



Tropical tuna social risk profile

Forced labor, human trafficking, and hazardous
child labor risks

Ecuador, Fishing and Production

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SEAFOOD SOCIAL RISK TOOL V2

Disclaimer

The Seafood Social Risk Tool has been prepared for information purposes only, and is not intended to constitute business, legal, market, financial or investment advice. The Seafood Social Risk Tool is designed to serve as an informational resource and does not override legislation or internal policies or procedures. It is recommended that all users of the Seafood Social Risk Tool seek independent legal advice. The Monterey Bay Aquarium Foundation shall not be responsible to any party related to its use or interpretation of the information contained in the Seafood Social Risk Tool.

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About the Seafood Social Risk Tool

The Seafood Social Risk Tool profiles seafood production systems around the world and identifies areas within those systems that are at higher risk of containing forced labor, human trafficking, and hazardous child labor to help businesses begin to focus their efforts to improve human rights and labor conditions.

The tool includes more than 80 indicators of risk based on publicly available evidence of forced labor, human trafficking, and hazardous child labor abuses in seafood supply chains as well as an analysis of information about risk factors correlated with these abuses. This information is packaged into risk profiles specified by species and country of origin designed to help businesses better identify the potential for human rights abuses in their supply chains so they can take the first steps toward improving conditions for seafood workers.

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The Seafood Social Risk Tool was created in partnership with the Monterey Bay Aquarium, Sustainable Fisheries Partnership, Liberty Shared, and a team of human rights experts.

Monterey Bay Aquarium's Seafood Watch program raises awareness of important ocean conservation issues and empowers seafood consumers and businesses to make choices for healthy oceans.

Sustainable Fisheries Partnership is a US-registered nonprofit that operates globally to rebuild depleted fish stocks and reduce the environmental and social impacts of fishing and fish farming. The organization works by engaging fishery stakeholders and seafood businesses throughout the supply chain to promote the sustainable production of seafood.

Liberty Shared aims to prevent human trafficking through legal advocacy, technological interventions, and strategic collaborations with NGOs, corporations, and financial institutions globally.

To learn more about Seafood Watch, to view our seafood recommendations, or to view the Seafood Social Risk Tool, [visit SeafoodWatch.org](https://www.seafoodwatch.org).

Overview

Ecuador is a major producer, processor, and exporter of tropical tuna. The South American country accounts for significant exports of tropical tuna to the US and EU markets. Ecuador's tuna fleet primarily targets tropical tuna in the Eastern Pacific Ocean (EPO) but also fishes in the Western and Central Pacific Ocean (WCPO). Catches supply the domestic processing industry and are supplemented by imports from the Western Pacific and the Indian Ocean. Tuna production, processing and export is an important part of the Ecuadorian economy. Tuna is one of Ecuador's main non-oil exports.ⁱ The tuna industry employs 24,000 people and generates an estimated 120,000 indirect jobs.ⁱⁱ

Base risks of forced labor, human trafficking, and hazardous child labor in the country in general

The current operating environment for business in Ecuador is not favorable to a reduction of risk for forced labor, human trafficking, and hazardous child labor. While the country has strong migration policies in place to protect migrants, Ecuador is home to a large population of refugees and migrants from Colombia and Venezuela who are especially vulnerable to labor exploitation.ⁱⁱⁱ Access to workers' unions is rated poorly overall, thereby limiting mechanisms to address exploitative conditions through freedom of association and collective bargaining. Enforcement of child labor, forced labor, and human trafficking laws is hampered by limited resources, and prosecution efforts decreased in 2019.^{iv,v} Both the police and the judicial system carry a high risk of corruption and the judicial process is slow.^{vi} Allegations regarding corrupt officials and local authorities assisting traffickers to avoid law enforcement is a serious concern.^{vii}

Adjusted risks of forced labor, human trafficking, and hazardous child labor in the country's seafood supply chain

Ecuador primarily supplies canned tuna and tuna loins to the export market. Several international tuna companies operate processing facilities in Ecuador and the country's tuna industry is characterized by a high degree of vertical integration.^{viii} While these factors suggest that there is greater oversight of the sector, around half of the tuna volume that supplies the processing industry is Imported from other countries. These tuna imports increase the complexity of the supply chain and the risks of forced labor, human trafficking, and hazardous child labor occurring in the supply chain, which vary by country of origin. Of the source countries identified, SSRT risk profiles are available for tropical tuna produced in Colombia, Panama, Venezuela, and Spain.^{ix}

The correlated practice of illegal, unreported, and unregulated (IUU) fishing may be associated with greater risks of forced labor, human trafficking, and hazardous child labor occurring in the Ecuadorian tuna supply chain. Evidence linking tropical tuna and IUU fishing to Ecuadorian-flagged vessels and the issuance of a

‘yellow card’ to Ecuador by the European Commission in October 2019 highlight problems in fishery management and law enforcement, with specific reference by the Commission to deficiencies in control over tuna fishing and processing.^x Risks associated with the practice of importing tuna for processing are exacerbated by Ecuador’s reported failure to impose rules regarding traceability of fish and fish products.^{xi} The Commission notably reported that Ecuador is unable to ensure that fish and fishery products entering its market and processing plants do not derive from IUU fishing. Controls on processing plants appear to be lax, which enable misreporting, and the Ecuadorian authorities are unable to demonstrate they collect and verify all information required to control the legality of fish being imported or exported.^{xii}

Meanwhile, a paucity of information on worker characteristics and employment practices in Ecuador’s tuna fishing and processing industry means that businesses should employ rigorous due diligence procedures to assess risks in their supply chain and reduce the likelihood of unethical labor practices occurring. Opportunities to engage directly with the tuna fishery include supporting the Eastern Pacific Ocean tropical tuna – longline (Transmarina) fishery improvement project (FIP) and the Eastern Pacific Ocean tropical tuna – purse seine (TUNACONS) FIP, both of which are working to reduce environmental issues such as IUU fishing, with the aim of achieving MSC certification in late 2020.^{xiii,xiv} Additionally, seafood suppliers are eligible to participate in the Global Fresh and Frozen Tuna Supply Chain Roundtable, which provides a pre-competitive forum for companies supplying fresh or frozen yellowfin and bigeye tuna to support fishery improvements.^{xv}

Summary of evidence of forced labor, human trafficking, and hazardous child labor in the seafood supply chain

Country-level indicators
<ul style="list-style-type: none"> • There is evidence of human trafficking, forced labor and child labor in a range of sectors in Ecuador including domestic service, begging, agriculture and floriculture, aquaculture, and mining, among others. • Goods specifically identified as produced by child labor include bananas, bricks, flowers, and gold.
Seafood industry-level Indicators
<ul style="list-style-type: none"> • Ecuador’s seafood industry has been linked to forced labor and forced child labor by the US Department of State in the past five years.
Fishing indicators
<ul style="list-style-type: none"> • No evidence was found linking Ecuador’s tuna industry directly to forced labor, human trafficking, and hazardous child labor or to indicators of forced labor and hazardous child labor.
Processing indicators

- No evidence was found linking Ecuador’s tuna processing industry directly to forced labor, human trafficking, and hazardous child labor or to indicators of forced labor and hazardous child labor.

Summary of factors that affect the likelihood of forced labor, human trafficking, and hazardous child labor in the seafood supply chain

Factors that increase the likelihood

Country-level indicators

- Ecuador performs poorly against the indices for governance practices and systems.
- The presence of vulnerable refugees and migrants from Colombia and Venezuela.
- Enforcement of human trafficking, forced labor, and child labor laws is ineffective.
- Ecuador has not ratified ILO C188 on Work in Fishing or Protocol 29 on forced labor.

Seafood industry-level indicators

- Forced labor, forced child labor, and hazardous child labor have been linked to unspecified fishing activities in Ecuador.
- The European Commission cited Ecuador with a “yellow card” in October 2019 for illegal, unreported, and unregulated (IUU) fishing.

Fishing indicators

- Ecuadorian-flagged tuna fishing vessels have been linked to the correlated practice of IUU fishing.
- In 2018, fisheries observer, Edison Geovanny Valencia Bravo, disappeared from the Ecuador-flagged tuna fishing vessel ‘Don Ramón’.
- No information on the tuna fishing workforce in Ecuador was found.
- The Eastern Pacific Ocean stock of yellowfin tuna is overfished.

Processing indicators

- The import of tuna for processing and subsequent re-export increases the complexity of the supply chain.
- Little information on Ecuador’s tuna processing workforce and related employment factors was found.

Factors that decrease the likelihood

Country-level indicators

- Ecuador shows a declining poverty rate over the last decade and progress against indicators for income, health, and education.
- A positive attitude towards migrant workers and legislation to protect migrant workers.
- Ecuador is party to the Port State Measures Agreement, which targets IUU fishing.

Seafood industry-level indicators

- None.

Fishing indicators

- The sectoral minimum wage in Ecuador's tuna industry is reported to be among the highest in Latin America.

Processing indicators

- Ecuador's tuna processing sector is characterized by a high degree of vertical integration and primarily supplies tuna to the export market.

Fishing

Ecuador's tropical tuna fisheries are managed under national and regional management systems. Ecuador primarily targets tropical tuna (skipjack tuna, bigeye tuna, and yellowfin tuna) in the Eastern Pacific Ocean (EPO) under the remit of the Inter-American Tropical Tuna Commission (IATTC), of which Ecuador is a full Member.^{xvi} Ecuador's tuna fishing fleet is one of the most important fleets in the IATTC region, accounting for an average of 41% of the total captures registered in the IATTC from 2010 to 2016.^{xvii,xviii} In 2017, Ecuador harvested 190,776 tonnes (t) skipjack tuna by purse seine and longline, 55,105t yellowfin tuna by purse seine, and 37,827t bigeye by purse seine.^{xix} The IATTC vessel database states that 216 Ecuadorian vessels are authorized to fish under the purview of the Commission. As of September 2020, the fleet includes 110 active purse seine vessels with a total fish hold volume of 88,009m³, 22 large-scale (greater than 24m) longline vessels that are authorized to fish for tuna and tuna-like species, and 82 longline vessels under 24m.^{xx}

Ecuadorian-flagged purse seine vessels also operate in the Western and Central Pacific Ocean (WCPO) under the remit of the Western and Central Pacific Fisheries Commission (WCPFC). Ecuador has been a Cooperating Non-Member of the WCPFC since 2008 and has formally expressed its wish to become a full WCPFC Member since 2014.^{xxi} The WCPO fleet mainly targets tuna to be sold in the local market of Ecuador and exported to foreign markets. In 2017, four Ecuadorian purse-seine vessels operated in the region: Guayatuna Uno, Guayatuna Dos, Panama Tuna. San Andrés.^{xxii} Three fishing vessels held authorized fishing

periods on Kiribati jurisdictional waters in 2018 and 2019.^{xxiii} The Ecuadorian fleet is considered relatively old, with an average age of 38 years, and many ships need replacing with more modern and efficient vessels.^{xxiv}

Processing and Trade

Ecuador is one of the largest processing countries in the EPO.^{xxv} The country's success as a tuna processor is attributed to its "efficient, productive and stable labour force" and the vertical integration of several processing plants with industrial purse seining fleets.^{xxvi,xxvii} The port of Manta in Manabí Province is known as the 'Tuna capital' of the EPO, with vessels from Ecuador, Panama and other neighboring countries unloading there.^{xxviii} Around 60% of the country's tuna processing capacity is located in Manabí Province.^{xxix} The remainder is divided between Guayaquil and Posorja in Guayas Province.^{xxx} In 2010, there were approximately 18 processing plants located across the three cities of Manta, Guayaquil and Posorja.^{xxxi}

Ecuador has a total tuna processing volume of approximately 500,000t.^{xxxii} Around half of this volume is supplied by the Ecuadorian fleet, with the rest imported for processing and subsequent re-export.^{xxxiii} Most imports originate in the WCPO, with others reported from the Indian Ocean.^{xxxiv,xxxv} Trade statistics indicate that Ecuador imported skipjack tuna (HS codes 160414, 030233, 030343) from more than 20 countries including Spain, Tuvalu, Seychelles, Papua New Guinea, and Peru in 2018.^{xxxvi} In addition, Ecuador imported yellowfin tuna from various sources, predominantly Spain, and Venezuela, among others.^{xxxvii} Nevertheless, the volume of tuna imports has decreased significantly in recent years from approximately 160,000t in 2011 to 47,000t in 2016. In 2016, imports included 20,000 t skipjack tuna, 18,000t yellowfin tuna, and 6,500t bigeye tuna.^{xxxviii}

Ecuador is the second largest exporter of skipjack tuna in the world behind Thailand, with its exports valued over US\$1.1 billion in 2018.^{xxxix} Ecuador mainly produces canned tuna and tuna loins for export, with only 10% going to the domestic market.^{xl} The main markets for tuna processed in Ecuador are the European Union, the United States and Latin America.^{xli} In 2018, most exports of skipjack tuna went to Spain (valued at nearly US\$235 million).^{xlii} Other major importers included the United States, Italy, Colombia, and Germany.^{xliii}

Due Diligence for Tropical Tuna in Ecuador

Important Country-Specific Considerations

- Ecuador is a major producer, processor, and exporter of tropical tuna to the US and EU, with the industry characterized by a high degree of vertical integration.
- Enforcement of labor and trafficking laws is hampered by limited resources, corruption, and slow judicial processes.
- The seafood industry has been linked to forced and child labor by the US Department of State in the past five years.

Suggested Due Diligence Priorities & Questions

Worker Demographics and Migrant Labor

Ecuador’s seafood industry has been linked to forced labor and forced child labor by the US Department of State in the past five years. Although strong migration policies are in place, there is a large population of refugees and migrants from Colombia and Venezuela who are especially vulnerable to labor exploitation.

1. Does the fishery employ mostly migrant laborers? What countries or parts of the country do the workers come from?
2. What is the proportion of temporary and contract workers to permanent workers?
3. What proportion of workers are considered low-skilled in the work environment?
4. What is the proportion of young workers (15-18 years old) in the workforce? What protocols are in place to protect young workers from workplace hazards?

Activity at Sea

The European Commission cited Ecuador with a “yellow card” in October 2019 for illegal, unreported, and unregulated (IUU) fishing.

1. To what extent does the fleet enable automatic identification systems (AIS) regularly? Are there any suspicious patterns that emerge in relation to AIS not being regularly enabled?
2. How long do tuna fishers typically stay at sea? Do tuna vessels engage in transshipment at sea? If so, how is it regulated and observed?

Processing Activities

Around half of the tuna volume that supplies the Ecuadorian processing industry is imported, increasing supply chain complexity.

1. Do you know where processing companies are sourcing their tuna inputs? Is there traceability back to the vessel, and do you know what working conditions are like on the vessel?
2. Does the processing company own or control its suppliers? How do processing companies monitor working conditions in suppliers' operations?

Complaints Mechanisms

Access to workers' unions is rated poorly overall, limiting mechanisms to address exploitative conditions through freedom of association and collective bargaining.

1. What are the factors influencing fish workers' participation, or lack thereof, in trade unions?
2. Do workers in your operation/supply chain have access to 3rd party monitors such as trade union representatives or onboard observers?
3. Are there procedures to document, track, and resolve workplace grievances and complaints?

Ecuador: Country-level indicators

Indicator	Description	Sources
Poverty levels in a country	<p>Human Development Index</p> <p>HDI value (2018): 0.758</p> <p>HDI rank (2018): 85/189 countries and territories</p> <p>Ecuador's HDI value for 2018 places it in the 'high human development' category and positions it 85th out of 189 countries and territories. This rank is shared with China.</p> <p>Ecuador's HDI value for 2018 is below the regional average of 0.759 for Latin America and the Caribbean. Ecuador shows progress against each of the HDI indicators for income, health, and education from 1990 to 2018. However, when Ecuador's HDI value is discounted for inequality, it falls to 0.607, a loss of nearly 20% due to inequality in the distribution of the HDI dimension indices. The average loss due to inequality for high HDI countries is 17.9% and for Latin America and the Caribbean it is 22.3%.</p>	<p>UNDP Human Development Index (HDI)</p> <p>UNDP Global Human Development Indicators Country Profile: Ecuador</p>
	<p>Poverty headcount ratio at national poverty line (% of population): 25% (2019), showing improvement over the last decade from 36% (2009).</p> <p>The ratio falls in between that of neighboring countries Colombia 27% (2018) and Peru 20.5% (2018).</p>	<p>World Bank</p>
	<p>Global Hunger Index</p> <p>GHI (2019): Ecuador ranks 51st out of 117 qualifying countries. With a score of 11.3 out of 100, Ecuador suffers from a level of hunger that is 'moderate'.</p> <p>Ecuador performs worse in the GHI than neighboring countries Colombia and Peru, which both score a 'low' level of hunger.</p>	<p>Global Hunger Index (GHI) 2019</p>

Indicator	Description	Sources
	<p>Note: GHI is scored on a 100-point GHI Severity Scale, where 0 is the best score (no hunger) and 100 is the worst (where ≥ 50 is 'extremely alarming').</p>	
<p>Country's position in the regional economic power system</p>	<p>Comparing HDI ranking to other countries in the region</p> <p>Ecuador</p> <ul style="list-style-type: none"> • HDI Value (2018): 0.758 • HDI rank (2018): 85 (high human development) <p>Neighboring countries:</p> <p>Colombia HDI Value (2018): 0.761 HDI rank (2018): 79 (high human development)</p> <p>Peru HDI Value (2018): 0.759 HDI rank (2018): 82 (high human development)</p> <p>Other countries in South America:</p> <p>Brazil HDI Value (2018): 0.761 HDI rank (2018): 79 (high human development)</p> <p>Venezuela HDI Value (2018): 0.726 HDI rank (2018): 96 (high human development)</p> <p>Bolivia HDI Value (2018): 0.703 HDI rank (2018): 114 (high human development)</p> <p>Ecuador's HDI value for 2018 is above 0.750 for countries in the high human development group and below the average of 0.759 for countries in Latin America and the Caribbean. Ecuador's 2018 HDI value and rank is close to neighboring country Peru.</p>	<p><u>UNDP Human Development Index (HDI)</u></p> <p>UNDP Global Human Development Indicators Country Profile: Ecuador</p>

Indicator	Description	Sources
	<p>Comparing its recent economic growth to the general economic growth rates in the region</p> <p>Ecuador GDP Growth (annual %): 0.054 (2019)</p> <p>Neighboring countries:</p> <p>Colombia GDP Growth (annual %): 3.322 (2019)</p> <p>Peru GDP Growth (annual %): 2.15 (2019)</p> <p>Other countries in South America:</p> <p>Brazil GDP Growth (annual %): 1.137 (2019)</p> <p>Venezuela GDP Growth (annual %): -3.894 (2014)</p> <p>Bolivia GDP Growth (annual %): 2.217 (2019)</p>	<p>World Bank Databank figures on annual economic growth</p>
	<p>Migration data</p> <p>The Net migration rate (immigrants minus emigrants per 1,000 population) for Ecuador is -0.5 (2015).</p> <p>The reported Migration inflows for Ecuador is 65.8 thousand (2015).</p>	<p>IOM Migration Data Portal.</p>
	<p>Regional migration trends and patterns</p> <p>Ecuador is a country of origin, transit, destination, return and refuge for migrants (UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, June 2017). Major source countries for migrants include Colombia, Peru, Venezuela, Cuba and Haiti (Mainstreaming Migration, 2017).</p>	<p>UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, June 2017, Consideration of</p>

Indicator	Description	Sources
	<p>Recent migration inflows have been driven by violence and political and economic crises in other countries within the Latin American and Caribbean region. In particular, conflict in Colombia has resulted in a large refugee population in Ecuador (Migration Policy Institute, 2014). Colombians comprise the largest immigrant population in Ecuador (Inter-American Dialogue, 2019). Ecuador has also been affected by the Venezuelan crisis and is now the third top destination for Venezuelans behind Colombia and Peru (Migration Policy Institute, 2018). In August 2018, Ecuador declared a state of migration emergency in provinces Carchi, Pichincha, and El Oro, in response to the high numbers of Venezuelans entering the country (El Universo, August 8 2018).</p> <p>“Over the past ten years, Ecuador has transformed from a country characterized by outmigration to a migrant recipient nation, transitional host, and home to refugees.” (Inter-American Dialogue, 2019).</p>	<p>reports submitted by States</p> <p>Mainstreaming Migration into National Development Strategies, 2017, Country Overview - Ecuador</p> <p>Migration Policy Institute, 2014, ‘Ecuador: From Mass Emigration to Return Migration?’</p> <p>Inter-American Dialogue, 2019, Ecuador Migration Trends</p> <p>Migration Policy Institute, 2018, ‘As Venezuelan Crisis Deepens, South America Braces for More Arrivals and Indefinite Stays’</p> <p>El Universo, August 8 2018, ‘Ecuador declares migratory emergency, by arrival of 4,200 Venezuelans per day’ (‘Ecuador declara emergencia migratoria, por llegada de 4.200 venezolanos al día’)</p>

Indicator	Description	Sources
	<p>Known human trafficking routes</p> <p>The Freedom Collaborative Victim Journeys Map identifies Colombia > Ecuador as a known human trafficking route.</p> <p>In addition, the US Department of State’s 2021 Trafficking in Persons (TIP) Report identifies Ecuador as a transit route for trafficking victims from Colombia and the Caribbean to other South American countries and Europe.</p>	<p>Freedom Collaborative, No date, Victim Journeys Map</p> <p>US Department of State, 2021 Trafficking in Persons (TIP) Report</p>
<p>Governance practices and systems in a country (measured through indexes)</p>	<p>WGI (2018) Percentile rank -</p> <ul style="list-style-type: none"> • Voice and Accountability: 47.29 • Political Stability and Absence of Violence: 43.33 • Government Effectiveness: 42.79 • Regulatory Quality: 16.35 • Rule of Law: 28.85 • Control of Corruption: 32.69 <p>Ecuador ranks in the lower percentiles and falls below the regional average for Latin America and the Caribbean for all six indicators.</p> <p>Note: Percentile rank among all countries ranges from 0 (lowest) to 100 (highest) rank, where the higher the percentiles, the better the governance.</p>	<p>Worldwide Governance Indicators (WGI)</p>
	<p>Corruption Perception Index (2019)</p> <p>Score: 38/100</p> <p>Rank: 93/180 countries and territories</p> <p>More than two-thirds of countries score less than 50 on this year’s CPI, with an average score of just 43. Ecuador’s score of 38 places it below the average and positions it 93rd out of 180 countries and territories. Ecuador scores slightly better than neighboring countries Peru and</p>	<p>Transparency International Corruption Perception Index (CPI)</p> <p>CPI 2019 Regional Analyses - Americas</p>

Indicator	Description	Sources
	<p>Colombia, which score 36 and 37 respectively, and scores less than the regional average for the Americas of 43.</p> <p>Note: Scores based on a scale from 0 = Highly Corrupt to 100 = Very Clean.</p>	
	<p>Basel Anti-Money Laundering Index (2020)</p> <p>Rank: 84/141 countries</p> <p>Overall score: 4.89/10</p> <p>Ecuador ranks among the top half of the countries assessed for the Basel AML Index, where a higher rank relates to lower risk. Neighboring countries Colombia (95/141) and Peru (104/141) rank higher than Ecuador, indicating that there is less risk of money laundering and terrorist financing in those countries.</p> <p>Note: Ranking is out of 141 countries; top possible score is 0 (low risk,), lowest score is 10 (high risk).</p>	<p><u>Basel Anti-Money Laundering (AML) Index 2020</u></p>
	<p>Global Rights Index (2021)</p> <p>Rating: 5 (No guarantee of rights)</p> <p>The ITUC Global Rights Index places Ecuador below the regional average ranking of 3.48 for the Americas. Neighboring country Colombia also ranks 5 and is considered one of the ten worst countries in the world for workers, while Peru ranks slightly better at 4 (Systematic violations of rights).</p> <p>Note: Countries are ranked from 1 to 5+, where five plus corresponds to “no guarantee of rights due to the breakdown of the law” and 1 corresponds to “sporadic violations of rights”.</p>	<p>International Trade Union Conference (ITUC) <u>Global Rights Index (GRI) 2021</u></p> <p><u>ITUC Global Rights Index 2021 Report</u></p>
<p>Education and general literacy levels in a country</p>	<p>Adult literacy rates, among the population aged 15 years and older (2017): 92.83%</p>	<p><u>World Bank Open Data</u></p>

Indicator	Description	Sources
	<p>Adult female literacy rate (2017): 92.09%</p> <p>Adult male literacy rate (2017): 93.78%</p> <p>The literacy rate among adults in Ecuador is similar to that of neighboring countries Colombia and Peru:</p> <ul style="list-style-type: none"> • Colombia (2018) 95.09% • Peru (2018) 94.41% 	
	<p>Primary school completion rates (2018): 104.43%</p> <p>Primary completion rates, female (% of relevant age group) (2018): 104.92%</p> <p>Primary completion rates, male (% of relevant age group) (2018): 103.97%</p> <p>The primary school completion rate in Ecuador is higher than that of neighboring country Peru and close to that of Colombia:</p> <ul style="list-style-type: none"> • Colombia (2018) 106.46% • Peru: (2018) 96.10% <p>Note: “There are many reasons why the primary completion rate can exceed 100 percent. The numerator may include late entrants and overage children who have repeated one or more grades of primary education as well as children who entered school early, while the denominator is the number of children at the entrance age for the last grade of primary education.”</p>	<p>World Bank Open Data</p>
	<p>Lower secondary education completion rates, total (% of relevant age group) (2018): 96.83%</p> <p>Lower secondary completion rates, female (% of relevant age group) (2018): 98.62%</p> <p>Lower secondary completion rates, male (% of relevant age group) (2018): 95.10%</p>	<p>World Bank Open Data</p>

Indicator	Description	Sources
	<p>The lower secondary education completion rate in Ecuador is considerably higher than that of neighboring country Colombia and similar to Peru:</p> <ul style="list-style-type: none"> • Colombia (2018) 75.73% • Peru (2018) 97.98% <p>Note: “There are many reasons why the rate can exceed 100 percent. The numerator may include late entrants and overage children who have repeated one or more grades of lower secondary education as well as children who entered school early, while the denominator is the number of children at the entrance age for the last grade of lower secondary education.”</p>	
	<p>School enrolment, tertiary (2015): 45.89% gross</p> <p>School enrolment, tertiary, female (2015): 48.40% gross</p> <p>School enrolment, tertiary, male (2015): 41.51% gross</p> <p>The enrolment rate in tertiary education in Ecuador is significantly lower than that of neighboring countries Colombia and Peru:</p> <ul style="list-style-type: none"> • Colombia (2018) 55.33% • Peru (2017) 70.74% 	<p>World Bank Open Data</p>
<p>Attitudes towards migrant workers in a country’s population</p>	<p>Migrant Acceptance Index 2019 – Ecuador: 3.51/9</p> <p>Ecuador’s 2019 score of 3.51 out of 9, a decrease from 6.13/9 in 2016, indicates that people in Ecuador have become less accepting of migrants and are less accepting of migrants than on average for all countries assessed, with a world score of 5.21/9 in 2019.</p> <p>Ecuador receives a similar score to that of neighboring countries Colombia and Peru in the Migrant Acceptance Index:</p> <ul style="list-style-type: none"> • Colombia: 3.98/9 (2019) • Peru: 3.61/9 (2019) 	<p>Gallup Migrant Acceptance Index 2019</p>

Indicator	Description	Sources
	<p>Note: Based on 138 countries surveyed in 2016; U.S. surveyed in 2017; and updated in 2019; top possible score is 9.0.</p>	
<p>Legislation and regulation to protect migrant workers</p>	<p>Coverage of legal provisions under the labor laws</p> <p>Ecuador ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families in February 2002 and has since gone through several rounds of reporting on its efforts to implement the regulations of the convention. The country’s next report is due in October 2022.</p> <p>UN Treaty Body Database</p> <p>In Ecuador, human mobility is viewed as a right and the State is required to “protect, to care for and to fully integrate migrants in society, without any discrimination.” (UN Human Rights Office of the High Commissioner, 5 September 2017).</p> <p>Migrant workers are protected under the Constitution of Ecuador, 2008:</p> <ul style="list-style-type: none"> • Article 9 of the Constitution affords foreign persons the same rights and duties as Ecuadorian people. • Article 11 of the Constitution states that no person shall be discriminated against for reasons including nationality and migratory status. <p>(Constitution of the Republic of Ecuador, 2008).</p> <p>According to the 2017 report by the UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families:</p> <p>“The Constitution establishes safeguards to ensure full respect for the dignity of working persons, a decent life, fair pay and compensation and performance of a job in a healthy environment that is freely chosen and accepted (art. 33). The State is required to provide protection against</p>	<p>UN Human Rights Office of the High Commissioner, 2019, UN Treaty Body Database</p> <p>UN Human Rights Office of the High Commissioner, 5 September 2017, 'Committee on the rights of migrant workers considers the report of Ecuador'</p> <p>Constitution of the Republic of Ecuador, 2008</p> <p>UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, June 2017, Consideration of reports submitted by States</p>

Indicator	Description	Sources
	<p>all types of worker or economic exploitation and against all forms of violence, maltreatment, sexual exploitation or exploitation of any other kind against children and adolescents, without distinction as to their origin or migratory status (art. 45 (2) and (4)).” (UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, June 2017).</p>	
	<p>Access to social protection, health, and education</p> <p>Healthcare, whether public or private, cannot be denied to anyone based on their nationality (UN Human Rights Office of the High Commissioner, 5 September 2017).</p> <p>While Ecuador’s migration policies were praised during the consideration of Ecuador’s third periodic report on its implementation of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, experts noted that the Government still needed to strengthen education and awareness raising on the integration of migrant workers and respect for their rights (UN Human Rights Office of the High Commissioner, 5 September 2017).</p>	<p>UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, June 2017, Consideration of reports submitted by States</p>
	<p>Bilateral MOUs or other agreements specifically designed to protect migrant workers</p> <p>Bilateral agreements on migrants’ rights have been entered with Peru and Venezuela to regulate labor migration (Salazar, D, No date, Universal Citizens, Globally Foreign Migrants Domestically: Disparities in the protection of the rights of migrant workers by Ecuador).</p> <p>According to the UN Human Rights Office of the High Commissioner’s 2017 report, “Ecuador was pushing forward with the implementation of the social security bilateral agreements with different countries to protect the rights of migrants everywhere and it upheld the principle of</p>	<p>UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, June 2017, Consideration of reports submitted by States</p> <p>Salazar, D, No date, Universal Citizens, Globally Foreign Migrants</p>

Indicator	Description	Sources
	equal treatment for everyone, foreigners and Ecuadorians alike." (UN Human Rights Office of the High Commissioner, 5 September 2017).	Domestically: Disparities in the protection of the rights of migrant workers by Ecuador
Ratification of relevant international conventions and domestication of conventions into a national legal framework (Forced labor, human trafficking, and hazardous child labor)	Convention No. 29 - In Force	Forced Labour Convention, 1930 (No. 29)
	Convention No. 105 - In Force	Abolition of Forced Labour Convention, 1957 (No. 105)
	Convention No. 138 - In Force	Minimum Age Convention, 1973 (No. 138)
	Convention No. 182 - In Force	Worst Forms of Child Labour Convention, 1999 (No. 182)
	Protocol 29 – Not Ratified	Protocol of 2014 to the Forced Labour Convention, 1930 (P29)
	Palermo Protocol – Ratified	Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and

Indicator	Description	Sources
		<p><u>Children, supplementing the United Nations Convention against Transnational Organized Crime</u> (the ‘Palermo Protocol’)</p>
	<p>Convention No. 188 – Not Ratified</p>	<p><u>ILO Convention 188 on Work in Fishing;</u></p>
	<p>PSMA – Party to the PSMA (Accession on 5 February 2019)</p>	<p><u>The FAO Port State Measures Agreement (PSMA)</u></p>
	<p>Domestication into national legislation</p> <p>The minimum age for work in Ecuador is set at 15 years, as laid out in Article 46 of the Constitution and Article 82 of the Childhood and Adolescence Code.</p> <p>The minimum age for hazardous work, as laid out in Article 87 of the Childhood and Adolescence Code, is set at 18 years.</p> <p>“The State has committed to eradicating child labor. Following the first national survey on child labor conducted by the National Statistics and Census Institute in 2012, a National Strategy to Eradicate Child Labor was drawn up and implemented by the central Government in coordination with the decentralized autonomous governments, as a result of which the child labor rate was reduced from 12.5 per cent in 2007 to 5.9 per cent in 2015.” Human Rights Council, May 2017</p> <p>The offence of trafficking is defined by the Comprehensive Criminal Code (Articles. 91, 92 and 94). The Ministry of the Interior is responsible for public policies relating to trafficking in persons. These policies focus on prevention and promotion of rights, investigation and punishment,</p>	<p>USDOL, 2018 Child Labor and Forced Labor Reports</p> <p>Constitution of the Republic of Ecuador, 2008</p> <p>Childhood and Adolescence Code</p> <p>Human Rights Council, May 2017, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21*</p> <p>Ecuador</p> <p>UN Committee on the Protection of the Rights of All Migrant Workers and</p>

Indicator	Description	Sources
	<p>special protection and comprehensive reparations for victims, and inter-agency coordination at the national and international levels. The Inter-Agency Commission is responsible for implementation, monitoring and evaluation of related activities. UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, June 2017, Consideration of reports submitted by States</p> <p>Sex trafficking and labor trafficking are criminalized in Ecuador under Articles 91 and 92 of the Criminal Code, which prescribe penalties from 13 to 16 years' imprisonment.</p> <p>With regards to the Port State Measures Agreement (PSMA), which Ecuador acceded to in February 2019, the European Commission reports that "current national legal framework does not provide for a comprehensive implementation of the PSMA. Ecuadorian authorities reported for instance that there is no legally established mechanism to ensure the control of transshipments in ports." European Commission, 05 November 2019</p>	<p>Members of Their Families, June 2017, Consideration of reports submitted by States</p> <p>US Department of State (USDOS), 2021 Trafficking in Persons (TIP) Report</p> <p>European Commission, 05 November 2019, Commission Decision of 30 October 2019 notifying the Republic of Ecuador of the possibility of being identified as a non-cooperating third country in fighting illegal, unreported and unregulated fishing</p>
Regulation of recruitment	<p>Country's government-sanctioned oversight mechanisms (regulations, accreditation schemes, inspection, etc.) of recruitment agents</p> <p>Evidence of Ecuador's government-sanctioned oversight mechanisms (regulations, accreditation schemes, inspection, etc.) of recruitment agents has not been found.</p> <p>"It is not feasible to ratify Convention No. 181, given that it provides for the operation of private employment agencies, which do not exist in Ecuador."</p>	<p>UN Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, June 2017, Consideration of reports submitted by States</p>

Indicator	Description	Sources
<p>Enforcement of legislation for forced labor, human trafficking, hazardous child labor, migrant worker protections, recruitment and working conditions</p>	<p>Reliable evidence indicates that enforcement of anti-trafficking, forced labor and child labor laws within Ecuador is not effective.</p> <p>The USDOS 2021 TIP Report assigns Ecuador a Tier 2 ranking, stating, “The Government of Ecuador does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared to the previous reporting period, considering the impact of the COVID-19 pandemic on its anti-trafficking capacity; therefore, Ecuador remained on Tier 2.” USDOS TIP Report 2020 (p. 217)</p> <p>During the reporting period, the Ministry of Labor did not investigate, prosecute or convict cases of forced labor.</p> <p>According to the 2020 report, the Ecuadorian government maintained their decreased prosecution efforts in 2019, with prosecutions decreasing from 24 in 2018 to eight in 2019.</p> <p>The report specifically states that, “government efforts to prosecute, protect, and prevent trafficking in major port cities like Guayaquil were deficient.” (p. 218) This is of note given the significance of the Guayaquil and other port cities to tuna processing.</p> <p>Limited resources and understaffing of the National Investigative Unit for Trafficking in Persons and Illicit Migrant Smuggling (NIU) remained a concern, meanwhile the frequent rotation of NIU officers further affected the number of staff available, hindering law enforcement efforts. In 2020, they increased the number of officers from 49 to 56, but the frequent rotation of the staff does not all for adequate training.</p> <p>Furthermore, “The Specialized Prosecutor’s Office in Transnational and International Organized Crime had prosecutorial responsibility for trafficking cases at the</p>	<p>US Department of State (USDOS), 2021 Trafficking in Persons (TIP) Report</p>

Indicator	Description	Sources
	national level; however, due to its broad mandate, the majority of its work focused on the prosecution of non-trafficking crimes.” (p.218)	
	Child labor laws “Although penalties [for child labor] were enforced, they were not sufficient to deter violations.” USDOS, Ecuador 2018 Human Rights Report	USDOS, 2019, Ecuador 2018 Human Rights Report
	<p>Global Slavery Index</p> <p>Estimated number of people living in modern slavery: 39,000</p> <p>Prevalence Index Rank: 123/167</p> <p>Vulnerability to Modern Slavery: 41.27/100</p> <p>Government Response Rating: B</p> <p>The GSI methodology states a Government Response Rating of B indicates that:</p> <p>“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.</p> <p>There is evidence that some government policies and practices may criminalise and/or deport victims and/or facilitate slavery. Services may be provided by International Organisations (IOs)/NGOs with international funding, sometimes with government monetary or in-kind support.” Global Slavery Index 2018 Methodology</p> <p>Note: The GSI ranks government responses from AAA (very comprehensive response) to D (very inadequate), and a</p>	<p>Global Slavery Index’s overall ratings</p> <p>Global Slavery Index 2018 Country Data for Ecuador</p> <p>Global Slavery Index 2018 Methodology</p>

Indicator	Description	Sources
	higher rating on the GSI is assumed to mean lower risk by the SSRT.	
	<p>Documentation from national labor inspection and other law enforcement agencies</p> <p>“Ecuador also prioritised the fight against trafficking in persons and illegal trafficking of migrants, and to that end the Government had come up with the National Plan to Combat Trafficking and Sexual and Labour Exploitation, with a particular focus on women, children and adolescents, and on protection and reparation, prevention, investigation and sanctions. The fight against trafficking in persons could not be carried out without international cooperation, and to that end Ecuador had reached agreements with Peru and Colombia.”</p> <p>UN Human Rights Office of the High Commissioner, 5 September 2017</p> <p>“ANDRÉS DE LA VEGA, Deputy Minister of Interior Affairs of Ecuador, stressed that Ecuador fought against all forms of trafficking in persons and not just trafficking for sexual exploitation, and said that some 12 per cent of the rescued victims had been subjected to labour exploitation. All Government plans in this regard had to be aligned with the National Development Plan and were updated every four years, including the strategy of the Ministry of Internal Affairs for the fight against trafficking in persons. The Ministry of Internal Affairs would be working to strengthen the capacity of shelters for trafficking victims and had in place a witness protection programme to identify victims of trafficking.”</p> <p>(UN Human Rights Office of the High Commissioner, 5 September 2017).</p> <p>“Human rights training, including on the protection of vulnerable groups, gender crimes and trafficking, was constantly provided to judges and legal personnel.” (UN</p>	<p>UN Human Rights Office of the High Commissioner, 5 September 2017, 'Committee on the rights of migrant workers considers the report of Ecuador'</p>

Indicator	Description	Sources
	Human Rights Office of the High Commissioner, 5 September 2017).	
	<p>Recent comments and observations adopted by the Committee of Experts on the Application of Conventions and Recommendations (CEACR) show that improvements are needed to adequately enforce laws and implement the national action plan to combat trafficking:</p> <ul style="list-style-type: none"> • “The Committee therefore encourages the Government to strengthen its efforts to combat child labour in the context of the National Development Plan 2017–21. The Committee requests the Government to provide with its next report the municipal orders approved in the context of the orders on child labour and requests it to ensure that persons who employ children in violation of the law are penalized and that statistical data on labour inspection are made available.” Direct Request (CEACR) - adopted 2018, published 108th ILC session (2019) - Minimum Age Convention • “The Committee notes all this information and requests the Government to provide detailed information on the activities conducted by the Inter-institutional Committee to step up the fight against trafficking in persons. It requests the Government, in particular, to indicate the steps taken to implement the framework for the prevention of trafficking in persons and the protection of victims established in the Organic Act on human mobility of 2017 and its implementing regulations. The Committee also requests the Government to provide information on the evaluation of the implementation of the national plan adopted in 2006, including the results achieved and the difficulties identified.” Direct Request (CEACR) - adopted 2018, published 108th ILC session (2019) - Forced Labour Convention 	<p>ILO Committee of Expert on the Application of Conventions and Recommendations</p> <p>Direct Request (CEACR) - adopted 2018, published 108th ILC session (2019) - Minimum Age Convention, 1973 (No. 138) - Ecuador (Ratification: 2000)</p> <p>Direct Request (CEACR) - adopted 2018, published 108th ILC session (2019) - Forced Labour Convention, 1930 (No. 29) - Ecuador (Ratification: 1954)</p> <p>Observation (CEACR) - adopted 2018, published 108th ILC session (2019)</p> <p>Worst Forms of Child Labour Convention, 1999 (No. 182) - Ecuador (Ratification: 2000)</p>

Indicator	Description	Sources
	<ul style="list-style-type: none"> “The Committee requests the Government to take all the necessary measures to complete the process of adopting a new national plan of action to combat trafficking in persons and to provide detailed information in that regard concerning the trafficking of children.” Observation (CEACR) - adopted 2018, published 108th ILC session (2019) - Worst Forms of Child Labour Convention 	
Evidence of forced labor, human trafficking, and hazardous child labor in the country	In addition to fishing, there is evidence of human trafficking, forced labor and child labor in a range of sectors in Ecuador including domestic service, begging, agriculture and floriculture, aquaculture, and mining, among others. Goods specifically identified as produced by child labor include bananas, bricks, flowers, and gold.	USDOS, 2021 Trafficking in Persons (TIP) Report USDOL, 2020 List of Goods Produced by Child Labor or Forced Labor

Table 1: Ecuador - Country-level indicators

Ecuador: Seafood industry-level indicators

Indicator	Description	Sources
<p>Direct evidence of Forced labor, human trafficking, and hazardous child labor</p>	<p>Ecuador’s seafood industry has been linked to forced labor and forced child labor by the US Department of State in the past five years:</p> <p>“Traffickers exploit Ecuadorian men, women, and children in sex trafficking and forced labor within the country, including in domestic service, begging, banana and palm plantations, floriculture, shrimp farming, fishing, sweatshops, street vending, mining, and other areas of the informal economy.” (US Department of State, 2021).</p>	<p>US Department of State, 2021 Trafficking in Persons (TIP) Report</p>
<p>ILO indicators of forced labor and ILO R190 definition of hazardous child labor</p>	<p>According to the US Department of Labor (USDOL)’s 2018 Findings on the Worst Forms of Child Labor for Ecuador:</p> <ul style="list-style-type: none"> • Children also work in the banana, brick, flowers and gold mining industry. <p>The 2020 USDOL Report states that Ecuador has made significant advancements towards eliminating child labor. Despite the pandemic, the government worked towards keeping children vulnerable to child labor in school. Despite these improvements, there are still children subjected to sexual exploitation and work in dangerous jobs such as mining. USDOL, 2020</p> <p>Among the sources cited by the USDOL is a 2013 report by Ecuador’s Ministry of Work and Labor Relations (Ministerio de Trabajo y Relaciones Laborales), which uses data on child labor from the 2010 population census. The report states, of the working children aged from 5 to 17 years, 31.96% (81,264 children and adolescents) work in activities related to “agriculture, forestry and fisheries”. Among those, nearly 27% were aged 17 and nearly 88% were aged 13 years or over. The majority (77%) of children identified as working in the sector were male (Ministerio de Trabajo y Relaciones Laborales, 2013).</p>	<p>USDOL, 2020 Child Labor and Forced Labor Reports</p> <p>Ecuador Ministry of Work and Labor Relations (Ministerio de Trabajo y Relaciones Laborales), 2013, PETI - Proyecto de Erradicación del Trabajo Infantil 2014–2017</p> <p>Verité, 2016, Fishing and Aquaculture InSight Crime, 14 March 2014, ‘Ecuador’s Cocaine Pirates: Part I’</p> <p>InSight Crime, 25 February 2016, ‘Ecuador: 300 Fishermen Arrested</p>

Indicator	Description	Sources
	<p>The report does not detail the types of activities performed by working children or provide a breakdown of the numbers of children working in fishing.</p> <p>While no direct links to specific fishing activities are made by the Ministry report, it identifies coastal provinces Guayas and Manabi, both of which have strong links to Ecuador’s tuna industry, as the provinces with the highest number of children working in “Agriculture, forestry and fisheries” (Ministerio de Trabajo y Relaciones Laborales, 2013).</p> <p>Seafood products from Ecuador are <i>not</i> listed in the USDOL’s 2020 List of Goods Produced by Child Labor or Forced Labor.</p> <p>Research by Verité indicates that fishers in Ecuador are vulnerable to debt bondage when affected by piracy:</p> <p>“There were also reports that pirates robbed fishermen of their boats, catches, or motors, making them vulnerable to debt bondage. In some cases, their employers deducted the amount of these goods from their pay. In other cases, self-employed fishermen had obtained loans from informal money lenders for their boats, and upon losing them, had to work in fishing for prolonged periods to pay off the debt.” (Verité, 2016).</p> <p>In addition, Verité found that fishermen are sometimes forced to traffic drugs or subjected to killings or intimidation by drug traffickers (Verité, 2016). Media reports describe how Ecuadorian fishers are vulnerable to exploitation by drug traffickers, being intimidated into drug trafficking or lured with promises of cash payments (InSight Crime, 2014; InSight Crime, 2016; InSight Crime, 2017). Fishers reported to have been arrested on drug trafficking charges in the US and Central America include fishers from the coastal provinces of Manabi, Esmeraldas, Guayas, Santa Elena, and El Oro (InSight Crime, 2016).</p>	<p>for Drug Trafficking in 3 Years’</p> <p>InSight Crime, 28 June 2017, ‘Ecuador Fishermen Jailed Abroad Illustrative of ‘Drug War’ Justice’</p>

Indicator	Description	Sources
<p>Fishing, aquaculture and processing regulations and policies</p>	<p>Labor-related fishing legislation</p> <p>Related regulations and policies include:</p> <ul style="list-style-type: none"> • The National Plan of Action to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, September 2015. • The Code of Conduct for Responsible Management of the Ecuadorian Tuna Value Chain (voluntary). <p>The Ministry of Foreign Trade (Ministerio de Comercio Exterior) identifies five pieces of national and international legislation relevant to labor in fishing in Ecuador:</p> <ul style="list-style-type: none"> • Convention No. 112 Minimum Age (Fishermen), 1959 • Convention No. 126 Accommodation of Crews (Fishermen), 1966 • Child Labor Eradication Project (PETI) 2014-2017 • Organic Code on Labour, 2005 • Resolution No C D 333 – Regulation for the Workplace Risk Audit System, 2010. <p>Ministerio de Comercio Exterior, August 2017</p> <p>The ILO NATLEX database lists 2 laws and 2 regulations relating to fishers. ILO NATLEX Database</p> <p>The 2018 Global Slavery Index (GSI) for fishing:</p> <ul style="list-style-type: none"> • National Fisheries Policy (catch outside EEZ, distant water fishing, and subsidies) <ul style="list-style-type: none"> ○ Medium Risk • Wealth and Institutional Capacity (GDP per capita, value landed per fisher, and unreported landings) <ul style="list-style-type: none"> ○ Medium Risk 	<p>Ministerio de Comercio Exterior, August 2017</p> <p>ILO NATLEX Database</p> <p>Global Slavery Index (GSI) 2018 - Fishing</p>
<p>Enforcement and implementation of industry-specific</p>	<p>There is evidence for implementation of a Traceability, Monitoring, Control and Surveillance System:</p> <ul style="list-style-type: none"> • “252 fishing inspectors who control everything from fishing ports to processing plants.” Ministerio de Comercio Exterior, August 2017. 	<p>Ministerio de Comercio Exterior, August 2017</p>

Indicator	Description	Sources
regulations and policies	<ul style="list-style-type: none"> “In order to avoid child labor in the fisheries sector, 481 control activities were completed, and more than 15,000 people were trained through seminars and home/enterprises visits. (2016)”. Ministerio de Comercio Exterior, August 2017. <p>However, capacity is limited for implementation. Although the Government increased the number of fishing inspectors hired nationwide in 2016, the number was later reduced due to financial cuts to just 60 inspectors for the entire Ecuadorian fleet and foreign-flagged vessels unloading in Ecuador. Proanioyasociados, 11 November 2019</p> <p>The issuance of a “yellow card” against Ecuador by the European Commission in October 2019, highlights failures by the country to properly implement and enforce fishing industry regulations. European Commission, Overview of existing procedures as regards third countries, European Commission, 05 November 2019</p>	Proanioyasociados, 11 November 2019, Voluntad política y presupuesto para salir de la “tarjeta amarilla” [Political will and budget to get out of the "yellow card"] European Commission, Overview of existing procedures as regards third countries European Commission, 05 November 2019, Commission Decision of 30 October 2019 notifying the Republic of Ecuador of the possibility of being identified as a non-cooperating third country in fighting illegal, unreported and unregulated fishing
Access to workplaces for third-party monitors (trade union representatives, on-board observers, etc.)	<p>There is 100% fisheries observer coverage on large purse seine vessels and 15.61% fisheries observer coverage on longline vessels targeting tropical tuna in the Eastern Pacific Ocean (EPO). However, these observers collate data relating to the management of the fishery and not the workers.</p>	<p>Monterey Bay Aquarium Seafood Watch, December 2014, Bigeye, Skipjack and Yellowfin Tuna - East Pacific - Dolphin set purse seine, Floating object purse seine (FAD) and</p>

Indicator	Description	Sources
		Unassociated purse seine (non-FAD) 2018 Annual Scientific Observer Report for Ecuador Tuna Longline Fishery in the IATTC Convention Area
Worker access to a functional grievance mechanism	Unknown.	
Access to join a trade union	<p>There do not appear to be any legal impediments for fishers or seafood processing workers to access workers' unions. Participation in trade unions is open to all, including migrant workers (UN Human Rights Office of the High Commissioner, 5 September 2017).</p> <p>Furthermore, no evidence of violations related to the seafood industry were found. But access to workers' unions in Ecuador is rated poorly overall by the Global Rights Index (see country-level indicators). In 2020, workers in the banana industry still have trouble unionizing due to fear of retaliation from the police. (ITUC Global Rights Index 2021 Report).</p>	UN Human Rights Office of the High Commissioner, 5 September 2017, 'Committee on the rights of migrant workers considers the report of Ecuador' International Trade Union Conference (ITUC) Survey of Violation of Trade Union Rights ITUC Global Rights Index 2021 Report
Participation in voluntary schemes and implementation of comprehensive corporate policies and strategies to combat forced	<p>Ecuador is developing a certification program for sustainable production of tuna that incorporates requirements for good social practices:</p> <p>The Ecuadorian Government and the tuna industry are developing a voluntary Code of Conduct and associated certification program for the tuna sector called 'Ecuadorian</p>	The Ecuadorian Chamber of Tuna Industrialists and Processors (CEIPA), July 2018, 'Making marine based value chains sustainable in developing countries

Indicator	Description	Sources
<p>labor, human trafficking, and hazardous child labor</p>	<p>Tuna Sustainability' (Sustentabilidad Ecuatoriana Atunera - SEA). CEIPA, July 2018</p> <p>The SEA certification program will cover the capture and production processes of tuna and other large pelagic species landed in Ecuadorian ports. Products approved by the SEA will be able to carry the Ecuador Premium Sustainable logo. Godelman, E., 2019</p> <p>The certification program will cover both environmental and social criteria.</p> <p>"Ecuadorean chamber of industrial tuna catchers and processors said it would launch a new code of conduct for the country's tuna fleet, named SEA. SEA will be based on the Food and Agriculture Organization of the United Nations' protocol for responsible fisheries, its guidelines for eco-labeling, and other international regulations, it was said. The standard, which will be voluntary and based on third-party certification, is expected to be launched in about a year's time. "We want to create the best practices on board and on land, at the fishing vessels and all the value chain, starting with the factories," it was said at the presentation. SEA will recognize Marine Stewardship Council (MSC) and other Global Sustainable Seafood Initiative-approved certification schemes for the fisheries as part of the certification process." (Undercurrent News, 1 May 2018).</p> <p>Among the listed documents that inform the SEA is ILO C188. A cited objective of the program is to "Contribute to practices of respect for social and labor rights of those who perform work in the capture, transport and processing of seafood products." (Translated from Spanish), and 'Indicators of Good Social Practices on Board' comprises one of five modules for the standard. Godelman, E., 2019</p>	<p>SEA: Ecuadorian Sustainability Tuna', 2nd. Oceans Forum on Traderelated Aspects of SDG 14</p> <p>Godelman, E., 'Sustainability Certification System of the Ecuadorian Tuna Value Chain', IV Regional Forum on Tuna Sustainability</p> <p>Manta, Ecuador 2019</p> <p>Undercurrent News, 1 May 2018, 'Ecuador signs free trade agreement with EFTA, launches new tuna brand'</p>

Table 2: Ecuador - Seafood industry-level indicators

Ecuador: Fishing indicators

Indicator	Description	Sources
Direct evidence of Forced labor, human trafficking, and hazardous child labor	None found. Tuna from Ecuador is not listed in the USDOL's 2020 List of Goods Produced by Child Labor or Forced Labor, nor has tuna been linked directly to hazardous child labor in fishing.	USDOL, 2020 List of Goods Produced by Child Labor or Forced Labor
ILO indicators of forced labor and ILO R190 definition of hazardous child labor	None found.	
Fishing Characteristics	<p>Thirty or more days at sea</p> <p>Days at sea unknown.</p> <p>No evidence of transshipment was found for the EPO tuna fishery. IATTC Resolution C-12-07 (2012) prohibits high-seas transshipment of tuna.</p> <p>While Ecuadorian vessels do not have authorization to transship on the high seas in the WCPO, there is evidence stating that transshipment occurs for tuna caught in the WCPO and sent to Ecuador for processing. WCPFC, 2017, Francisco Blaha, 2016</p>	<p>IATTC Resolution C-12-07</p> <p>Francisco Blaha, 29 October 2016, 'The tuna transshipment hub of Majuro'</p> <p>WCPFC, September 2017, Annual Report on WCPFC transshipment reporting, with an emphasis on high seas activities</p>
	<p>Targeting overexploited stocks</p> <p>Tropical tuna caught in the Eastern Pacific Ocean is not considered overexploited, although overfishing of bigeye and yellowfin tunas is occurring.</p> <p>FishSource scores:</p> <ul style="list-style-type: none"> • Skipjack tuna – Eastern Pacific Ocean <ul style="list-style-type: none"> ○ Current health - ≥ 8 ○ Future health - ≥ 8 	

Indicator	Description	Sources
	<ul style="list-style-type: none"> • Bigeye tuna – Eastern Pacific Ocean <ul style="list-style-type: none"> ○ Current health – 8.1 ○ Future health - 7.4 • Yellowfin tuna – Eastern Pacific Ocean <ul style="list-style-type: none"> ○ Current health – 7 ○ Future health – 7.5 <p>ISSF status report:</p> <p>“The bigeye stock in the EPO is not currently overfished, but overfishing may be taking place.”</p> <p>“The yellowfin stock in the EPO is currently overfished and overfishing is taking place.”</p> <p>“The skipjack EPO stock is not overfished and overfishing is not occurring.”</p> <p>Tropical tuna caught in the EPO is rated by Seafood Watch as:</p> <ul style="list-style-type: none"> • Bigeye <ul style="list-style-type: none"> ○ Drifting longline - AVOID • Yellowfin <ul style="list-style-type: none"> ○ Floating object purse seine – AVOID ○ Unassociated purse seine – GOOD ALTERNATIVE ○ Dolphin set purse seine – GOOD ALTERNATIVE ○ Drifting longline – AVOID ○ Hand operated pole and lines – GOOD ALTERNATIVE • Skipjack <ul style="list-style-type: none"> ○ Floating object purse seine – AVOID ○ Unassociated purse seine – GOOD ALTERNATIVE ○ Dolphin set purse seine – GOOD ALTERNATIVE ○ Hand operated pole and lines – BEST CHOICE ○ Trolling lines – BEST CHOICE 	

Indicator	Description	Sources
	<p>Tropical tuna caught in the Western and Central Pacific Ocean is not considered overexploited.</p> <p>FishSource scores:</p> <ul style="list-style-type: none"> • Skipjack tuna – Western and Central Pacific Ocean <ul style="list-style-type: none"> ○ Current health - 10 ○ Future health – 10 • Bigeye tuna – Western and Central Pacific Ocean <ul style="list-style-type: none"> ○ Current health – 9.9 ○ Future health – 8.5 • Yellowfin tuna – Western and Central Pacific Ocean <ul style="list-style-type: none"> ○ Current health – 9.5 ○ Future health – 8.8 <p>ISSF status report:</p> <p>“The latest assessment indicates that the Western Pacific bigeye tuna stock is not overfished, with biomass above the limit reference point established by WCPFC. The management measures in place appear to be sufficient to prevent overfishing.”</p> <p>“The Western and Central Pacific yellowfin tuna stock is not overfished and overfishing is not occurring. Most of the catches are taken from the tropical region where the stock is considered fully exploited and there is little or no room for increased fishing pressure on the stock overall.”</p> <p>[WCPO skipjack tuna] “Overfishing is not occurring and the stock is not overfished.”</p> <p>Tropical tuna caught in the WCPO is rated by Seafood Watch as:</p> <ul style="list-style-type: none"> • Bigeye <ul style="list-style-type: none"> ○ Floating object purse seine – AVOID ○ Drifting longlines - AVOID • Yellowfin <ul style="list-style-type: none"> ○ Trolling lines – BEST CHOICE 	

Indicator	Description	Sources
	<ul style="list-style-type: none"> ○ Handlines and hand-operated pole-and-lines – BEST CHOICE ○ Unassociated purse seines (non-FAD) – GOOD ALTERNATIVE. ○ Floating object purse seine – AVOID ○ Drifting longlines - AVOID ● Skipjack <ul style="list-style-type: none"> ○ Trolling lines – BEST CHOICE ○ Unassociated purse seines (non-FAD) – GOOD ALTERNATIVE. ○ Floating object purse seine – AVOID 	
Evidence of correlated practices	<p>IUU fishing</p> <p>The IUU Fishing Index gives Ecuador a score of 2.39 (1 being the best, and 5 the worst) and ranks it 48th out of 152 countries, and 1st out of 10 South American countries. Of the three categories assessed (Vulnerability, Prevalence, and Response), Ecuador scores poorly on prevalence overall and under the framing of coastal responsibilities (score 5.0). http://iuufishingindex.net/profile/ecuador</p> <p>The safety of fisheries observers on board vessels is a concern with implications for at-sea monitoring of compliance with fishery regulations. On 6th March 2018, fisheries observer, Edison Geovanny Valencia Bravo, was reported to his family as missing having disappeared from an Ecuador-flagged tuna fishing vessel ‘Don Ramón’ while operating in the IATTC region after leaving Manta port on January 20th (El Comercio, 14 April 2018). This incident is not direct evidence of IUU fishing or disregard for human rights, nevertheless it is representative of the wider issue regarding the alleged abuses toward fisheries observers at-sea if they observe illegal activity. In October 2019, the European Commission officially warned Ecuador of the need to act against IUU fishing by issuing the country with a “yellow card” as the first stage (pre-identification) of the EU carding scheme for IUU fishing. European Commission, Overview of existing procedures as regards third countries</p>	<p>IUU Fishing Index</p> <p>El Comercio, 14 April 2018, ‘40 días de angustia para familiares de biólogo que desapareció en altamar’</p> <p>European Commission, Overview of existing procedures as regards third countries</p> <p>European Commission, 05 November 2019, Commission Decision of 30 October 2019 notifying the Republic of Ecuador of the possibility of being identified as a non-cooperating third country in fighting illegal, unreported</p>

Indicator	Description	Sources
	<p>Problems identified by the European Commission include the repeated occurrence of longline vessels fishing without proper registration in the IATTC region; failure to implement sanctions against vessels found to be fishing illegally; insufficient mechanisms for cooperation and data sharing with third countries where Ecuadorian vessels operate; and inadequate checks on vessel history prior to registration. European Commission, 05 November 2019</p> <p>The European Commission summarized its reasons for issuing Ecuador with a “yellow card”, stating: “The legal framework in place is outdated and not in line with the international and regional rules applying to the conservation and management of fishing resources.</p> <p>Law enforcement is hampered by this outdated legal framework, inefficient administrative procedures and a lenient approach towards infringements. As a result, the sanctioning system is neither depriving the offenders from the benefits accruing from IUU fishing, nor deterrent.</p> <p>There are serious deficiencies in terms of control, notably over the activity of the tuna fishing and processing industries. These deficiencies undermine the reliability of the traceability system upon which the certification of the legality of the catches is based.” European Commission, 30 October 2019</p> <p>No RFMO-cited evidence of IUU fishing by Ecuadorian-flagged vessels in the IATTC region between 2005 and 2018 was found (although the flag of many listed vessels is reported in the vessel register as ‘unknown’) (IATTC, May 2019), but evidence does suggest that Ecuadorian-flagged vessels have engaged in IUU fishing in the IATTC region, with specific reference to tropical tuna. NOAA Fisheries’ 2017 report on IUU fishing prepared for the US Congress says: “In the 2015 Report, NMFS identified six countries as having vessels engaged in IUU fishing during the preceding two years: Colombia, Ecuador, Mexico, Nicaragua, Nigeria, and Portugal” ...” In Part III of this report, NMFS identifies</p>	<p>and unregulated fishing</p> <p>European Commission, 30 October 2019, Questions and Answers – Illegal, Unreported and Unregulated (IUU) fishing and issues at stake in Ecuador</p> <p>IATTC, May 2019, Vessel Register – IUU vessels</p> <p>NOAA, January 2017, Improving International Fisheries Management Report to Congress Pursuant to Section 403(a) of the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2006</p> <p>WCPFC, February 2019, WCPFC IUU vessel list for 2019</p> <p>WCPFC, July 2018a, Ecuador - application to renew Cooperating Non-Members status in 2019</p>

Indicator	Description	Sources
	<p>two countries, Ecuador and the Russian Federation, as having been engaged in IUU fishing based on reported violations of international conservation and management measures during 2014, 2015, or 2016.” NOAA, January 2017</p> <p>The NOAA report refers specifically to illegal discards of tropical tuna and violations regarding bycatch species: “NMFS is identifying Ecuador for having 25 vessels acting in violation of IATTC resolutions in 2014 and 2015.11. Several of these vessels include repeat offenders from the 2015 and prior rounds of identification. The following vessels discarded tuna in violation of IATTC resolution C-13-01, which requires all purse-seine vessels to first retain on board and then land all bigeye, skipjack, and yellowfin tuna caught, except fish considered unfit for human consumption or during the final set of the trip when there is insufficient well space to accommodate all the tuna caught in that set.” NOAA, January 2017</p> <p>But no evidence was found of Ecuadorian-flagged vessels engaging in IUU fishing in the WCPFC region:</p> <ul style="list-style-type: none"> • No Ecuadorian-flagged vessels are listed on the WCPFC’s latest IUU vessel list for 2019 but it should be noted that Ecuador is not a member of WCPFC. WCPFC, February 2019 • No Government-cited evidence of IUU fishing by Ecuadorian-flagged vessels in WCPFC: “We have not been notified with cases of IUU fisheries. But we fully commit to the WCPFC to cooperate in accordance to Article 25 of the Convention.” WCPFC, July 2018a <p>In September 2019, it was reported that Ecuador was in talks with Global Fishing Watch (GFW) about the possibility of publishing its national vessel tracking data through the GFW map platform, a move which would support efforts to combat IUU fishing. Wired, 3 September 2019</p>	<p>Wired, 3 September 2019, 'The hidden fight to stop illegal fishing from destroying our oceans'</p>

Indicator	Description	Sources
	<p>Transshipment</p> <p>No evidence of transshipment was found for the EPO fishery. IATTC Resolution C-12-07 (2012) prohibits high-seas transshipment of tuna.</p> <p>Ecuadorian vessels do not have authorization to transship on the high seas in the WCPFC region. But transshipment occurs for tuna that is caught in the WCPO and sent to Ecuador for processing. WCPFC, 2017, Francisco Blaha, 2016</p> <p>Transshipment in the WCPO is regulated by Conservation and Management Measure (CMM) 2009-06 - Regulation on Transshipment. Transshipment in the WCPO is authorized to occur in port or in the EEZs (jurisdictional waters), where it is governed by the national laws of the relevant country. It is, however, prohibited on the high seas (with some exceptions for certain vessels including purse seine fleets flagged by Papua New Guinea, the Philippines, and New Zealand). Member governments, cooperating non-members and participating territories (collectively called CCMs) can advise the Commission where it is impracticable for longline, or troll and pole-and-line vessels to operate without being able to transship on the high seas. However, the Pew Charitable Trust reports that “CCMs have taken advantage of this allowance, and high seas transshipments, primarily by longliners, have become the norm rather than the exception.” The Pew Charitable Trusts, 13 September 2019 (A)</p> <p>Evidence shows that many transshipment activities in the WCPO may go unreported. An analysis by the Pew Charitable Trust of AIS data found that over 1,500 transshipments may have occurred on the high seas in the WCPFC Convention area in 2016, but only 956 high seas transshipments were reported to the secretariat. The Pew Charitable Trusts, 13 September 2019 (B)</p>	<p>IATTC Resolution C-12-07</p> <p>WCPFC, September 2017, Annual Report on WCPFC transshipment reporting, with an emphasis on high seas activities</p> <p>Francisco Blaha, 29 October 2016, 'The tuna transshipment hub of Majuro'</p> <p>The Pew Charitable Trusts, 13 September 2019 (A), Transshipment in the Western and Central Pacific Report</p> <p>The Pew Charitable Trusts, 13 September 2019 (B), Report finds transshipments in Western and Central Pacific likely underreported</p>

Indicator	Description	Sources
	<p>Suspect or illegal flagging practices</p> <p>Ecuador is not listed as a flag of convenience (FOC) by the ITF's fair practices committee.</p> <p>No Ecuadorian-flagged vessels are currently listed by Interpol. One fishing vessel named Asian Warrior, which has been IUU-listed multiple times and was issued a Purple Notice by Interpol in 2015 for illegal fishing, was formerly flagged under Ecuador in 2004.</p>	<p>International Transport Worker's Federation (ITF) Flag of Convenience FOC countries</p> <p>Combined IUU Vessels List</p> <p>Combined IUU Vessels List – Vessel details</p>
	<p>AIS dark spots to conceal criminal activities</p> <p>Unknown</p>	
Workforce Characteristics	<p>The proportion of fishers that are migrant workers</p> <p>Unknown.</p> <p>No evidence was found linking the seafood industry to significant employment of migrant workers: "The majority of migrant workers work in the informal sector, irrespective of whether they entered or stayed in the country legally or illegally. Migrant workers commonly act as street sellers, domestic workers, or in the construction, mining and farming industries." Salazar, No date</p>	<p>Salazar, D, No date, Universal Citizens, Globally Foreign Migrants Domestically: Disparities in the protection of the rights of migrant workers by Ecuador</p>
	<p>A high proportion of fishers from ethnic minority and other marginalized groups</p> <p>Unknown.</p>	
Recruitment and Contracts	<p>Use of recruitment agents</p> <p>Unknown.</p>	
	<p>Contract-and compensation- related regulations and practices</p> <p>Contract practices are unknown, but there is positive evidence regarding compensation in the Ecuadorian tuna</p>	<p>Ministerio de Comercio Exterior, August 2017</p>

Indicator	Description	Sources
	<p>industry although it is unclear if the evidence relates to fishing, and / or the processing stages of the value chain:</p> <p>“The current Constitution establishes the payment of a dignified minimum wage that covers at least the basic needs of a working person and his/her family, as well as the eradication of all forms of exploitation and, above all, child labor. In 2016, the minimum wage of the tuna sector including social benefits, was USD \$512.33 per month. The sectorial minimum wage was set at 4% above the unified basic salary and is considered among the highest in Latin America.”</p>	

Table 3: Ecuador - Fishing indicators

Ecuador: Processing indicators

Indicator	Description	Sources
Direct evidence of forced labor, human trafficking, and hazardous child labor	No evidence found.	
ILO indicators of forced labor and ILO R190 definition of hazardous child labor	No evidence found.	
Processing Characteristics	<p>Processing stage</p> <p>Both primary and secondary processing is undertaken, with domestically produced and imported tuna processed mainly into canned tuna and tuna loins.</p>	<p>Ministerio de Comercio Exterior, August 2017</p>
	<p>Consolidation and vertical integration</p> <p>“The tuna and shrimp industry, the two most important sub-sectors, are both characterized by a high degree of vertical integration and as such the sectors are relatively transparent.” Seafood Trade Intelligence Portal - Ecuador</p> <p>“The creation of a cluster, which has been perfected over the years, with integrated processes both horizontally and vertically, has boosted the growth of the tuna industry. This cluster integrates a productive chain that goes from the extraction of the fishing resource, through a fishing fleet of its own, to the production and export of the product.” Ministerio de Comercio Exterior, August 2017</p> <p>“Two critical factors are cited for Ecuador’s success in canned tuna processing – an efficient, productive and stable labour force, and in the case of several plants, vertically</p>	<p>Seafood Trade Intelligence Portal - Ecuador</p> <p>Ministerio de Comercio Exterior, August 2017</p> <p>Pacific Islands Forum Fisheries Agency (FFA), June 2011a</p>

	integrated business models including purse seine fishing operations.” FFA, June 2011a	
	<p>Domestic versus export</p> <p>“The tuna processing industry is directed towards the international market, with only 10% of sales going towards the domestic market.” Ministerio de Comercio Exterior, August 2017</p> <p>“Ecuadorian processing plants produce primarily for the EU and US markets; it is the top volume supplier of tuna loins into the European Union (mostly to Spanish and Italian canned tuna processors).” FFA, June 2011a</p>	<p>Ministerio de Comercio Exterior, August 2017</p> <p>Pacific Islands Forum Fisheries Agency (FFA), June 2011a</p>
Workforce Characteristics	<p>Skilled versus low-skilled</p> <p>Unknown.</p>	
	<p>The proportion of women in the workforce</p> <p>“At least 53% of the individuals employed in tuna processing plants are women.”</p>	Ministerio de Comercio Exterior, August 2017
	<p>The proportion of migrant versus local workers</p> <p>Unknown.</p>	
	<p>The proportion of minority or indigenous workers</p> <p>Unknown.</p>	
	<p>The proportion of temporary and contract versus permanent workers</p> <p>Unknown.</p>	
	<p>Workers’ origins</p> <p>Unknown.</p>	
	<p>Migrant worker language (vs. dominant language in the industry)</p>	

	Unknown.	
	GDP per capita of processing country and main worker source country Unknown.	
	Legal presence (regularity) of migrant workers Unknown.	
	The ability of migrant workers to change jobs Unknown.	
Recruitment and Contracts	Use of contractors and recruitment agents Unknown.	
	Compensation method Unknown.	

Table 4: Ecuador - Processing indicators

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