

# Argentina



## UK seafood industry exports from Argentina 2018\*

Fish type	Value, £	Weight, tonnes
Other Fish	913,238	513.4
Hake	851,205	461.4
Warm Water Shrimps and Prawns	1,450,290	204.3
Mackerel	38,106	20.0

\*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 such as forced and child labour, working conditions, 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

Argentina has an extensive coastline of more than 5,000 kilometres, however, due to its rich marine biodiversity, its aquaculture sector is underdeveloped and differentiated by geography. Yet, Argentina is home to 90 commercially-relevant species and the sector is heavily reliant on international exports, making it one of the fastest growing fisheries globally.<sup>1</sup> In 2018, the registered employment of the seafood sector accounted for almost 22,000 jobs while the sector's exports reached USD2,148 million (3.5% of total exports). This was an increase of 8.5% compared to 2017. Of the total exported, crustaceans and molluscs represented 75.1%, fresh and frozen fish totalled 23.5%, while the share for flours and preserves' reached 1.4%.

## Social Risks

**Although child labour and forced labour risks are low in Argentina's seafood sector, capacity constraints in monitoring and reportedly corrupted officials elevate the potential for human trafficking.** The Seafood Slavery Risk Tool<sup>2</sup> and the Global Slavery Index<sup>3</sup> have found no evidence of child labour, forced labour or human trafficking in Argentina's seafood sector. Nonetheless, the US Department of Labor lists a number of other commodities produced in Argentina using child labour or forced labour, which should raise a red flag for businesses sourcing from the country and place an increased onus on conducting appropriate counterparty due diligence.<sup>4</sup>

**Formal structures are ridden with corruption, which impedes uniform and effective implementation of occupational health and safety (OHS) standards in Argentina's seafood sector.** The labour inspectorate has insufficient resources in relation to the size of the country's workforce, which exposes businesses sourcing from Argentina to violations of the right to safe and healthy working conditions. This may include the failure of employers to provide workers with effective protective equipment where necessary as well as adequate OHS training to raise employees' awareness and to prevent injuries. World Fishing notes that in recent years there have been a number of training programmes developed in the country aimed at improving the Argentine seafood sector's OHS culture, however, the efficacy of such initiatives remain unclear.<sup>5</sup>

**As the seafood sector has become more competitive, labour conflict has escalated, posing disruption risks for businesses sourcing from Argentina.**<sup>6</sup> Unionized-workers periodically resort to strikes, mainly in the context of annual negotiations concerning salary and benefits creating potential supply chain disruptions, while transport strikes hold the potential to delay seafood exports to international markets. Underscoring this risk issue, in November 2018 fleet representatives and Argentina's Union of United Maritime Workers agreed to a salary increase for workers in Chubut Province's fishing industry, ending a month-long strike that had resulted in a reported economic loss of approximately GBP 62,500,000.<sup>7</sup>

## Regulations and risk mitigation

**Weaknesses in the Argentine labour inspectorate may result in the inadequate enforcement of labour standards within the seafood sector.** The Ministry of Labour, Employment and Social Security reportedly employs 355 inspectors, an inadequate number given the size of the labour force.<sup>8</sup> Corruption also undermines the integrity of inspections, with reports that some inspectors take bribes and are associated with the businesses they inspect.<sup>9</sup> Improvements in law enforcement between 2017 and 2018 saw Argentina move from Tier 2 to Tier 1 in the US Department of State's Trafficking in Persons Report 2018, and it has remained at Tier 1 in 2019.<sup>10</sup>

In January 2019, the national government announced financing for a total amount of USD 500 million via the Investment and Foreign Trade Bank to acquire fishing vessels built in Argentina to help modernize the country's fleet.<sup>11, 12</sup> Such developments may help over the near to long term to raise OHS and improve working conditions for Argentine seafarers. Nonetheless, longstanding shortcomings in labour standards enforcement places the onus on businesses sourcing from Argentina to ensure that regulations linked to potential social risks are adhered to.

**On the public monitoring side, strengthening of capabilities<sup>13</sup> has been announced to comply with the 2008 National Action Plan to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing.**<sup>14</sup> Argentina was highlighted as a top performer in terms of its flag state responsibilities on the 2019 edition of the Illegal, Unreported and Unregulated (IUU) Fishing Index.<sup>15</sup> However, its overall ranking was below the global average for coastal countries, in terms of the degree to which states are exposed to, and effectively, combat illicit fishing activities.

Fisheries Law No 24.543 aims to fight IUU fishing and to support the sustainability of global fisheries.<sup>16</sup> The southwest Atlantic Ocean has fertile fishing grounds, attracting long distance foreign fishing fleets in search of squid and other species. Foreign-flagged vessels are not permitted to fish inside of the zone unless they comply with the strict regulations outlined in Argentina's Fisheries Law.

However, many of them (including Chinese, Spanish, South Korean and Taiwanese vessels)<sup>17</sup> operate at the frontier of the exclusion zone and often with frequent gaps in their automatic identification system (AIS) transmissions to better hide the vessels from public monitoring.<sup>18</sup> In November 2016, the Naval Prefecture (Prefectura Naval) fired at, and eventually sunk, the Chinese fishing vessel Lu Yan Yuan Yu 010 after it determined it was illegally fishing in the country's EEZ, and the vessel appeared to be trying to collide with the naval boat.<sup>19</sup>

## International conventions and rankings

The following tables indicate which international labour conventions Argentina 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.

<b>International Labour Organization (ILO) Conventions</b>	<b>Ratification</b>
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)	Yes
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)	Yes
Weekly Rest (Industry) (No.14)	Yes
Protection of Wages (No. 95)	Yes
Minimum Wage Fixing (No.131)	No
Occupational Safety and Health (No. 155)	Yes
Occupational Health Services (No. 161)	No
Labour Inspection (No. 81)	Yes
Private Employment Agencies (No. 181)	No
Maritime Labour Convention (No. 186)	Yes
Work in Fishing Convention (No. 188)	Yes

<b>United Nations (UN) Conventions</b>	<b>Ratification</b>
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
International Slavery Convention	No
Supplementary Convention on the Abolition of Slavery, Slave Trade and Institutions and Practices Similar to Slavery	Yes

<b>Other Conventions</b>	<b>Ratification</b>
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 1

According to the US Department of State's 2019 TiP Report, Argentina fully meets the minimum standards for the elimination of trafficking and has continued to demonstrate serious and sustained efforts.

## 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.

### Argentina's ranking is: 157/167 (where a ranking of 1 indicates highest risk).<sup>20</sup>

In terms of government response Argentina ranks BBB. This indicates that the government has implemented key components of a holistic response to some forms of modern slavery with victim support services, a strong criminal justice framework, demonstrated coordination and collaboration and protection for those vulnerable to modern slavery. Governments may be beginning to address slavery in supply chains of government procurement, or of businesses operating within their territory. There may be evidence that some government policies and practices may criminalise and/or cause victims to be deported.

## EU Illegal, Unreported and Unregulated Fishing 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.

Argentina is not on the EU IUU watch list.

**Endnotes**

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- 3 Global Slavery Index, 2018, Country Data – Argentina. Available at: <https://www.globallslaveryindex.org/2018/data/country-data/argentina/>
- 4 US Department of Labor, 2020, List of Goods Produced by Child Labor or Forced Labor. Available at: [https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods?tid=5691&field\\_exp\\_good\\_target\\_id=All&field\\_exp\\_exploitation\\_type\\_target\\_id\\_1=All&items\\_per\\_page=10&combine=&page=1](https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods?tid=5691&field_exp_good_target_id=All&field_exp_exploitation_type_target_id_1=All&items_per_page=10&combine=&page=1)
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- 9 US Department of State, 2018, 2018 Country Reports on Human Rights Practices: Argentina. Available at: <https://www.state.gov/reports/2018-country-reports-on-human-rights-practices/argentina/>
- 10 US Department of State, 2019, Trafficking in Persons Report. Available at: <https://www.ecoi.net/en/document/2010754.html>
- 11 La Capital Mar Del Plata, 15 January 2019, Macri encabezó en el sur la reunión con la mesa de la pesca. Available at: <https://www.lacapitalmdp.com/con-fuerte-presencia-marplatense-macri-encabezo-en-el-sur-la-reunion-con-la-mesa-de-la-pesca/>
- 12 Boletín Oficial de la República Argentina, 25 February 2019, LINEAMIENTOS PARA LA MODERNIZACIÓN DE LA FLOTA PESQUERA. Available at: <https://www.boletinoficial.gob.ar/detalleAviso/primera/202362/20190226>
- 13 Merco Press, 22 March 2019, Argentina plans stricter coordination to tackle illegal fishing in the South Atlantic. Available at: <https://en.mercopress.com/2019/03/22/argentina-plans-stricter-coordination-to-tackle-illegal-fishing-in-the-south-atlantic>
- 14 Consejo Federal Pesquero, 2008, PLAN DE ACCIÓN NACIONAL PARA PREVENIR, DESALENTAR Y ELIMINAR LA PESCA ILEGAL, NO DECLARADA, NO REGLAMENTADA. Available at: [https://www.agroindustria.gob.ar/sitio/areas/pesca\\_maritima/plan/PAN-INDNR/PANpescailegal.pdf](https://www.agroindustria.gob.ar/sitio/areas/pesca_maritima/plan/PAN-INDNR/PANpescailegal.pdf)
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For further information see the **Seafish ethics in Seafood** web page.  
Available at: <https://www.seafish.org/article/ethics-in-seafood>