

Ecuador



UK seafood industry exports from Ecuador 2018*

	Value, £	Weight, tonnes
Tuna	57,992,317	15,817
Warm Water Shrimps and Prawns	20,483,455	3,188
Other Fish	34,426	26
Prepared and Preserved Shrimps and Prawns	1,428	0

*Source: Her Majesty's Revenue and Customs (HMRC).

Introduction

This report is part of a series of country risk profiles that are designed to provide an understanding of the social risks associated with source countries that play a key role in the UK's seafood industry. Each report covers risks related to the production and processing of wild catch and aquaculture seafood products.

This report covers issues concerning human rights violations, health and safety, and impacts of the industry on local communities; and the mitigation efforts and regulatory frameworks put in place to address these issues.

This country risk profile has been compiled by Verisk Maplecroft on behalf of Seafish. Information on issues has been collated from publicly available sources, varying from international rankings and ratings, research by academics and other organisations, through to media articles. It has been prepared for general information only. You should not rely solely on its contents; always verify information from your own suppliers in your own supply chain. References for all information sources are provided.

Overview

After oil, the Ecuadorian fishing industry is the country's second largest export sector.¹ This is made possible through the country's geographical positioning, where two major ocean currents come together and create the optimal conditions for sea life to thrive.² Much of the industry is focused on the production of tuna and shrimp, thus it is unsurprising that these two types of fish are the main exports to the UK.

Social Risks

Fishing sector exposed to informal labour market risk. While recent government data is not available, the United Nations' Food and Agriculture Organization (FAO) estimates that between 80,000 and 100,000 people could be working in Ecuador's fishing sector as of 2018, up from the 61,000 cited in the 2001 national census. This reflects the rapid growth in the sector in recent years. Of this total, about a quarter – 25,000 – work in the tuna sector (alone worth 4% of GDP), on USFDA estimates.³

Notably, while women make up just 10% of the employees within the industrial sector, women hold the majority of the employment positions in packing and processing plants, based on FAO data. This is backed up by available government reports, according to which 53% of those employed in tuna processing plants are women. Seventy percent of Ecuador's processing operations are concentrated in the southern port city of Manta (in the province of Manabí). The balance is split between Guayaquil (province of Guayas) and Posorja (province of Santa Elena).

There is a risk that these women employed at factory floor level will be on informal, low paid and vulnerable contracts, with next to no benefits or access to labour rights or recourse. Even in the formal sector, inefficiencies in labour enforcement expose workers to violations of labour rights, and heighten reputational risks for business. Although the law provides for the rights of workers to form and join trade unions, these rights are often not respected in practice. Workers have been dismissed for union activity and employers increasingly utilise subcontractors in order to restrict bargaining power.

Forced labour continues to occur, particularly in the informal sector. Ecuador is ranked in Tier 2 in the US Department of State's 2019 Trafficking in Persons report, which says that human traffickers exploit domestic and foreign victims in Ecuador, while traffickers also exploit victims from Ecuador abroad. Within the country traffickers exploit Ecuadorean men, women and children in sex trafficking and forced labour, in shrimp farming and fishing (as well as domestic service, begging, banana and palm plantations, floriculture, sweatshops, street vending, mining and other areas of the informal economy).⁴

Similarly, the US-based labour rights and auditing NGO, Verité, has conducted field research on working conditions and the risk of human trafficking in Ecuador's seafood sector.⁵ Its research findings (not publicly available bar an executive summary) demonstrated intersections between human rights, IUU fishing, seafood fraud, and organised crime. It found evidence, both in medium and small-scale fishing in Ecuador, of forced labour such as recruitment deception, indebtedness and coerced participation in illegal activities, including drug trafficking.

Ecuador is ranked at No.123/167 in the Walk Free Foundation 2019 Global Slavery Index,⁶ with an estimated 39,300 persons in modern slavery. Notably, the country has an increasing 'vulnerability to slavery' risk, at 41.27/100. This reflects the approximately 500,000 very vulnerable Venezuelan migrants now in the country.

Regulations and risk mitigation

Ecuador to crack down on illegal fishing following concerns by the European Commission. The EU has issued Ecuador a yellow card warning over concerns on its current legal framework, which does not sufficiently address the fight against illegal, unreported and unregulated (IUU) fishing. This warning could potentially lead to sanctions on Ecuadorian imports into the EU, or possibly exclusion of the country's fish exports from the EU market. The warning acts as a second chance for Ecuador to take measures to correct the situation within a reasonable time period.

Guillermo Moran, director of Ecuador's Tuna Conservation Group (Tunacons) has been working with the government over the past year on a preparation of a national plan for industrial tuna fishing (NAP Tuna).⁷ The purpose of this is to "strengthen all processes for sustainability of the resource and industry", Morgan said. This plan will be periodically reviewed to ensure that it is up to date with new provisions at national or Inter American Tropical Tuna-Commission (IATTC) level.

International conventions and rankings

The following tables indicate which international labour conventions Ecuador has ratified. The ratification of these conventions is a good indicator of a source country's commitment to enforcing internationally accepted best practices in the seafood industry when combined with thorough national legislation and well-resourced enforcement mechanisms.

International Labour Organisation (ILO) Conventions	Ratification
Freedom of Association and Protection of the Right to Organise (No. 87)	Yes
Right to Organise and Collective Bargaining (No. 98)	Yes
Forced Labour (No. 29)	No
Abolition of Forced Labour (No. 105)	Yes
Equal Remuneration (No. 100)	Yes
Discrimination (Employment and Occupation) (No. 111)	Yes
Minimum Age (No. 138)	Yes
Worst Forms of Child Labour (No. 182)	Yes
Hours of Work (Industry) (No.1)	No
Weekly Rest (Industry) (No.14)	Yes
Protection of Wages (No. 95)	Yes
Minimum Wage Fixing (No.131)	Yes
Occupational Safety and Health (No. 155)	No
Occupational Health Services (No. 161)	No
Labour Inspection (No. 81)	Yes
Private Employment Agencies (No. 181)	No
Work in Fishing Convention (No. 188)	No
Maritime Labour Convention (No. 186)	No

United Nations (UN) Conventions	Ratification
Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	Yes
Convention against Transnational Organized Crime	Yes
Convention for the Suppression of the Traffic in Persons and of the Exploitation and the Prostitution of Others	Yes
Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	Yes
Convention to Suppress the Slave Trade and Slavery	Yes
Supplementary Convention on the Abolition of Slavery, Slave Trade and Institutions and Practices Similar to Slavery	Yes

Other Conventions	Ratification
FAO Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing	No

Rankings in global indices

US Department of State Trafficking in Persons (TIP) Report

The TIP report is released annually by the US Department of State and offers a summary of the laws and enforcement efforts of various countries with respect to human trafficking. Specifically, it ranks countries based on a '3P paradigm' of prosecuting traffickers, protecting victims and preventing crime. Scoring on these elements is then collated to give each country a ranking. The rankings range from Tier 1, which indicates governments of countries that fully comply with the Trafficking Victims Prevention Act (TVPA) minimum standards for the elimination of trafficking to Tier 3 for the governments of countries that do not fully comply with the TVPA's minimum standards and are not making significant efforts to do so.

Rating: Tier 2

The Government of Ecuador does not fully meet the minimum standards for the elimination of trafficking but is reported to be making significant efforts to do so.⁸

Global Slavery Index

The 2018 Global Slavery Index measures the extent of modern slavery country by country, and the steps governments are taking to respond to this issue, to objectively measure progress toward ending modern slavery.

There are two rankings:

1. Rankings of countries by prevalence of the population in modern slavery. Rankings range from 1 to 167 - with 1 the worst and 167 the best, in terms of the prevalence of slavery.
2. Rank of countries in terms of Government response to the issue. This is an indication of how governments are tackling modern slavery. This ranking ranges from AAA at the top to D at the bottom, with AAA denoting the most effective and comprehensive Government response.

For prevalence Ecuador ranks: 123/167 (where a ranking of 1 indicates highest risk).

The Global Slavery Index rates Ecuador as a relatively low risk for the prevalence of forced labour and gives the government a good rating for its response to the issue.⁹

In terms of Government response Ecuador ranks B. This indicates the government has introduced a response to modern slavery with limited victim support services, a criminal justice framework that criminalises some forms of modern slavery or has recently amended inadequate legislation and policies), a body or mechanisms that coordinate the response, and has policies that provide some protection for those vulnerable to modern slavery. There is evidence that some government policies and practices may criminalise and/or deport victims and/or facilitate slavery. Services may be provided by the International Organisations (IOs)/NGOs with international funding, sometimes with government monetary or in-kind support.

EU Illegal, Unreported and Unregulated Fishing Carding Process/Watch List

Under the IUU Regulation, non-EU countries identified as having inadequate measures in place to prevent and deter this activity may be issued with a formal warning (yellow card) to improve. If they fail to do so, they face having their fish banned from the EU market (red card) among other measures.

Ecuador has been issued with a yellow card and is on the EU IUU watch list. In October 2019, Brussels called upon the Ecuadorian government to strengthen its efforts to ensure that fish entering into the European single market do not stem from IUU fishing.¹⁰

Endnotes

- 1 Diálogo Chino, October 2014, Ecuador's economy shell-shocked by China shrimp ban. Available at: <https://dialogochino.net/30661-ecuadors-economy-shell-shocked-by-china-shrimp-ban/>
- 2 BRANDONGAILLE Small Business & Marketing Advice, 2 July 2018, 18 Ecuador Fishing Industry Statistics and Trends. Available at: <https://brandongaille.com/18-ecuador-fishing-in-dustry-statistics-and-trends/>
- 3 USDA Foreign Agricultural Service, Global Agricultural Information Network (GAIN), August 2015, Ecuador's Tuna Fish Industry. Available at: <https://www.fas.usda.gov/data/ecuador-ecuadors-tuna-fish-industry-update>
- 4 US Department of State, 20 June 2019 Trafficking in Persons Report: Ecuador. Available at: <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/ecuador/>
- 5 Verité, 2018/2019, Countries Where Fish is Reportedly Produced with Forced Labor and/or Child Labor. Available at: <https://www.verite.org/project/fish-3/>
- 6 Minderoo-Walk Free Foundation, Undated, Global Slavery Index 2019. Available at: <https://www.globalslaveryindex.org/2019/data/country-data/ecuador/>
- 7 Undercurrentnews, 4 November 2019, Tunacons: Ecuador's new fishing law will address EU concerns. Available at: <https://www.undercurrentnews.com/2019/11/04/tunacons-ecuadors-new-fishing-law-will-address-eu-concerns/>
- 8 United States Department of State, June 2019, 2019 Trafficking in Persons Report: Ecuador. Available at: <https://www.state.gov/reports/2019-trafficking-in-persons-report-2/ecuador/>
- 9 The Global Slavery Index, 2018, Findings – Importing Risk – Fishing. Available at: <https://www.globalslaveryindex.org/2018/data/country-data/ecuador/>
- 10 European Commission, 30 October 2019, Commission notifies the Republic of Ecuador over the need to step up action to fight illegal fishing. Available at: https://ec.europa.eu/commission/presscorner/detail/en/IP_19_6036

For further information see the **Seafish ethics in Seafood** web page. Available at: <https://www.seafish.org/article/ethics-in-seafood>