

Internal Agricultural Migrant Workers in Mexico and COVID-19: Assessing Gaps in Services and Information

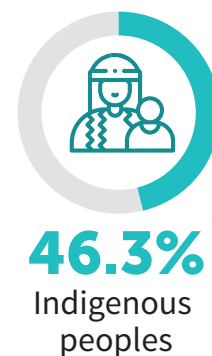
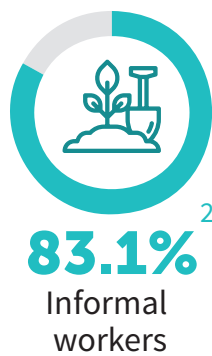


Overview: Internal agricultural migrant workers in Mexico

Internal agricultural migrant workers serve in the export-oriented sector and in agriculture for domestic consumption. The majority of these workers in Mexico come from southern states (i.e., Guerrero, Oaxaca, Veracruz) and migrate towards the center and north of the country (i.e., Sinaloa, Baja California, Baja California Sur, Sonora, Guanajuato, San Luis Potosi). Migration routes are dictated by factors including crop type, gender, physical fitness, community of origin, or even family tradition, yielding an incalculable number of potential routes.



Among this population, it is common for entire families to travel and work together. Women and children can face added challenges; for children it is hard to access education, and women may not receive the same wages as men, have the added responsibility of primary caretaker for the children, and are expected to cook for other workers without additional salary. All family members can be exposed to trafficking, labor exploitation, and discrimination. The COVID-19 pandemic exacerbates the challenges internal migrants face.



Key findings with special focus in Oaxaca and Veracruz as origin communities

1 Migrant workers are unprotected in the COVID-19 pandemic.

Most internal migrant workers are traveling to destination states without preventive measures against COVID-19 because they lack access to information and recruiters and employers do not comply with the health protocols established by governmental authorities. There is no evidence that migrant workers are asked to use masks or sanitizing gel, nor that their temperatures are being checked in advance of boarding buses that recruiters use to transport them to work locations. Once at the worksite, most migrants do not receive personal protective equipment from employers and do not follow health protocols – largely because they lack adequate information about said protocols. Living conditions are poor, typically crowded spaces in which migrants are not able to access clean water to wash their hands, maintain adequate distance, or isolate if they become infected with COVID-19. Institutions like the National Institute on Indigenous Languages have produced information in 52 indigenous languages which they disseminate through their webpage and via community radio. Still, CSOs in Oaxaca and Veracruz flag that sufficient information to prevent COVID-19 has not reached migrant workers.

Even though some protocols have been put in place by governmental authorities such as the Action Guide for Agricultural Work Centers (published in April 2020), not all employers are following these guidelines. In instances where internal migrants have become sick in their workplaces, there is little evidence that health and labor authorities took subsequent preventive and corrective measures in destination or origin communities. There are documented cases where migrants became infected in their workplaces and returned sick to their origin communities with neither adequate information to mitigate risk to their families nor access to adequate health services.

The general lack of social benefits, including access to healthcare, affects migrant workers who become infected with COVID-19. Since many migrants are hired informally, they lack employer-provided social benefits if and when they become sick, including access to medical care, sick leave, payment for sick days, and other benefits.

There is no strategy to vaccinate internal migrant workers who live in marginalized communities far from medical centers, or to raise awareness of the importance of vaccines. The national vaccination campaign which was launched in Mexico in February 2021 only visits municipal capitals or large towns and thus many citizens living outside of these city centers lack the financial or physical capability to travel the necessary distance to obtain their vaccine. Migratory workers face the added challenge of being consistently transient, which affects their ability to access two vaccine doses within the suggested timeframe. In addition to the logistical issues presented by the distance of vaccination centers and the movement of the workers themselves, there is also a great deal of skepticism among the internal agricultural migrant community both of COVID-19 and of the effectiveness of the vaccine.

2 Unregulated recruitment processes and gaps in workplace oversight impact labor conditions of internal migrant workers.

The poor labor conditions that migrants face normally begin in the recruitment process. Except for recruitment completed by the National Employment Office of the Ministry of Labor, recruitment mechanisms are unregulated and can involve a chain of recruiters and employers, making legal liability difficult to trace in cases of labor exploitation. Recruiters can be directly hired by employers or by other intermediaries and they can be from the community in which they recruit and/or former workers themselves. Since governmental authorities do not supervise these informal recruitment systems, migrant workers typically pay excessive and unlawful recruitment fees that lead them to acquire debts or to debt bondage, they do not receive written contracts, and they are not informed about their labor conditions such as where they will travel, living arrangements, salary, etc.

The lack of labor inspections in workplaces increase the risks for internal migrant workers. Migrant workers can live in precarious conditions at their destinations where they may have difficulties accessing medical attention or receiving agreed-upon wages. Other forms of labor exploitation that migrant workers have been known to face are poor and overcrowded living conditions without potable water or sanitary services.

3



Neither migrants nor governmental authorities have sufficient information to make informed decisions or develop pertinent actions.

Governmental authorities lack information and control over internal migration. The federal government and local authorities do not have adequate information about informal recruitment processes of internal agricultural migrants (i.e., number and type of recruiters) and lack access to reliable data about the number of migrants leaving their communities, the challenges and roadblocks migrants face, and the number and types of farms hiring migrant workers. The reasons for this information gap are multi-fold and include the reality that a large portion of people participating in the internal agricultural migrant sector are indigenous and, as in many countries, these populations are not at the core of public policies. This historical and ongoing deprioritization has resulted in a dearth of information (the last comprehensive study on this population – the Encuesta Nacional de Jornaleros Agrícolas - was completed by the Government in 2009), without which it is difficult to design a holistic public policy to address the needs of internal migrant workers and guarantee their labor rights.

Internal migrant workers lack information that would help them to understand what their rights are, the risks they may face, and the way they can denounce and seek redress for violations committed against them. There is a small group of civil society organizations in Mexico that help to address this information gap, however due to the diversity and remote location of many origin communities, many migrants remain under-served and information targeted to internal migrants is limited. Filling this information gap would require a significant coordination effort and commitment of financial resources from different stakeholders (federal and local governments, community leaders, CSOs, etc.) to target all origin communities in the country - including those in remote communities - and a deep understanding of their profile, location, age, level of education, language, culture, etc.

4



Weak enforcement of the legislation and the lack of a holistic public policy perpetuates poor working conditions for migrant workers.

Employers do not comply with labor conditions granted in the law and the lack of supervision from governmental authorities increases the vulnerabilities migrant workers face. The Federal Labor Law assigns responsibility to employers to maintain safety standards, hygienic conditions, access to adequate pay and benefits, and interpretation services, if needed, among other requirements. However, because inspections of workplaces are infrequent - particularly among small and hard to reach farms -- the working, housing, and social security conditions of thousands of internal migrant workers remain unknown. This lack of oversight causes employers to be less accountable and more apt to commit violations of labor rights.

Social programs that addressed some of the needs of internal migrant workers and their families have been discontinued and no other mechanisms have been put in place. In 2019, the federal government discontinued the Attention Program for Agricultural Workers (PAJA), which provided numerous services and resources to agricultural workers, including health services, nutritional support for vulnerable groups, money for basic expenses upon arrival at destination sites, and scholarships. Since the termination of the PAJA, no consistent governmental programs with allocated budget to assist internal agricultural migrant workers have been put in place. There are some general social programs that migrant workers could benefit from (e.g. Sembrando Vida, Jóvenes Construyendo el Futuro, Programa de Fomento a la Agricultura, Ganadería, Pesca y Acuicultura), but it can be difficult for continuously transient workers to access these services or meet their requirements (i.e., legal documents or amount of land owned).

5 National and local civil society organizations support internal agricultural migrant workers and help them to reduce some of their vulnerabilities.

A small group of civil society organizations provide critical support to internal migrant workers in Mexico, including providing relevant information to mitigate risks and reduce fraud, and assisting migrants to understand and defend their rights. These organizations work at the national and local level and their approaches may vary widely; some work with internal or international agricultural migrants directly, while others work with employers or design their interventions from the perspective of supply chains. Others work on very specific issues (child labor prevention, gender, etc.) and their experience and work may have an important impact on communities of origin. The number of projects supporting internal agricultural migrants has been increasing in recent years, but at this stage not all stakeholders are connected nor are there sufficient avenues for stakeholders to effectively collaborate and share resources and ideas towards supporting better outcomes for migrant workers.

¹ Source: [Trabajadores en Actividades Agrícolas: Salarios, diversidad, industrias e informalidad laboral | Data México \(datamexico.org\)](https://datamexico.org/)

² According to the ILO, the informal sector “refers to all economic activities by workers and economic units that are – in law or in practice – not covered or insufficiently covered by formal arrangements. Their activities are not included in the law, which means that they are operating outside the formal reach of the law; or they are not covered in practice, which means that – although they are operating within the formal reach of the law, the law is not applied or not enforced; or the law discourages compliance because it is inappropriate, burdensome, or imposes excessive costs”. See: https://www.ilo.org/actrav/areas/WCMS_DOC_ATR_ARE_INF_EN/lang--en/index.htm

³ Source: Gender and COVID Observatory. Year not specified. <https://genero-covid19.gire.org.mx/tema/jornaleras-agricolas/>

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