditions of vulnerability that affect the life, development and work of girls, boys, adolescents, women, men, people with disabilities, migrants and indigenous people. The recommendations also highlight the responsibility of state and national authorities to respond to this set of issues⁴.

This document focuses on the contexts of Veracruz and Oaxaca, which are part of the growing migratory dynamic in Mexico, and whose communities are often considered migrant communities of origin. These states have limited agricultural products such as coffee, sugar cane, and oranges which generate some interstate migration (i.e., from one municipality to another in the same state) but do not generate high demand for labor. To a limited degree Veracruz receives migrant laborers from nearby states, however emigration far surpasses these inflows.

Through an investigation carried out by CAMINOS Centro de Acompañamiento a Migrantes, and Fomento Cultural y Educativo, Ambulantes shares details of the complex reality of migratory processes and the mechanisms that support and protect informal recruitment and hiring by

⁴ 28/2016.- Regarding indigenous Rarámuris (Tarahumaras) internal agricultural migrants in Baja California Sur; [Recomendación 28/2016 | Comisión Nacional de los Derechos Humanos - México \(cndh.org.mx\)](#)

70/2016.- Regarding violations to free expression, dignified work, children's rights, the right to work, judicial security, and the judicial procedure in violation of V1, V2, V3, V4 and other internal agricultural migrants located in Villa Juárez, San Luis Potosí; [Recomendación 70/2016 | Comisión Nacional de los Derechos Humanos - México \(cndh.org.mx\)](#)

2 /2017.- Case regarding the violation of human rights in violation of internal agricultural migrants in the Valle de San Quintín, located in Ensenada, Baja California; [Recomendación 2/2017 | Comisión Nacional de los Derechos Humanos - México \(cndh.org.mx\)](#)

60/2017.- Regarding the violation of human labor rights, social security, adequate living conditions, and children's rights in violation of V1 and V2, internal agricultural migrants in the state of Coahuila of Zaragoza; [Rec_2017_021.pdf \(cndh.org.mx\)](#)

15/2018.- Regarding violations to diverse human rights and trafficking actions in violation of indigenous internal agricultural migrants of Mixtec origin in vulnerable conditions located in the municipality of Colima, Colima, [Recomendación 15/2018 | Comisión Nacional de los Derechos Humanos - México \(cndh.org.mx\)](#)

36/2019.- General recommendation regarding the situation of marginalization and poverty faced by millions of internal agricultural migrants in the country, a majority of whom face violations to their human rights in the form of precarious labor conditions, vulnerable labor rights, access to social security, inadequate standards of living, and the lack of protection of children's rights within the internal agricultural migrant population in Mexico. [Recomendación General 36/2019 | Comisión Nacional de los Derechos Humanos - México \(cndh.org.mx\)](#)

And the most recent, 209/2022.- Regarding violations to human labor rights to dignified working conditions in the context of agricultural work, as well as access to justice and protection of children's rights, in violation of 38 internal agricultural migrants in Villa de Arista, San Luis Potosí [Recomendación 209/2022 | Comisión Nacional de los Derechos Humanos - México \(cndh.org.mx\)](#)

agricultural companies, as well as the living and working conditions faced by internal agricultural migrants and their families from their communities of origin to workplaces in their destination states.

Veracruz

Thousands of people from the Sierra and Huasteca regions go out at different times of the year to work in the chile, tomato, or tamarind 'contracts.'⁵ Most of them are from Náhua, Otomíe, Totonaca and Tének communities in the states of Veracruz, Hidalgo and San Luis Potosí. They migrate to Coahuila, Sinaloa, Durango, San Luis Potosí, Tamaulipas, Mexico State, Jalisco, Sonora and Baja California, among others. The custom of the inhabitants of the Sierra and the Huasteca is to migrate in groups; organizing together with neighbors or family members to find work.

In most communities there is an intermediary between the recruiter and the migrant workers. These intermediaries are called 'anotadores' and are paid to sign up a group of workers in preparation for when the recruiter or contractor arrives. The recruiter is also an intermediary between the agricultural company and the workers. Job offers are promoted by the recruiter or contractor in public announcements through media, including commercial radio stations, such as the Voz de la Huasteca, located in Huejutla (Hidalgo).

Radio announcements typically mention the places where potential migrants can sign up for agricultural work. They also state the promised salary and an amount of \$1,500 to \$2,000 pesos (80 -110 USD) that will be given to the worker upon leaving the community. This amount is called the "enganche⁶," an up-front payment which will later be deducted from the total salary. The contract is verbally agreed upon with working periods ranging from two to three months depending on the harvest and with the possibility to extend as necessary.

In many cases, it is the recruiter or contractor who receives the payment from the company, meaning that the worker does not have direct information from the employer about the amount of his or her salary. The recruiter decides the wages paid to the people they recruit and keeps a portion of what they receive from the owner of the agricultural enterprise. One ranch may have several affiliated recruiters, although these relationships are not formalized.

Generally, agricultural migrants do not sign an employment contract. Recruiters verbally determine both the salary and the amount of the down payment, or "enganche." Even when there is a contract, workers may have difficulty understanding it because many of them cannot

⁵ A term that is utilized in rural and indigenous communities to describe seasonal migration towards another state for agricultural work. It is used in the Huasteca region of Mexico, made up of municipalities belonging to Veracruz, Hidalgo, and San Luis Potosí.

⁶ The amount of money provided to a worker before leaving their community which can be understood as an advance salary payment. This money can be paid days or months before migrating for work, a type of financial commitment which puts workers in a position to tolerate poor working conditions: [La Jornada del Campo](#).

read. There are records of teenagers who migrate for agricultural work from young as 13 years old. They are not offered a written contract because their employment is not permitted under Federal Labor Law.

The most common way interviewed workers traveled from their communities to the ranch is in a pickup truck that takes them to the city of Huejutla, Hidalgo. This is where most of the recruiters and contractors of the region are located, and it is also the point from which all migrant workers leave to work in different destinations in Mexico and the United States.

Transportation conditions for internal agricultural migrants are not ideal, and on many occasions, migrants suffer accidents on the roads⁷ because of poor conditions. The buses typically have no bathroom and no air conditioning.

Housing conditions in the workplace are one of the most precarious elements according to workers' testimonies. The companies provide 'galeras,' or large temporary structures where people live in overcrowded conditions. In this type of housing, the bathrooms are insufficient because they do not have the capacity for the number of people, nor the basic water services to supply for the consumption of as many as 300 occupants.

Some workers prefer to rent houses on informal housing sites in communities close to the ranches. Ten to twelve people may live in these houses, traveling as a group from their community. These houses are in 'black' construction sites, unregistered constructions which do not meet with building standards and usually have a temporary tin roof and no windows, kitchen, or bathroom. On ranches near Mexico City interviewed workers reported staying in the homes of their employers. This can mean unfinished second-floor constructions with no windows, no doors, no mattresses, and in some cases no bathroom.

Food on ranches can be poor or insufficient. Although most of the ranches, as stipulated in the Federal Labor Law, provide food free of charge, the food is of poor quality and low-protein meals are repeated throughout the week. Some workers interviewed commented that they were given rotten food. Others commented that the water available to them was not clean or purified.

It is difficult for workers to leave ranches to buy something to eat, either because they live far from a store or a market, or because on many of the ranches the employers do not pay weekly wages. Employers engage in practices that are outside the provisions of the Federal Labor Law, such as withholding wages until the end of the contract. For short term financial needs, it was found that some employers provide workers with cash loans of \$100 or \$200 pesos (5-10 USD).

On ranches where loans are offered, workers are forced to shop at the store owned by the ranch itself, with inflated prices for basic products. This forces workers to either submit to captive

⁷ [Accidente de camión con 45 jornaleros deja siete lesionados \(luznoticias.mx\)](http://luznoticias.mx).

pricing or to go hungry and eat poorly. What workers purchase in these stores is deducted from their final pay, a further violation of their labor rights.⁸

Another difficulty internal agricultural migrants face is access to health care. Most interviewed migrants stated that if they get sick and cannot work the ranch does not pay them for the days they miss. The company or the ranches often have only a basic first aid kit. In the face of the recent COVID-19 pandemic, workers had practically no protocol or strategy to contain the virus during the work period. Almost no workers interviewed were incorporated into the Mexican Social Security Institute (IMSS) which would enable them to access state healthcare services.

Health hazards are aggravated by exposure to agro-toxic substances such as herbicides, insecticides, and chemical fertilizers released from plants. To work in certain types of crops, migrants must cover the end of their pants with socks, cover their heads with hoods and their faces with scarves to avoid the effects of agrochemicals on their skin. In hot places or with high temperatures in greenhouses, this type of clothing increases heat fatigue and affects the health of workers. Workers in contact with these types of agrochemicals suffer effects that manifest themselves in their health in the medium and long term, such as allergies, dermatitis, and cancer.

Most of the workers interviewed stated that they have not perceived situations of violence and discrimination in the workplace but in in-depth conversations during the Fomento team's fieldwork revealed that discrimination, mistreatment and racism is something that indigenous peoples have lived and experienced for years. For this reason, it is often difficult for them to conceive of it as a form of violence or discrimination.

Interviewed migrants reported violent environments around workplaces in which organized crime is directly linked to the ranches. The sale of drugs within the ranch is frequent and many workers return to their communities with drug addictions which can cause aggressive attitudes towards their families and neighbors. In this way, the context of violence they experience during the contract period can be replicated in the community.

Most of the workers interviewed mentioned what they would like to see improved living conditions and higher wages. Labor inspections on ranches are the responsibility of the Ministry of Labor and Social Welfare (Secretaría del Trabajo y Previsión Social) however inspections are infrequent. There is a lack of oversight of labor conditions, housing, food, health, and safety by federal and state labor authorities in migrant destinations. Without this oversight, the right to housing, the quality of food, social security enrollment, a decent salary, and overtime pay cannot be guaranteed.

⁸ [FISCALÍA DE DDHH RESCATÓ A 35 JORNALEROS DE PRESUNTA EXPLOTACIÓN LABORAL EN VILLA DE ARISTA – Fiscalía General del Estado \(fiscaliasp.gob.mx\)](https://www.fiscaliasp.gob.mx/).

These issues are structural in nature because there are currently millions of internal agricultural migrants, a number that is increasing every year as industrial agriculture designed for intensive production expands. The companies are not only local or national, but also foreign, which buy or rent land and work with sophisticated systems of design, administration, and inputs, all based on productivity and yield. Recruitment systems are being formed outside the law, based on the exploitation of labor and the extreme poverty of workers and their families.

Oaxaca

According to the National Survey of Agricultural Day Laborers (ENJO, 2009), 24.4% of internal agricultural migrants in the country are from Oaxaca. One of the explanations for the high levels of migratory expulsion can be found in the degree of marginalization⁹ of the state: Oaxaca is the third state with the highest rates of marginalization, after Guerrero and Chiapas¹⁰. There are 216 municipalities in Oaxaca with a very high marginalization index, 144 with high indices, 171 medium, 28 low, and only 11 with very low indices of marginalization.

In Oaxaca, 79.5% of internal agricultural migration takes place in families¹¹. Circular migration and agricultural work present challenges for families: it makes it difficult to establish ties with a territory and strengthen community networks that provide protection and support in the face of absent authorities; it prevents children and adolescents from being incorporated into formal education, and it deepens exposure to labor exploitation, exclusion and discrimination.

In the Valles Centrales region of Oaxaca, interviews were conducted with 21 women and 21 men between 20 and 50 years of age (only 39 interviews were included for the interactive panel). Most of those interviewed are Zapotec speakers. Twenty-three of the workers interviewed had studied through elementary school, 12 had completed junior high school, and two had completed high school. Five people have no schooling at all. Fifty percent of the population interviewed is married, and more than 85% have economic dependents.

The main crops harvested by those interviewed were cucumber, chili peppers, tomato, Chinese onion, and strawberry. Almost all of this group worked on the harvesting and cutting of these crops. The working period in which they are away from their communities is approximately eight months.

⁹ The marginalization index is a measurement which ranks entities and municipalities of Mexico in accordance with the impact of social deficiencies the population faces such as lack of access to education, housing quality, and poverty levels, among others.

¹⁰ Diagnostic of migration in Oaxaca:

http://www.digepo.oaxaca.gob.mx/recursos/publicaciones/DIAGNOSTICO_MINIMO_EN_MATERIA_DE_MIGRACION_EN%20OAXACA.pdf

¹¹ ENJO, 2009. At: <https://www.inee.edu.mx/wp-content/uploads/2018/12/sedesol-2009-pobreza-migracion-y-capacidades.pdf>.

The agricultural migrants interviewed reported that in the recruitment process most found out about the work through community announcements or by invitation from family members who migrate to the agricultural fields each year. It is important to note that only 10 of the 42 people interviewed received a written contract before starting work; the rest were hired via verbal agreements.

Migrants travel from their community in a pick-up truck to reach a more accessible location where public transportation, or a bus hired by the company to take them to the ranches, departs. Generally, entire families or at least three family members migrate together. Seventy-seven percent of those interviewed were transported by bus provided by the contractor, while 10% took more than one form of transportation to arrive at their destination. At least 65% had a bus in favorable conditions for travel (cleanliness, air conditioning and bathroom). Twenty-eight percent did not receive any COVID-19 protocol during the trip and had to carry masks on their own, while 60% received masks from the company, as well as sanitizing gel.

None of the workers interviewed reported any union affiliation. The salary they receive varies, 50% receive between \$201 and \$300 pesos per day, 38% receive between \$150 and \$200 pesos per day, and the remaining 12% receive a salary of more than \$300 pesos per day (16-17 USD). Fifty percent reported receiving an additional payment for overtime worked.

On average, interviewed migrants work nine hours a day and rest one day a week (Sunday). More than 50% receive their wages in cash, 21% by check and 18% via debit card.

Regarding the housing of internal agricultural migrants on ranches, more than 50% live in sheds or shared houses with the company covering the cost of rent and the workers paying for drinking water and electricity. Others pay rent for separate rooms, mostly outside the farm. Health and education services are outside the ranch, and workers have to pay for these separately.

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The General Overview was conducted by Centro de Estudios en Cooperación Internacional y Gestión Pública. Interviews were conducted in Veracruz by Fomento Cultural y Educativo, and in Oaxaca by CAMINOS Centro de Acompañamiento a Migrantes. The results of these interviews can be explored in the interactive panel and map of this platform.