

## MIT - 12.000 Mission 2008, Las Iguanas, Team Three

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Research Summary 10/25/2004

### The position of Galapagos as part of the Republic of Ecuador

Galapagos is a province of Ecuador. The head of the province is a Governor, representative of the President of the Republic, who coordinates and controls the policies of the national government and directs the activities of civil employees and representatives in the province (Ecuadorian Department of State, 2003). The provinces have total autonomy and are much responsible for their economic and social development and the handling of the natural resources, though the permanent national objectives in economic and social matters are established on a national level. The policy of the State of Ecuador is to protect and conserve the ecosystems in Galapagos Islands (Dobkowski, 2001).

The Ecuadorian constitution also gives Galapagos a position as a special regime. Special regimes have their own territorial administration based on their special demographic and environmental nature. Because of the declaration as a special regime, Galapagos can limit the rights of internal migration, work and any activity that may affect the environment. The residents of the respective area, affected by the limitation of the constitutional rights, will be compensated by means of the preferred access to the benefits of available natural resources. Other sectors will be governed in agreement with which they are established in the Constitution (Ecuadorian Department of State, 2003).

The Galapagos National Park Service is responsible for making the provincial planning, approves the budgets of the dependent and independent organizations, and controls their execution. Park service is also an advisory body for the governor, provincial prefect, mayors, and other institutions that the law establishes. (Ecuadorian Department of State, 2003)

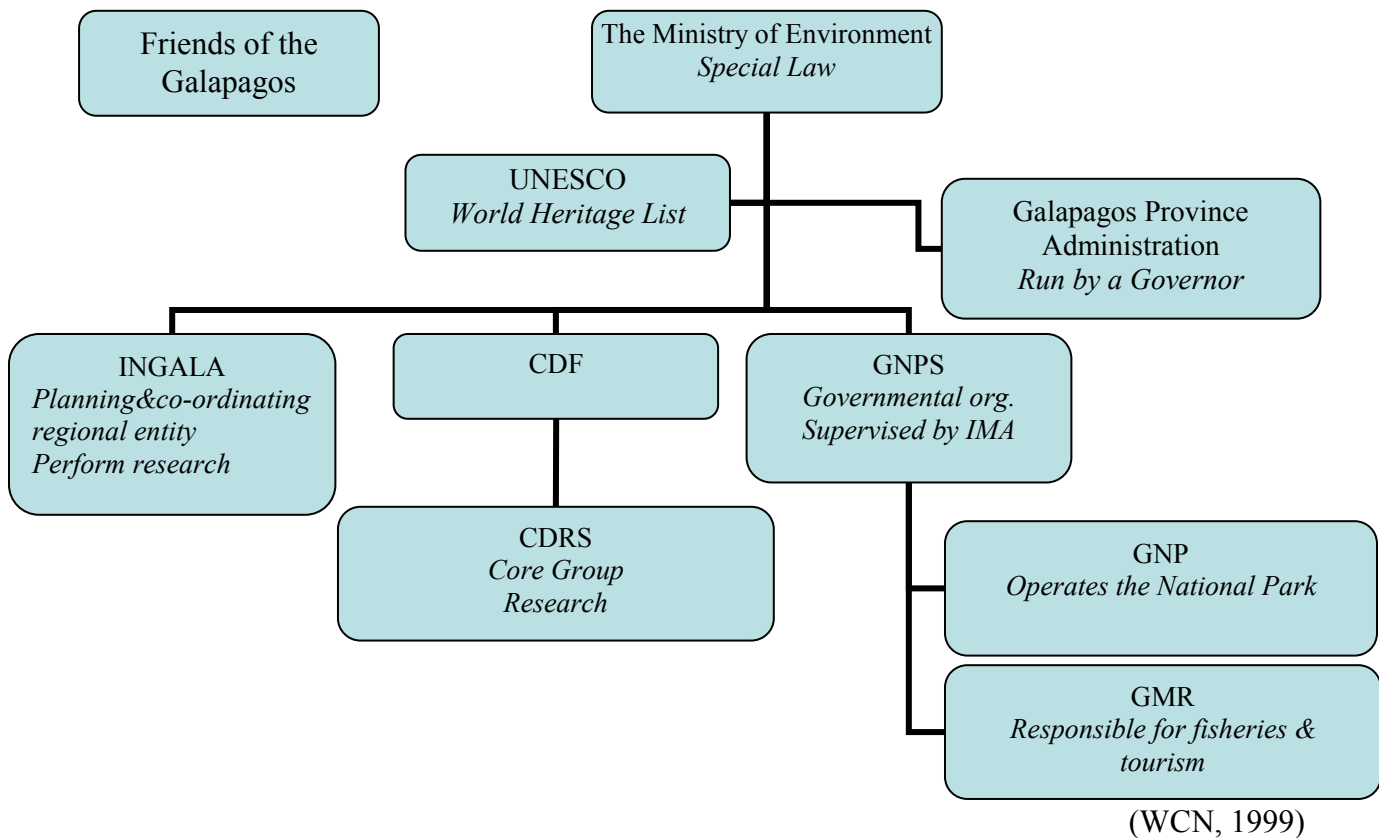
### History of management of Galapagos

In 1934, the National Assembly of Ecuador gathered and, seeing the uniqueness of the environment of the Galapagos, passed protective legislation creating wildlife sanctuaries on the islands. In July 1959 97% of the islands and 50,000 square miles of surrounding ocean was declared as protected, and an organization for scientist and conservationists, the Charles Darwin Foundation, was founded (WHN, 1999).

In 1967 the Galapagos National Park Service was formed, and in 1978 UNESCO placed Galapagos on the World Heritage List. This brought significant international pressure towards taking care of this unique environment. The importance of preserving the ocean as well led to the formation of the Marine Reserve in 1986 extending the protected sea area 15 nautical miles off the coast. The Law of Special Regime for the Conservation and

Sustainable Development of the Province of Galapagos, in 1998, contemplated the expansion of the Marine Reserve to cover 40 nautical miles from the coastline. It is now critical to ensure that there are adequate resources to ensure effective implementation of these laws (WHC, 1999).

### Authorities acting on Galapagos



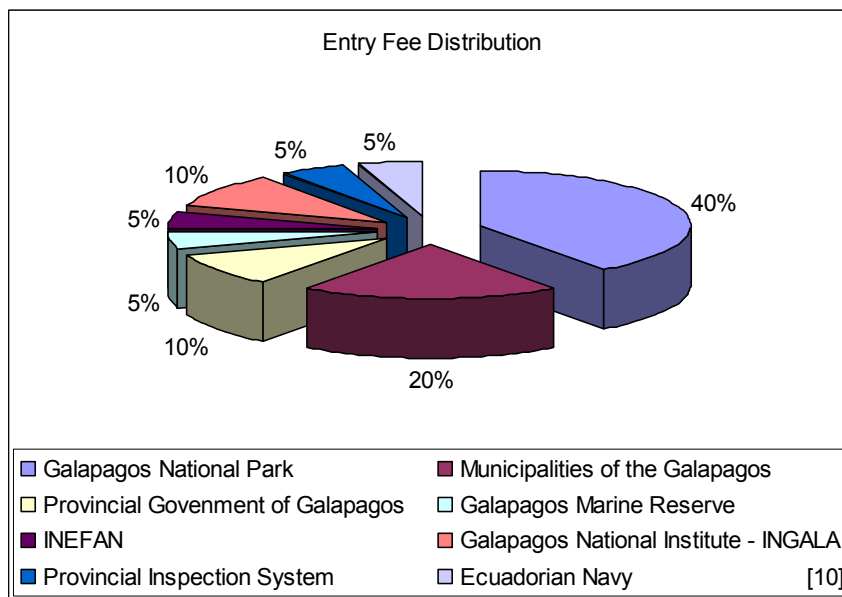
There are five main authorities controlling and monitoring the Galapagos and surrounding waters (BOE, 2001):

1. *Municipalities, local authorities and provincial councils* facilitate and aid the local inhabitants on all islands.
2. *The Navy* patrols all waters surrounding the islands to enforce the policies about fishing and tourism.
3. *Galapagos National Institute (INGALA)* is constituted as the technical advisory body of the institutions in the islands. Furthermore, it is the planning and coordinating regional entity of the province of Galapagos, monitored by the President of Ecuador. (The National Congress, 1998).
4. *The National Park Services* controls 97% of the parklands and is under control of the Ministry of Environment, which is also responsible for tourism.

5. *The Charles Darwin Research Station* in Puerto Ayora provides knowledge and support to ensure the conservation of the environment and biodiversity of the Galapagos through scientific research and complementary actions.

### The Galapagos National Park

The goal of the Galapagos National Park Service is to protect the islands' unique and fragile environment. It works closely with the Charles Darwin Research Station implementing their common goals of conservation and preservation of the natural resources. When visitors enter the islands, they must pay a \$100 entry fee. The distribution of the entry fee can be seen from the chart (Dobkowski et al., 2001), but the biggest portion of the fee goes to the Park.



In order to protect the islands, visitors are also restricted access to the islands to 50 visitor sites (not including towns and public areas). A requirement to be able to visit sites by boat is to have a qualified guide accompanying every boat.

### Ecuadorian constitution regarding the treaties and international treaties

The National Congress has to approve the treaties and international treaties that address the following matters (Ecuadorian Department of State, 2003):

- Concerning territorial matters and boundaries
- Establishing political or military alliances
- Jeopardizing the country in integration matters
- **Attributing to an international or supranational bodies that expose conflicts with the Constitution or the laws of Ecuador**
- Concerning the rights and fundamental duties of the people and their collective rights
- Containing a commitment to post, modify or countermand a law

The treaties and agreements will take effect after a single debate and the agreeing vote of the members of the Congress. The Constitutional Court will be consulted for an opinion about the conformity of the treaty or agreement with the Constitution. The norms contained in treaties and international treaties, once promulgated in the Official Registry, will comprise of the legal ordering of the Republic and will prevail over laws (Ecuadorian Department of State, 2003).

The State has straight sovereignty on the issues concerning biological diversity, natural reserves, protected areas and national parks. The planning of island's conservation and sustainable use will take account of the different interest groups acting on the islands. This must include efforts to consider factors such as the stage of development of the islands, comparison to the international quality of life, and make sure that everything happens in accordance with the existing agreements and treaties. (Ecuadorian Department of State, 2003)

## Management Constraints

There are several conservation threats on Galapagos. These include problems with maintenance of law and authority (WCMC, 1997), and although both the Navy and the marine unit of the GNP have intercepted a number of vessels, prosecutions have been few (WHN,1999). In addition, despite formal approval of the Galapagos Marine Resources Reserve (GMRR) Management Plan, it has never been implemented. Large international vessels are illegally fishing near the shorelines of Galapagos, often inside the GMRR, and use high technology methods such as long-lining (WCMC, 1997).

In conclusion: although there already exist legislation about the conservation of the Galapagos Islands, the management plan is inadequate and the implementation of these regulations into practice has not yet been too successful.

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