

The national oceanic and coastal policies in the maritime governance of Ecuador

David Leonardo Vélez Altamirano

Dirección Nacional de los Espacios Acuáticos

Abstract: This article discusses Ecuador's oceanic and coastal policies (PNOC) contribution to maritime governance. The experience in Brazil and Colombia, countries with planned and strategic visions of maritime governance, has been considered. This comparison is key to building a maritime governance model applicable to Ecuador. This paper collects information from current legal regulations in three countries and also reviews relevant secondary sources. The results study shows that operational Ecuadorian PNOC policies do not have meaningful incidence within regional and international treaties and, consequently, related government agencies perform poorly. Policies' contribution to Ecuador's maritime governance depends on some actions, particularly at the executive level, such as greater inter agency cooperation.

Key words: ocean and coastal policies; maritime governance; maritime spaces; governmental entities; Ecuador

1 Introduction

Ocean space plays a crucial role in the prosperity and development of Ecuador and its people, therefore, the appropriate and sustainable use of ocean space has become a permanent task for the country. Since the early 19th century, this task has been entirely undertaken by the Ecuadorian Navy, which also transports troops, provides food, protects maritime borders, and communicates. However, during this century (1840-1940), the navy would have a few weak units and could not be seen as a "naval force" capable of fully protecting maritime sovereignty or trade (Digeim, 2005, p. 10).

However, in order to meet the needs of national modernization in the 21st century and in the context of increasingly combating drug trafficking and labor, structural and organizational reforms are being carried out, and the Navy has lost this exclusive power. In 2007, these powers were shared with other national entities such as the Office of the Deputy Minister of Ports, Shipping, and Inland Transport (under the Ministry of Transport and Public Works); the Undersecretariat of Coastal Marine Management in 2009 (under the Ministry of Environment); and the Interinstitutional Committee of the Sea in 2012, attached to the National Secretariat of Planning and Development (Senplades). This decentralizes decision-making and broadens the spectrum of institutions and authorities involved in national maritime management.

In spite of the above, decision-making in this regard does not have inter-institutional cooperation and coordination as a transversal axis, since "the multiplicity of actors involved, of decision points, of approvals required for each decision, cause two negative effects: the plurality of objectives and decision paths, and the appearance of unexpected decisions" (Aguilar, 1993, p. 53). At present there are a series of difficulties and interferences, for example, the situation of the Maritime Authority of Ecuador, the entity in charge of the control of national and international traffic vessels, whose competencies are divided between the Undersecretariat of Ports and Maritime and River Transportation, and the National Directorate of Aquatic Spaces in the areas of maritime safety and security, especially in the process of issuing permits and

enabling documents for vessels.

Despite the promulgation of several administrative decrees (No. 1111 of June 12, 2008; No. 1087 of March 7, 2012 and No. 723 of July 9, 2015), which establish the competencies, powers and attributions of the National Port and Maritime and River Transport Authority and the National Maritime Authority, it has not been possible to generate a framework for the management, regulation and control of activities in maritime spaces, as there is duplication of functions.

In relation to the above, the objective of this research is to analyze the contribution of the PNOCs to Ecuadorian maritime governance through a comparison with the cases of Brazil and Colombia, countries that constitute significant models in the Latin American region in terms of the maritime vision they have implemented in their public management, which translates into objectives, plans and actions aimed at generating the development of their maritime potential. In addition, it is intended to analyze the elements that make up the Ecuadorian maritime governance and its cause-effect relationship with the enactment and entry into force of the PNOCs.

This research is based on the analysis of the ocean policies of the aforementioned countries; it also analyzes the regulations in force under the protection of national legislation and the comparison of their guidelines with the models of Brazil, a country whose National Maritime Policy and the decrees establishing the Interministerial Commission on Marine Resources are analyzed; and Colombia, whose National Ocean and Coastal Spaces Policy is analyzed, as well as the establishment of the Colombian Ocean Commission. In the case of Ecuador, public documents related to public policies were examined, including executive decrees and the National Development Plan, in order to observe the inter-institutional difficulties mentioned above.

The structure of the article consists, first, of a review of the concepts of inter-institutional coordination, maritime governance, public policies and Ecuador's maritime planning and policy framework. This is followed by a comparison of the maritime policies in force in Brazil, Colombia and Ecuador, as well as the administrative bodies in charge of their implementation. The third section presents the current situation of maritime governance in the countries under analysis. Finally, a series of conclusions are presented.

2 Some key concepts for discussion

2.1 Inter-institutional coordination

Among the principles for an adequate public administration is coordination, which is defined as "an organizational principle that seeks to achieve unity in administrative action between different administrations or between bodies belonging to different areas of the same administration, not related by the principle of hierarchy" (Escuela de Administración Regional, 2009, p. 5). Therefore, coordination aims to achieve the common and coherent action of the administration, avoiding conflicting actions between different administrative bodies without affecting or influencing the competencies of each institution (Sanchez, 2002).

It can be affirmed, therefore, that coordination avoids contradictions and dysfunctions in the administration by generating joint actions of the authorities in the exercise of their competencies, so as to achieve the integration of partial acts in the global system of governmental administration (Barrio, 2000). Coordination has an imposing character in which decisions are usually shared, as long as the competencies and autonomy of each entity are respected.

2.2 Maritime governance

Governance is defined as a state of dynamic equilibrium between the level of societal demands and the capacity of the political system (State/Government) to respond to them in a legitimate and effective manner (Camou, 2001); that is, the capacity of the Government to effectively meet the demands of society. Governance is defined as the legitimate and general management capacity of any entity or social system, including its natural resources, whose actions, activities and

controls are oriented to the welfare of the individuals participating in that social system (Kooiman, 2008).

Gómez (2015) highlights that maritime governance is regulated by the stewardship and competences of each public entity established in the national legal framework, by its capacity both in the specific field and in its management field and by the interest in fulfilling the activities and responsibilities entrusted (Gómez, 2015). It can be seen that the execution of actions aimed at achieving maritime governance is not the exclusive responsibility of a single institution, but involves the joint effort of the different governmental entities with interference in maritime spaces, which reflects the application of the principles of cooperation and administrative coordination.

2.3 Public policies

Public policies are government actions with public interest, which arise from decisions based on a process of diagnosis and feasibility analysis for effective attention to specific public problems and in which citizens participate in the definition of problems and solutions (Franco, 2018). For the Ecuadorian case, the most appropriate definition is the one proposed by the National Secretariat of Planning and Development (Senplades, 2011), which defines public policies as a set of decisions and strategies adopted by a legitimate authority to solve complex public problems.

For Rodríguez (2011, p. 69), ocean policies are constituted in the "political-institutional definition-for the long term-of the major orientations of the State and the nation, in the maritime and oceanic sphere, according to their maritime and national interests". Rodríguez indicates that ocean policies are constituted as public policy because they are institutional, decisive, causal and binding.

3 Maritime planning and policy framework in Ecuador

In Ecuador, the regulatory framework for national planning and issuance of public policies stems from the Constitution of Montecristi (CRE, 2008), which in Article 277 establishes that it is the duty of the State to direct, plan and regulate the development process, while numeral 3 of the same article establishes that it is also the duty to generate and execute public policies and control and sanction their non-compliance (National Assembly, 2008). To this end, Article 280 of the same CRE establishes that the National Development Plan (PND) is the instrument to which public policies, programs and projects, the programming and execution of the State's budget and the investment and allocation of public resources are subject. It is emphasized that its observance will be mandatory for the public sector (National Assembly, 2008).

It follows that the PND, legitimized by the CRE, is the instrument that embodies and aligns all policies, plans, programs and actions at the public level in the country. This idea is reinforced by the provisions of Article 34 of the Organic Code of Planning and Public Finance (COPFP), which defines the PND as "the highest political and administrative guideline for the design and implementation of public policy and all instruments within the scope defined in this code. Its observance is mandatory for the public sector and indicative for the other sectors" (COPFP, 2010, art. 54).

However, the PND "Toda una Vida" 2017-2021 does not contain any objective specifically related to the use and development of maritime spaces under national jurisdiction. This evidences the lack of maritime vision in Ecuador, which, in turn, hinders the implementation and execution of policies, plans and programs for the use of maritime spaces and their resources by the responsible entities. All public policies should be aligned to the different objectives established in the PND, however, in the case of the National Oceanic and Coastal Policies (PNOC) established in *Resolution of the Interinstitutional Committee of the Sea* No. 001-PCIMAR-2014, of October 20, 2014, since they are not directly linked to a specific objective of the PND, their proper implementation and the execution of programs and projects oriented to their fulfillment is made difficult.

Another factor that contributes to the lack of planning is that after the publication of the PNOCs, the actions necessary

for their implementation have not been carried out, so it is necessary to develop a multisectoral action plan that allows for their implementation as a management element. Figure 1 shows the alignment of the elements of national planning in force in Ecuador, including a cross-cutting and inter-institutional instrument called the *Coastal Marine Development Agenda*, which to date has not been developed and is not in force.



Figure 1. National planning instruments Source: Setemar (2015)

To make up for the lack of institutional planning, the PND includes the *National Strategy for the Territory*, which points out the importance of maritime spaces for their mineral resource potential (Senplades, 2017). Various guidelines of the same mention actions aimed at sustainable management of the so-called marine-coastal territory. These guidelines can be adjusted to the PNOCs, but there is no evidence that they have yet been effectively implemented.

The same situation occurs with the *Coastal Marine Spatial Marine Management Plan* (Poemc) approved by Resolution of the Interinstitutional Committee of the Sea No. 002-CIM-2017 of May 10, 2017. In said resolution, in its First General Provision, the aforementioned Committee establishes a term of 180 days for the elaboration of the Intersectoral Agenda of the Sea. Additionally, in the Second General Provision, a term of thirty days is established to define the baselines of the Poemc indicators as part of the elaboration of the Intersectoral Agenda of the Sea and thus guarantee the implementation of the plan. Despite the expiration of the deadlines set forth in said resolution, neither the *Intersectoral Agenda* for the Sea nor the baselines of the Poemc indicators have been officially established to date. Although the objectives set out in the Poemc are aligned with the PNOCs, there is no real impact on either planning or public administration.

It can be seen that despite the existence of a broad and detailed national legal framework, real progress in its implementation has been very limited. For example, the PNOCs, which constitute a basic element for the management of maritime spaces, are not linked to the PND, while the documents derived from them, which should materialize the implementation of the PNOCs and the inter-institutional coordination and cooperation of the different governmental entities, have not yet been effective despite the time established for this task having elapsed. Therefore, there is no comprehensive and efficient legal framework that contributes to a true and structured maritime governance, contrary to what is happening in Brazil and Colombia.

4 Comparison of ocean policies with Brazil and Colombia

The ocean policies of Brazil and Colombia are the result of a far-reaching, multisectoral effort that sought to include

the vision of different actors and public entities dedicated to maritime spaces. In Ecuador, this process, in addition to being recent (after 2008), has had limited multisectoral participation.

In the case of Brazil, the National Maritime Policy was published by Decree 1265 of October 11, 1994, with the purpose of directing the development of the country's maritime activities in an integrated and harmonious manner for the effective, rational and total use of the sea and inland waters in accordance with national interests (Presidency of the Republic of Brazil, 1994). The decree sets out the relationship between inter-ministerial and sectoral policies and maritime activities through fourteen objectives. To achieve them, a series of actions have been implemented over the years and have been grouped into plans and programs covering different aspects of the management of maritime spaces, which will be mentioned below.

Another example at the regional level is Colombia, which developed the guidelines of the National Ocean and Coastal Spaces Policy (PNOEC) in 2002 with the help of the Colombian Ocean Commission. This policy served as the basis for the design and adoption of a State policy that sought to identify the problems and needs included therein, a policy that was implemented in 2007 with the issuance of the PNOEC. Since then, Colombia has an integral, systemic and comprehensive policy instrument that allows it to guarantee the sustainable use of maritime spaces and their resources (Comisión Colombiana del Océano, 2017).

The Colombian PNOEC underwent an updating process between 2014-2016, which resulted in the PNOEC 2016-2030. This update with a vision to the year 2030 seeks, among other elements, the promotion of national maritime interests, the sustainable use of resources and promotion of national development, which includes the concepts of blue economy and maritime safety as management tools (Colombian Ocean Commission, 2017). Table 1 summarizes the objectives of the PNOCs of the three countries under study.

Table 1. Objectives of the ocean and coastal policies of Brazil, Colombia and Ecuador

Country	Objectives
Brazil	<ul style="list-style-type: none"> • Development of a national maritime culture. • Rationality and exploitation of maritime activities. • National technological independence in the area of maritime activities. • Research and rational exploitation of living resources, especially for food production, as well as non-living resources in the seas, seabed and subsoil. • Production in the country of ships, boats, equipment and specific materials for the development of maritime activities and the defense of the country's maritime interests. • Improvement of the country's port infrastructure, waterways and naval repairs. • Optimization of internal and external maritime transportation routes. • Environmental protection in the areas where maritime activities take place. • Training, evaluation and rational use of human resources required for maritime activities. • Privatization of maritime activities in which State administration is not a strategic or national security imperative. • Obtaining benefits derived from participation in international instruments related to maritime interests. • Protection of maritime activities and safeguarding of national interests related to the sea. • Positive image of the country abroad, in support of Brazilian diplomatic action. • Guarantee of the existence of a naval power of dimensions compatible with other components of maritime power.

Colombia	<ul style="list-style-type: none"> • To establish the necessary conditions for the integral development of maritime spaces through the exercise of sovereignty, the promotion of maritime interests and international cooperation, by leading the country towards regional leadership in maritime issues. • Safeguarding the sovereignty and integrity of the national maritime territory. • Achieve regional leadership in the development of the port system, maritime transportation, the shipping industry, the sustainable use of marine-coastal resources and maritime and recreational tourism, thus creating conditions that favor the economic development of the country. • Establish a marine-coastal planning that allows for the compatibility of the different visions, policies, plans, programs and actions on the territory, seeking a harmonious and integrated spatial development within the framework of governance that provides wellbeing and generates safe conditions for coastal populations. • Generate the necessary conditions to maintain a healthy marine-coastal environment and promote the conservation and sustainable use of resources. • Generate and strengthen maritime territorial awareness and appropriation, maritime-oriented academic programs and the development of science, technology and innovation, by creating the conditions that allow the insertion of maritime culture in the national agenda.
Ecuador	<ul style="list-style-type: none"> • To conserve the natural and cultural heritage, ecosystems and biological diversity of the marine and coastal zone, through respect for the rights of nature in continental Ecuador, the Galapagos Archipelago, the territorial sea, the contiguous zone, the exclusive economic zone and Antarctica. • Prevent, control and mitigate pollution of national maritime spaces and coastal areas. • To develop and promote scientific research and technological innovation for a just and supportive knowledge society in the oceanic and marine-coastal fields. • Promote productive and prospecting activities for the efficient, inclusive and sustainable use of the resources of the coastal zone, ocean, high seas and seabed. • Promote an integrated logistics, marketing and maritime transportation system that is in line with national planning and international demands, and that contributes to systemic competitiveness. • Promote Ecuador's strategic insertion in the Pacific Ocean and Antarctica. • Guarantee sovereignty, sovereign rights and national security at sea, within the framework of Convemar and other international agreements signed in the oceanic and marine-coastal area. • Reduce vulnerability and improve the adaptation of populations and ecosystems to climate change and natural events that affect the oceanic and marine-coastal zone. • Establish oceanic and coastal marine territorial planning that articulates the various human interventions in a coherent, complementary and sustainable manner.

Source: Decree 1265 of October 11, 1994 (Presidency of Brazil); Colombian Ocean Commission; Resolution CIM 001-PCIMAR-2014 (Ecuador) Table prepared by the author (2020)

As can be seen, to a greater or lesser extent the policies established by these countries cover the same fields of action. In the case of Brazil, the actions to be carried out were grouped in the following fields: international relations, water transport, shipbuilding, development and research, sea resources, personnel and security (Presidency of the Republic of Brazil, 1994). Subsequently, with the development of the Blue Amazon concept, the Brazilian State grouped actions into the following plans and programs: *Antarctic Program*, *Sectoral Plan for Marine Resources*, *Brazilian Continental Shelf Rise Plan*, *Maritime Awareness Program* and *Coastal Management Program*. Each of these programs and plans is made

up of a series of actions and objectives that are monitored by the Interministerial Commission for Marine Resources (CIRM).

Another difference with respect to Ecuador is that both Brazil and Colombia include in their policies the creation of a maritime culture or awareness, which contributes to the successful management of maritime spaces and their activities. They also include policies aimed at the development of the naval industry, a situation not considered in Ecuador's PNOCs.

The PNOCs have not been materialized in plans or projects that would allow them to effectively contribute to the country's maritime development. As can be seen, this is a very different reality from that of Brazil and Colombia. The latter country has even established an Ocean and Coastal Information System (Sinoc) that aims to collect, structure and disseminate information that supports the planning, monitoring and evaluation of the PNOECs (Colombian Ocean Commission, 2021).

It should also be noted that in Colombia, the Colombian Ocean Commission promulgated the action plan for the application and implementation of the PNOECs, with actions, goals and indicators defined for each of them. As an indicator of compliance with the PNOECs, the Ocean Health Index (IdSO) is a tool used on a global scale that evaluates ten goals on environmental, economic and social aspects to diagnose in a comprehensive and quantitative manner the state of health of maritime spaces, such as food supply, artisanal fishing, biodiversity, coastal area protection, sense of belonging, among others (Ministry of the Environment, 2020). In the Colombian case, the health of maritime spaces has been valued at 60/100, with an overall score of 71/100, which allows it to quantitatively and clearly evaluate the effectiveness of the application of its policies and, if necessary, redefine plans and actions to comply with them (Colombian Ocean Commission, 2021).

In Ecuador, the IdSO has been used as a particular initiative by the Ministry of Environment in the provinces of Manabí and Santa Elena, but not as a tool for evaluating the implementation of the PNOCs. This is due to the fact that this tool has been used more as an element of local and not national analysis, in addition to employing only a sectorial vision and not promoting a multisectorial and integral vision that leads to coordinated actions seeking the harmonious development of activities in the maritime areas of the jurisdictions studied. This is evidence of the lack of coordination between national governmental entities (Ministry of the Environment, 2020).

Ecuador's PNOCs have not been specified in terms of objectives, actions, goals and indicators, as they are not part of national planning, since no objective of the current PND is directly related to them. Including these policies in the PND of the next government (2021-2025) is timely so that they have adequate legal and financial support for their implementation. In this sense, Martinez states that ocean policy should be considered as a development model for the States, since the ocean is the natural space for the future development and growth of the State (Martinez, 1993). Likewise, the Chilean Navy states that there should be a close relationship between national objectives and national ocean policy, i.e., a national ocean objective (Chilean Navy, 1994). Ecuador's PND does not have either of these two oceanopolitical visions, which hinders the proper insertion and application of the PNOCs, because since they are not linked to the PND, resources cannot be allocated for the execution of plans, programs and projects that would allow their materialization (Martínez, 1993).

4.1 Comparison of management bodies

An aspect as important as the generation and implementation of policies is the formation or updating of the body in charge of their follow-up and evaluation. In this regard, it is necessary that the process should be directed from the highest level of public management. In Brazil, the responsible body is the Interministerial Commission on Marine Resources (CIRM), created by Decree 74557 of September 12, 1974, modified by Decree 3939 of September 26, 2001 and updated by Decree 9858 of June 25, 2019. It is coordinated by the commander of the Brazilian Navy and integrated by different

ministries involved in the activities to be executed in the maritime areas.

In the case of Colombia, by Decree 347 of March 1, 2000, the Colombian Oceanographic Commission was modified and renamed the Colombian Ocean Commission (CCO), an intersectoral advisory, consultation, planning and coordination body of the Colombian Government in matters of National Ocean and Coastal Spaces Policy and its different related topics related to the sustainable development of Colombian seas and their resources (Colombian Ocean Commission, 2019).

In Ecuador, through Executive Decree 990 of December 29, 2011, the Inter-Institutional Committee of the Sea (CIM) was created as a body for the approval of intersectoral public policy on the sea, articulation and monitoring, within the framework of national planning and development. Its conformation and attributions have been modified on more than one occasion, the most recent being through Executive Decree 1197 of November 20, 2020. Table 2 shows the members of the governmental bodies in charge of each country along with the entities and authorities that comprise it.

Table 2. Conformation of the governing bodies

Country	Entity
<p>Brazil</p> <p>(Interministerial Commission for Marine Resources)</p>	<ul style="list-style-type: none"> - Civil House of the Presidency of the Republic - Ministry of Justice and Public Security - Ministry of Defense - Ministry of Foreign Affairs - Ministry of Economy - Ministry of Infrastructure - Ministry of Agriculture, Fisheries and Food - Ministry of Education - Ministry of Citizenship - Ministry of Health - Ministry of Energy and Mines - Ministry of Science, Technology, Innovation and Communications - Ministry of Environment - Ministry of Tourism - Ministry of Regional Development - Brazilian Navy Command
<p>Colombia</p> <p>(Colombian Ocean Commission)</p>	<ul style="list-style-type: none"> - Vice-Presidency of the Republic of Colombia - Ministry of Foreign Affairs - Ministry of National Defense - Ministry of Agriculture and Rural Development - Ministry of Mines and Energy - Ministry of Commerce, Industry and Tourism - Ministry of Education - Ministry of Environment and Sustainable Development - Ministry of Transportation - National Navy - National Planning Department

	<ul style="list-style-type: none"> - General Maritime Directorate - Administrative Department of Science, Technology and Innovation (Colciencias) - Invemar - Colombian Association of Universities, Ascun - Delegate of the President of the Republic of Colombia linked to the Productive Sector. - Delegate of the President of the Republic of Colombia linked to environmental NGOs. - Presidential Agency for International Cooperation of Colombia
<p>Ecuador</p> <p>(Interinstitutional Committee of the Sea)</p>	<ul style="list-style-type: none"> - The head of the Ministry of Foreign Affairs and Human Mobility, or its permanent delegate, who will preside over it and exercise the technical secretariat. - The head of the Ministry of National Defense, or its permanent delegate. - The head of the Ministry of Environment and Water, or its permanent delegate. - The head of the Ministry of Production, Foreign Trade, Investments and Fishing, or its permanent delegate. - The head of the Secretariat of Higher Education, Science, Technology and Innovation, or its permanent delegate. - The head of the Technical Secretariat of Planning "Planifica Ecuador", or its permanent delegate. - The head of the Ministry of Transportation and Public Works, or its permanent delegate. - The General Directorate of Maritime Interests of the Navy will act as permanent Technical Advisor of the Committee with voice but without vote.

Source: prepared by author (2020), based on Decree 9858 of June 25, 2019 (Presidency Brazil); Decree 347 of March 1, 2000 (Presidency of the Republic of Colombia); Decree 1197 of November 20, 2020 (Presidency of the Republic of Ecuador)

What can be observed in Brazil and Colombia is that both CIRM and CCO have a broader participation of entities, above all, directed from the highest level of government: in the case of Brazil from the Presidency of the Republic and Colombia from the Vice-Presidency of the Republic. In both cases, the technical secretariat is in charge of the Navy, which are predominantly technical institutions, and have been directly involved for decades in the promotion, development and management of maritime spaces and interests in South America. In the case of Ecuador, the Ministry of Foreign Affairs and Human Mobility presides and holds the technical secretariat of the CIM.

Another additional factor in the structure is the lack of representation of other entities and levels of government related to the activities carried out in Ecuador's maritime areas. It would be appropriate to include other ministries such as

the Ministry of Non-Renewable Resources and at least one representative of the Decentralized Autonomous Municipal Governments of Ecuador's coastal areas, which would generate the participation of different levels of government. However, in Ecuador, action with respect to the coastal population has been very limited, with sporadic meetings whose resolutions have not materialized into concrete actions. The different sectoral governmental entities continue to act individually, without taking advantage of the opportunity to use an inter-institutional coordination framework such as the CIM.

5 Ecuador's maritime governance situation

Maritime governance requires the coordination of different governmental entities. In the cases of Brazil and Colombia, resolutions and regulations on activities in maritime areas are made by a single governmental body: the Interministerial Commission on Marine Resources (CIRM) in Brazil and the Colombian Ocean Commission (CCO), respectively. This allows the decisions made at the governmental level, as well as the actions taken to achieve the objectives set by the State, to be consistent with each other. This situation is not evident in Ecuador. Although the CIM's attributions include the articulation and coordination of national policies and other actions related to maritime space, there are other governmental entities at the sectoral level oriented towards the regulation of activities in maritime spaces, among which the following are highlighted in Table 3.

Table 3. National committees on maritime space issues in Ecuador

Committee	Members	Creation	Target
Committee on the Outer Limit of the Ecuadorian Continental Shelf (Clepce)	<ul style="list-style-type: none"> - Minister of Foreign Affairs and Human Mobility, who will preside over it - Minister of National Defense - National Secretary of Planning and Development - General Commander of the Navy - General Director of Maritime Interests, as secretary - Director of the Oceanographic Institute of the Navy, as technical body 	Executive Order 291 of January 18, 2018.	Body in charge of preparing the proposal for the determination and definition of the outer limit of Ecuador's marine continental shelf beyond 200 miles.
Committee for the Protection of the Marine and Coastal Marine Environment of Ecuador (Coproamar)	<ul style="list-style-type: none"> Undersecretary of Coastal Marine Management, who will preside over it - Undersecretary of Environmental Quality - Undersecretary of Ports and Maritime and River Transportation - Undersecretary of Aquaculture - Undersecretary of Fishing Resources - Director of the National Directorate of Aquatic Spaces - Director of the Galapagos National Park - Director of the Oceanographic Institute of the Navy - General Director of Maritime Interests - With voice and without vote: 	Interministerial Agreement 001/ 2018 of February 1, 2018.	Advise the State and the institutions that require it, on the implementation and compliance with the regulations derived from international conventions and treaties related to the prevention and control of pollution in marine and marine-coastal zones and that caused by

	<ul style="list-style-type: none"> - Legal Advisor of SGMC - Legal Advisor to Dirnea - Legal Advisor to SPTMF - Legal Advisor of the Undersecretariat of Aquaculture - Legal advisor of the Undersecretariat of Fishing Resources. - Superintendents of the Oil Terminals of Balao, La Libertad and El Salitral. 		ships, naval artifacts and others, originating from maritime activity for its application within the jurisdictional spaces
Maritime Safety Committee (Cosema)	<ul style="list-style-type: none"> - National Director of Aquatic Spaces - General Director of Maritime Interests - Director of the Oceanographic Institute of the Navy - Director of the Merchant School - Commander of the Coast Guard Corps - Port Captain of Guayaquil - Deputy National Director of Aquatic Spaces - Chief Technical Advisor of Dirnea - Head of Legal Counseling of Dirnea - Chief of Coordination of Maritime Safety and Security 	Dirnea Resolution 001/2016 of November 9, 2016.	Advise the National Directorate of Aquatic Spaces in the implementation and compliance with national and international regulations promulgated by the International Maritime Organization, for its national application and the establishment of recommendations for the adequate maritime administration of aquatic spaces.
Maneuver Safety Committee (Cosema)	<ul style="list-style-type: none"> - General Director of Ports of the SPTMF - Port Captaincy of Guayaquil - Port Authority of Guayaquil - Contecon S. A. 	Resolution SPTMF 135-13 of September 13, 2013.	Establish safety standards for maneuvering in waterways and port areas.
Interinstitutional Committee for Aquaculture and Fisheries	<ul style="list-style-type: none"> - Minister of Production, Foreign Trade and Investments; who will preside over it. - Minister of Agriculture and Livestock - Minister of Transportation and Public Works - A representative of the fishing sector - A representative of the aquaculture sector 	Executive Order 520 of September 20, 2018.	To be the collegiate body of the Executive Function, governing public policy on aquaculture and fisheries.

Source: Prepared by the author (2020) based on Executive Decrees, Ministerial Agreements and Resolutions (Ecuador)

As can be seen, each of the committees has a different conformation and has a specific purpose related to maritime spaces and their activities. The dispersed action of each one of them ends up causing interferences among them and the non-optimization of resources, which hinders the adequate management of Ecuador's maritime spaces due to the lack of an integrated and multisectorial vision, as required by the maritime spaces. Although each of the committees seeks to comply with the PNOC and the objectives of the Poemc, their actions affect the different users of the maritime community and, therefore, national development. For example, while a sector of the State with an environmentalist vision participates, through the Ministry of the Environment, in the creation of a maritime conservation corridor in the Eastern Pacific together with Costa Rica, Panama and Colombia, which affects the fishing areas available and authorized for Ecuadorian fishermen. At the national level, the working groups that should make up the Technical Advisory Committee have not been formed, among which the fishing sector should be included (Marine Corridor of the Eastern Tropical Pacific, 2021), which means that the decisions taken within the aforementioned initiative do not have an integral vision.

It can be affirmed that at the moment there is no real governance of Ecuador's maritime spaces, since the provisions of Article 226 of the CRE are not fully applied, as the State institutions will have "the duty to coordinate actions for the fulfillment of its purposes and to make effective the enjoyment and exercise of the rights recognized in the Constitution" (National Assembly, 2008). In order to achieve true maritime governance in Ecuador, it would be appropriate to integrate within the IMC all committees related to activities in maritime areas, as subcommittees or working groups, so that the work is truly coordinated and harmonious, and the actions to be implemented would be established through resolutions of the IMC, respecting the leadership and competence of each sectoral authority.

Therefore, the PNOC, despite being adequately elaborated, do not make a significant contribution to Ecuador's maritime governance. A situation that could be corrected if actions are taken that require the effort and work of intergovernmental entities through institutional cooperation and coordination, for which it is required:

- Include the PNOCs in the National Development Plan;
- Establish a new structure and functioning of the CIM, as well as its subcommittees and working groups, through the publication of a new Executive Decree;
- Elaborate actions, goals and indicators for the implementation of the PNOC, in a multisectoral and coordinated manner from the CIM;
- Draw up the baselines of the indicators, in a multisectoral manner and coordinated by the CIM.

6 Conclusion

The comparison and review of important regional models such as Brazil and Colombia can help generate alternative solutions that can be used in Ecuador to improve ocean governance conditions and adapt them to national realities, such as restructuring the *Convention on the Law of the Sea* based on a model similar to Colombia and implementing plans and programs to implement ocean policies under a model similar to Brazil. Research has shown that both Brazil and Colombia have implemented and evaluated maritime policies, creating a governance framework that promotes coordination among government agencies and lays the foundation for public management which contributes to the maritime development of each country.

It is considered an option for improvement that the model implemented in Colombia could be applied to the Ecuadorian case, since it is observed that, as in the neighboring country, Ecuador has ministries and secretariats that have powers, competencies and responsibilities in the management of maritime spaces. Based on the above, it is appropriate that the CIM be chaired by the Vice President of the Republic, so that the actions of the CIM are part of the highest level of management of the Ecuadorian Government. Similarly, it is considered appropriate for the Technical Secretariat to be

taken over by the Ecuadorian Navy's Marine Interest Agency, as the agency has well-trained staff. In order to make these modifications, a new administrative decree needs to be promulgated.

In the case of Ecuador, it can be concluded that despite the existence of a regulatory framework for the planning and implementation of maritime policies, the non-inclusion of the PNOCs in the *National Development Plan* hinders the execution of plans, programs and projects aimed at their implementation in the country, thus generating a minimal contribution to the country's maritime governance. Finally, this research shows that an adequate coordination of the individual efforts of the different national governmental entities can have an impact on the correct maritime governance, thus contributing to national development and to the search for the social welfare of the people who depend on these spaces.

Since the PND is valid for four years, and given the need to begin the development of a new plan, it is considered an alternative for the Interinstitutional Committee of the Sea to participate in its preparation with delegates from the Planifica Ecuador Technical Secretariat so that strategic objectives and actions related to the implementation of the PNOCs can be included. This would make it possible to achieve a true inclusion of the PNOCs in national planning. Subsequently, once the national ocean objective to which the PNOCs are aligned and related has been defined, work should be done on the preparation and promulgation of the different planning documents, which to date has not been done.

Conflicts of interest

The author declares no conflicts of interest regarding the publication of this paper.

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