

Seafarers in Ecuador

A Labour Market Study

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Seafarers International Research Centre



Seafarers in Ecuador

A labour market study

Final report

By

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Labour Market Project undertaken by the
Seafarers International Research Centre (SIRC)
in collaboration with the
Pontificia Javeriana University of Colombia

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Executive Summary

▪ Purpose and background

The study was designed to provide an overview of the supply and demand of seafarers in Ecuador. It also attempted to answer the question on: *What can Ecuadorean seafarers offer the international shipping market?* Consequently four sectors of Ecuadorean shipping were investigated: Seafarers, Regulators, Educational centres, and Employers.

▪ Methodology

The collection **strategies** included interviews, questionnaires, field visits and a literature review. The most important sector investigated was the seafarers' workforce; the study also examined the environment which affects their career; first as cadets, and then as active and retired seafarers. Therefore, three components of this environment were considered: the legislative framework for certification (regulators), the educational system and training facilities (schools), and users of maritime labour (employers).

Pilot activities were conducted between 11 and 19 June, 2003. The pilot study allowed the Ecuadorean fieldworker to become familiar with the methods to be used, to negotiate access to informants, and to acquire preliminary documentation.

The **sample** comprised 263 seafarers (52 officers and 211 ratings), which provides for an approximate 6% margin of error and 95% level of confidence. It should be noted that these figures alter with the response rates for particular questions.

The questionnaire was distributed between June and November 2003. The average response rate was 62%. The lowest response rate (27%) was obtained when

questionnaires were distributed through shipping companies. Participants were based in the three major coastal cities of Ecuador: Guayaquil, Esmeraldas and Manta.

▪ **Country information**

Maritime transport plays a fundamental role in the country's international trade. In 2003, about 95% of its foreign trade, equivalent to some 26.5 million tonnes, was transported by sea.

Ecuador ratified the STCW Convention adopted by IMO in 1978. However, the country has not yet ratified relevant conventions related to seafarers, as recommended by ILO. The Navy and fruit exporters play an important role in the appointment of democratic elected governments. Both sectors may in fact influence the adoption of maritime policies and conditions of labour. For example, while the Navy regulates the carriage of oil cargoes by sea and employs the greatest number of Ecuadorean seafarers; the major fruit exporter, who also operates an important reefer fleet, favours short term contracts.

▪ **Outcomes from the labour market survey**

Demographic profile: The workforce is predominantly male and it is mostly composed of ratings. There were very few women among the cadets. Most **ratings** were aged 40-49. **Officers** were slightly younger, from 30 to 49 years old. A large number of seafarers are married. Seafarers' partners were low skilled and generally chose housekeeping. The number of dependants was relatively high: 4+. The majority of respondents came from and lived in, coastal regions. The largest number of seafarers came from Guayaquil, although there was a significant proportion from Esmeraldas; very few came from the highlands.

Experience: Seafarers had mostly worked on passenger and general cargo vessels. The majority of their vessels were registered in Panama, Bahamas and Liberia. Gross registered tonnage ranged from 500 to 10,000 tons. Relatively few seafarers had worked with foreign crews, and English was rarely used as a working language on board vessels. One third of the participants had sailing experience of 20 years or more.

Employment contracts and welfare: A great number of seafarers said they had been directly recruited by a ship owner. The number of companies for which seafarers had worked ranged from one to more than five. A considerable number of seafarers were hired on short-term contracts. Officers' monthly average salary was **1,600 US dollars** but they could earn as little as 500 US dollars too. Ratings' average salaries were low at **750 US dollars**. Both average salaries were, nonetheless, higher than the national minimum wage of **220 US dollars per month**. Few contracts made provision for retirement pension. Holidays or breaks did not normally go beyond 15 days. The telephone was the most common means seafarers used to stay in contact with their families. A great majority of seafarers did NOT belong to trade unions. Some seafarers believed that they had lost job opportunities due to a limited knowledge of the English language.

Career development: The most popular reasons for choosing a career at sea were travelling (35%) and high earnings (35%). In general, seafarers were very enthusiastic regarding the period of time they planned to sail at the time when they first embarked on a vessel. However, less than half changed their minds years later. A major reason for this change related to the challenging working conditions on board. The most frequent courses seafarers wished to pursue were courses for upgrading competence. When seafarers did not sail they generally carried out mechanical, technical and commercial

duties not necessarily related to the maritime sector. About half of the participants said that they would continue working as a seafarer even if they were offered a job ashore with a salary similar to that earned offshore.

Employment opportunities: Seafarers generally waited between jobs for a period of one to six months. Finding a job was said to be becoming increasingly difficult. The main reason for this was thought to be low market demand.

▪ **Outcomes from the organisations**

Educational centres: Admission was decided by the Navy in accordance to the needs of the national fleet. The Navy recognised ESMENA as the unique educational centre for seafarers. Several courses, instructors and training facilities were provided by other organisations outside ESMENA, they included universities, vocational centres, and a few institutions administered by the Navy. Seagoing service was a problem as there were insufficient opportunities for cadets to embark onto vessels for their requisite periods of sea experience (known as ‘sea time’).

Regulators: Policies were navy orientated and the process for incorporating international standards for the education and welfare of seafarers was slow. For instance, several regulations relating to the education and certification of seafarers were enforced only a year after the publication of the IMO’s White List. Similarly, new legislation for seafarers was adopted as a consequence of the audit visit undertaken by the European Maritime Safety Agency, in 2007. Within the maritime administration there was not a specialised body to deal with seafarers’ claims; when such claims emerged, they were mainly handled by the Ministry of Labour which did not hire personnel with knowledge about maritime labour.

Employers: There was little support for training and excessive use of short term contracts to hire seafarers. The largest employer of seafarers in Ecuador was the Navy which prohibits the formation of trade unions or syndicates.

Associations and prominent seafarers: In general prominent seafarers and their associations considered the Navy to be an obstacle for the development of the seafaring profession. They dislike the dual role the Navy plays as “drafter” and “main user” of maritime policies. Interviewees believed there was discrimination and unfair competition between Navy and merchant officers. Top vacancy positions at Navy institutions, for instance, were mostly filled by Navy seafarers. Similarly representation at international organisations and training opportunities were exclusively opened to Navy officers rather than merchant seafarers.

▪ **Conclusions**

Ecuadorian seafarers constituted a very motivated labour force. Seafarers chose to work at sea because of the opportunities to: Travel (35%) and attract relatively high earnings (35%). Tradition or having a friend or relative who was a seafarer (14%), and the possibility of long breaks ashore (12%) were also reported as motivating factors.

Nearly half the participants said that they would continue working as seafarers even if they were offered a job ashore with salaries similar to those earned at sea.

Nonetheless, the study found that maritime educational system in Ecuador was mainly orientated towards fulfilling the needs of Ecuadorean vessel owners rather than the international shipping market. Despite this most seafarers felt strongly motivated to embark on foreign vessels, mainly European.

From the visits and interviews conducted at the maritime administration and educational institutions, it was noted that few activities were carried out to promote ESMENA's graduates internationally. In fact, many seafarers recognised that lack of English knowledge posed serious difficulties for them entering the international market.

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Glossary of terms and abbreviations

Directorate General of Marine Affairs or *Dirección General de Intereses Marítimos* (**DIGEIM**)

Directorate General of Merchant Marine or *Dirección General de la Marina Mercante y del Litoral* (**DIGMER**)¹

Ecuadorian Social Insurance Institute or *Instituto Ecuatoriano de la Seguridad Social* (**IESS**)

Ecuadorian Tanker Fleet or *Flota Petrolera Ecuatoriana* (**FLOPEC**)

Educational centre for fishing vessel personnel or *Escuela de Pesca del Pacífico Oriental* (**EPESPO**)

International Labour Organisation (ILO)

International Transport Workers' Federation (ITF)

National College of Merchant Marine or *Escuela de la Marina Mercante Nacional* (**ESMENA**)

National Directorate of Aquatic Areas or *Dirección Nacional de los Espacios Acuáticos* (**DIRNEA**)

National Institute of Census and Statistical Data, Instituto Nacional de Estadísticas y Censos (**INEC**)

Pacific Line or *Navieras del Pacífico* (**NAVIPAC**)

Society Association of Merchant Marine Officers or *Colegio de Oficiales de la Marina Mercante* (**COEMME**)

Union of Merchant Seafarers or *Union de Marineros Mercantes* (**UEME**)

Union of Sea Workers or *Unión de Trabajadores de Mar del Ecuador* (**UTDEME**)

¹ Renamed DIRNEA in 2007

Part I: Study design and methods

1. Introduction

Over 90% of world trade is reputed to be carried by sea although this calculation varies according with how it is made (by volume, by weight, or by value for example)². This pattern is expected to continue despite the current financial crisis, particularly given the emergence of new markets and cargoes³. Approximately 10,000 new vessels will be built in the next three years to replace old tonnage and satisfy the demand. A major cause for concern however is the decrease in the number of seafarers around the globe. A report by Drewry Shipping Consultants, for instance, predicted a shortfall of 83,900 seafarers by 2012⁴. This situation would require new supply sources of labour from, for example, Africa and South America.

1.1 The Labour Market Project

The present and predicted shortage of competent seafarers reinforces the need for the shipping industry to have a profile of the seafarers' workforce in some regions of the world. The Labour Market Project was designed to provide an overview of training, certification and working experience of seafarers in selected countries.

² IMO. International Shipping – Carrier of world trade (flyer). World Maritime Day 2005. www.imo.org (Accessed 21 APR 2010).

³ Norwegian Ambassador Stale Torstein Risa, International Maritime Conference, Philippines, January 2008. The Motorship www.motorship.com (Accessed 21 APR 2010).

⁴ Drewry's Annual Report **Manning 2008** produced in conjunction with Precious Associates Limited.

In 2002 the Seafarers International Research Centre (SIRC) launched studies in several Latin American countries including Ecuador. A fieldworker in Ecuador and a team from Javeriana University, based in Colombia, were subcontracted for this study. A draft analysis and report of the study, in Spanish, was finalised by Javeriana University in 2004. In the course of the compilation of the Final Report, in English, the Ecuadorean maritime administration underwent some organisational legislative change that may be attributed, in part, to the following:

- The audit process conducted by the European Maritime Safety Agency, on behalf of the European Commission, which aims to assess compliance of relevant STCW requirements by third countries. A process which is in line with Directive 2001/25/EC 'on the minimum level of training of seafarers', and allows Member States to recognise the certificates issued by those countries.
- The legislative and institutional policies adopted by the current President of Ecuador, Rafael Correa, concerning maritime transport.

Although the changes prompted the adoption of new regulations aimed at improving the certification process, it is believed that the snapshot resulting from the 2003 study is unique and relevant in providing a historical understanding of some unresolved problems still faced by Ecuadorean seafarers.

1.2 The research team

Researchers in the UK:

Bernardo Obando (study design)

Marlene Calderón (pilot survey advice, review of draft report in Spanish and writing of final report in English)

Consultant in Ecuador:

Julio Calderon (survey implementation)

Pontificia Javeriana University's team (data management and draft analysis in Spanish):

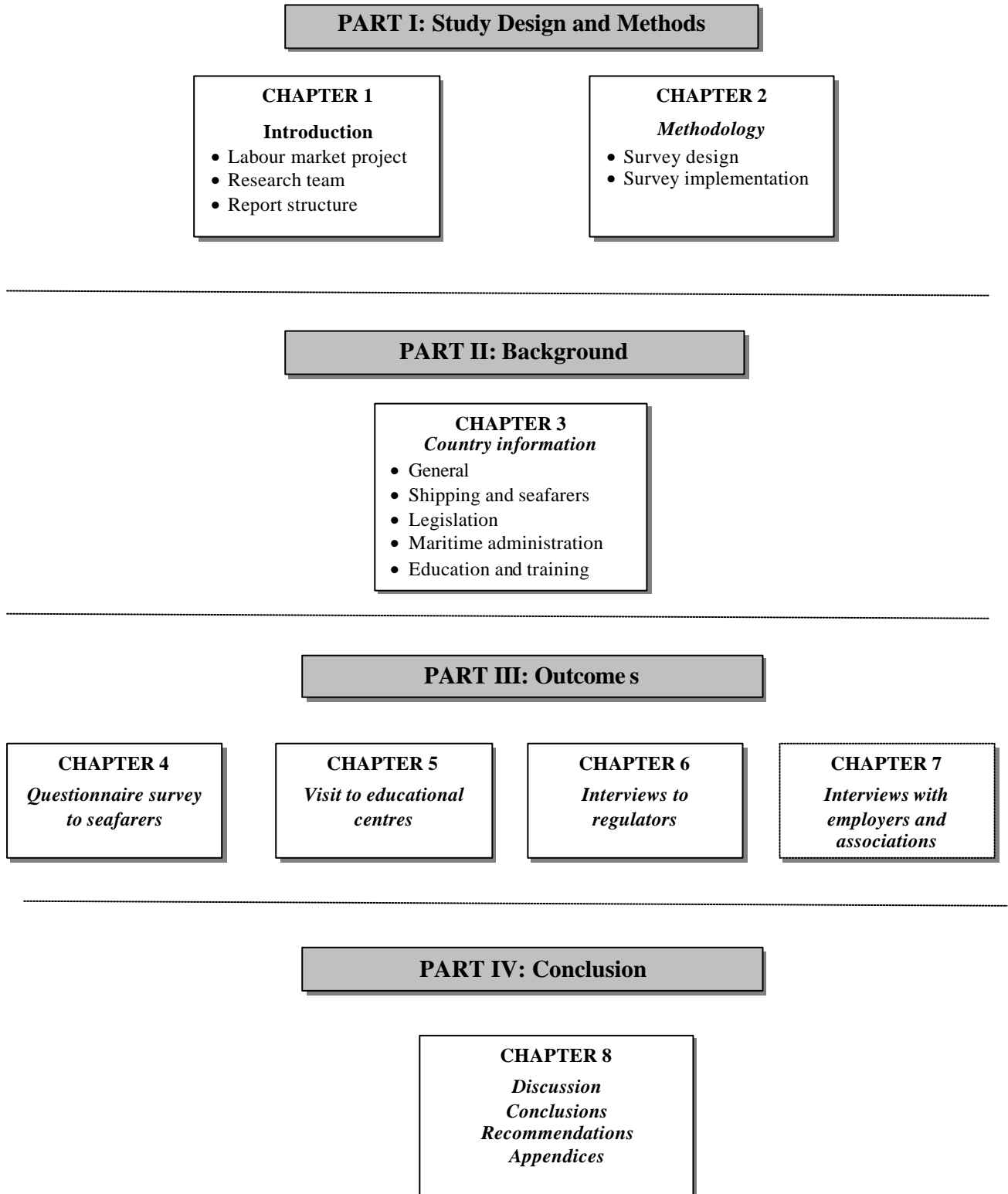
Ana Rico de Alonso, Juan Carlos Alonso, Rosalba Ardila, Eva Inés Gómez.

1.3 The report structure

The report is composed of eight chapters, as presented in Figure 1. Chapter 1 (Introduction) provides a background to the project and an outline of this report; Chapter 2 (Methodology) describes the design and implementation of the survey. Chapter 3 gives brief information about the country, with particular attention to the maritime education and training system.

Chapters 4-7 present the outcomes of the survey, visits and interviews. Several issues related to the seafaring population are examined. Among these are: demographic characteristics; work experience; and factors influencing career choices and retention. In addition, problems faced by Ecuadorean seafarers, such as unemployment, discrimination and representation, are also considered. The report ends with chapter 8, which presents the discussion and conclusions.

Figure 1: Contents of the report



2. Methodology

2.1 Study design

2.1.1 Aims

The Labour Market Project in Ecuador was designed to provide an overview of:

- The supply and demand of seafarers;
- The aspects of training, certification and work experience of seafarers; and
- Relevant issues related to recruitment, contracts of employment and welfare.

In sum, the study attempted to answer the question: *What can Ecuadorean seafarers offer the international shipping market?*

With this aim in mind, the following groups were included in the research:

1. Cadets and seafarers
2. Regulators
3. Educational centres, and
4. Employers

Although the most important area for investigation was the seafarers' labour force (issues of supply and demand for example), the study also examined the context which affects seafarers' careers, as cadets, and then as active and retired seafarers. Accordingly, three components of this "environment" were explored: the legislative framework for certification (regulators); seafarer education and training facilities; and issues surrounding employment.

2.1.2 Collection strategies

Data collection strategies included interviews, questionnaires, field visits and a literature review. While interviews were directed to organisations, questionnaires were employed to investigate individual seafarers. Thus, seafarers were grouped into three categories: cadets; employed seafarers; and unemployed seafarers.

Questionnaires were written in Spanish and utilised a combination of open, closed, and fixed alternative questions. The number of questions varied in accordance to the respondent groups, from 63 to 84. Table 1 presents the number of questions and topics investigated per group.

Table 1: Questionnaire contents and informants

Contents of interviews and questionnaires	Question Number	Informants
<i>Cadets</i>		
1. About your vocation	1-8	Students at merchant marine educational centres.
2. Recruitment and working conditions	9-31	
3. Education and certification	32-43	
4. Future expectations	44-49	
5. Personal information and additional comments	50-63	
<i>Employed seafarers</i>		
1. Current job	1-13	Officers and ratings serving on board a vessel during her stay in ports .
2. Recruitment and working conditions	14-38	
3. Job experience	39-49	
4. Education and certification	50-60	
5. Future expectations	61-69	
6. Personal information and additional comments	70-83	
<i>Unemployed seafarers</i>		
1. Current job and latest voyage	1-15	Officers and ratings: - who have sailed before - job seekers - on sickness leave - on holidays - in service training
2. Job search and contract of employment	16-39	
3. Job experience	40-50	
4. Certification and training opportunities	51-61	
5. Career plans and expectations	62-70	
6. Personal information and additional comments	71-84	

Questions to cadets were mainly designed to obtain information regarding career attractions, training needs and expectations. On the other hand, questions to fully qualified seafarers were aimed to obtain information relating to their experience, recruitment, contracts of employment and career ambitions.

Although participants could remain anonymous, questionnaires contained a section for “Personal Information” where respondents were invited to provide on a voluntary basis their names and ranks, and the organisations employing them.

Due to the impossibility of obtaining postal addresses for qualified seafarers, some questionnaires had to be administered in person.

2.1.3 Pilot survey

Pilot activities took place between the 11th and 19th of June, 2003. The aims were:

- (a) Familiarising the fieldworker with the sample specifications and administration of the questionnaire;
- (b) Negotiating access to informants. These included active and retired seafarers, regulators, shipping companies, educational centres and seafarers associations; and
- (c) Requesting relevant documentation which would supplement the data collected through the interviews and questionnaires.

The team that conducted the pilot work was composed of one SIRC representative, one representative from Javeriana University, and an Ecuadorean fieldworker.

During the pilot survey a draft questionnaire was subjected to a pre-test. Two active and two retired seafarers were administered the questionnaire in person. On average,

completion of the questionnaire took about two hours. Besides the seafarers, other organisations approached included:

- Two regulators: DIRNEA, DIGEIM
- Three shipping companies: FLOPEC, NAVIPAC and MARNIZAM (see Table 2) and
- The unique educational centre which currently operates in Ecuador: ESMENA.

Table 2: Shipping companies (employers) approached during the pilot survey

<i>Company name</i>	<i>Ownership/management</i>	<i>Type of vessels</i>	<i>Number of vessels</i>	<i>Deadweight range (tons)</i>	<i>Approx. Number Seafarers</i>
FLOPEC	State owned and managed by the Ecuadorean Navy	Oil tankers	7	30,000 - 65,000	220
NAVIPAC	Private	Tank barges	9	5,400 - 100	132
MARNIZAM	Private	Tank barges	5	285 - 984	65

Source: Oral evidence collected during interviews, 2003

2.1.4 Sample

Accurate data about the number of seafarers was difficult to obtain in Ecuador. However, the interview to DIRNEA's representatives revealed that a total of 2,584 seafarers (**466 officers and 2,118 ratings**) were certified between 1998-2002, this in accordance with the International Convention of Standards of Training, Certification and Watchkeeping for Seafarers 1995 (STCW-95).

The figures above required a sample size of 335 (level of confidence of 95% and a margin error of 5%). In practice, the questionnaire was only completed by 263 seafarers (**52 officers and 211 ratings**), which provides a moderate margin of error (6%), at a 95% level of confidence. Such values are still deemed acceptable for statistical purposes.

DIRNEA’s figures also provided rough information about the percentage of officers (18%) and ratings (82%) within the population. Therefore, taking the figure of 263 seafarers as a reference, it was deemed to be reliable to work with sub-samples of up to 47 officers and 216 ratings.

Table 3: Selecting the sample and margin of error

Seafarers	Estimated population	Percentage	Recommended sample size	Margin of error	Survey sample size	Margin of error
Officers	466	18%	60	5%	52	5.7%
Ratings	2,118	82%	275		211	
<i>Total</i>	2,584	100%	335		263	

A total of 450 questionnaires were distributed in total. Cadets received the questionnaires at their educational centres. With regard to seafarers, questionnaires were either delivered directly to them or sent via their employers. Table 4 shows the response rate among cadets and seafarers. As can be seen, the highest response rate (58%) was obtained when the questionnaire was administered in person and not through shipping companies (27%). On average the response rate was 62%.

Table 4: Questionnaire response rate

Questionnaires	To cadets		To seafarers	
	At educational centres		Directly (in person)	Through employers
Distributed	73		351	26
Returned	69		204	7
Response rate	95%		58%	27%

2.1.5 Access impediments

Some barriers experienced by the fieldworker during the study are summarised below.

- **Lack of specially designated places where seafarers usually gather:** Ecuador did not have centres where seafarers have facilities to gather⁵. The officers' association, COEME, was, at the time of the survey, in the process of requesting the concession of a building that could be used as a seamen's centre⁶. Because of this several questionnaires were administered at the seafarers' homes, cafes or random places. The latter refer to locations where the seafarers waited to be contacted by the 'acting' manning agents⁷.
- **Little collaboration from shipping companies and the maritime administration:** From the very beginning of the study, there was some reluctance from the maritime administration and shipping companies to provide data and assist the fieldworker in building a database with information about the seafarers' profiles. Shipping companies also did not provide rough information about seafarers' salaries. Although some companies agreed to distribute the questionnaires among their personnel, in the end very few responses were received (see Table 4). The state owned company which employed more than 220 seafarers, for instance, only agreed to distribute eight questionnaires (3 to officers and 5 to ratings). By the end of the survey, many questionnaires were returned to the fieldworker as blanks by this and other shipping companies.

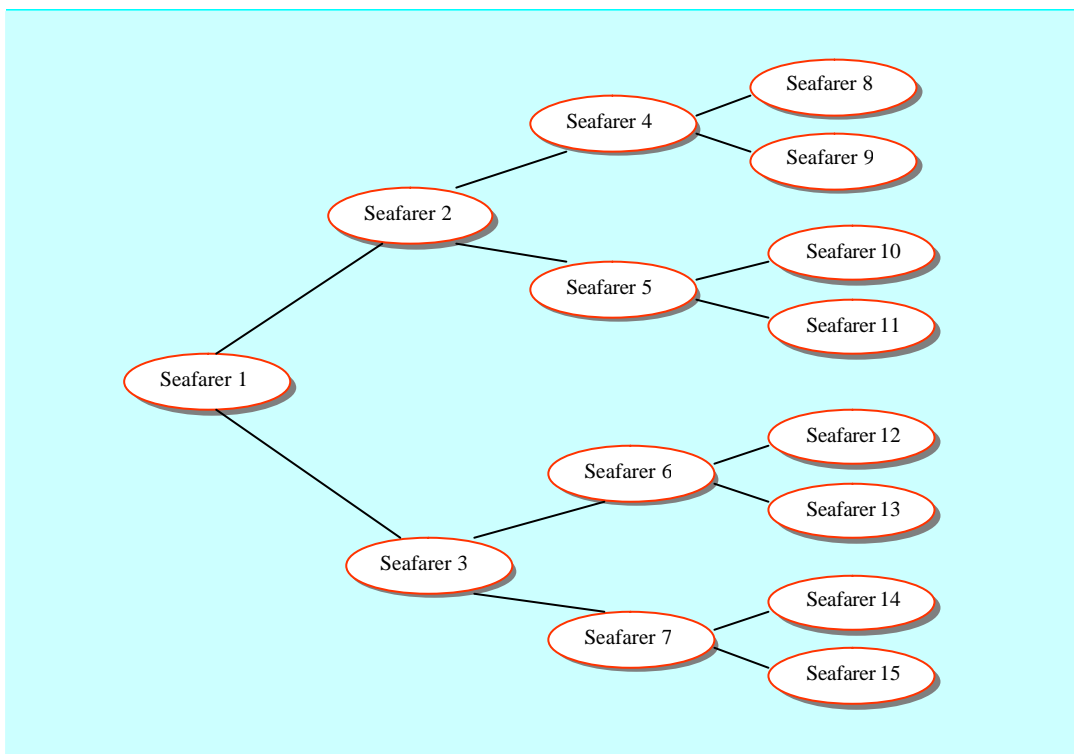
⁵ This situation has changed recently as Guayaquil now has a Stella Maris Centre.

⁶ Oral evidence given by the President of COEMME.

⁷ The term 'acting manning agency' refers to the individual (called *enganchador* in Spanish) who serves as contact between the shipowner (or operator) and the seafarer.

- **Unreliable seafarers' contact details:** Neither shipping companies nor the administration was able to provide the fieldworker with accurate contact details for seafarers. Furthermore, mailing lists provided by seafarers' associations were outdated and incomplete, so the team decided to approach participants individually, following a tree typology (as shown in Figure 2), where each seafarer interviewed provided the contact details of another seafarer(s) that might be interested in participating in the survey.

Figure 2: Tree typology granting access to the seafarers



- **Seafarers' unfamiliarity with this kind of research:** Occupational research is not frequently conducted in Ecuador so at the beginning of the study it was difficult to attract participants. Many of them, aware of the limited support being given by the shipping companies, did not want to participate believing it could put

their job at risk. Under these circumstances, the fieldworker attempted to have an informal talk with seafarers and took this opportunity to provide them with more detailed information about SIRC's activities and publications. This strategy proved to be positive, not only did seafarers change their minds they unexpectedly offered their support and helped the fieldworker to disseminate the project or distribute the questionnaires among their friends and colleagues. Crucial was the support of influential members of the seafaring community and more particularly the support of the ratings' trade union UTDEME – *Union de la Gente de Mar del Ecuador*, sponsored by the International Transport Workers' Federation (ITF).

With regard to cadets, access was relatively easy and the questionnaires were usually distributed via classrooms. Simultaneously, the questionnaire was also made available online. The latter strategy gave some participants (e.g. companies, authorities and associations) the possibility to retrieve information about SIRC's activities and projects. However, the online questionnaire was not a great success among seafarers because most of them had reduced access to the internet. The circulation, among the seafarers, of a hard copy of the report entitled 'Turkish seafarers' (Spanish version) served to illustrate to seafarers the benefits of the project.

- **Seafarers' own interpretations of the project's aims and outcome** : On several occasions, the fieldworker had to emphasise that the project did not aim to find a job for participants or directly solve the problems they faced in their profession. The fieldworker also tried to ensure the project could not be used to favour any political ideology or specific political group. The support provided by the ratings'

trade union proved to be negative in some instances because in Ecuador trade unions were not seen favourably by most employers and seafarers did not want to 'risk' their reputation by joining them. Unionism was in fact perceived as a major issue; it was noted that seafarers were not very united in matters concerning the defence of their legal rights, and the improvement of their working conditions.

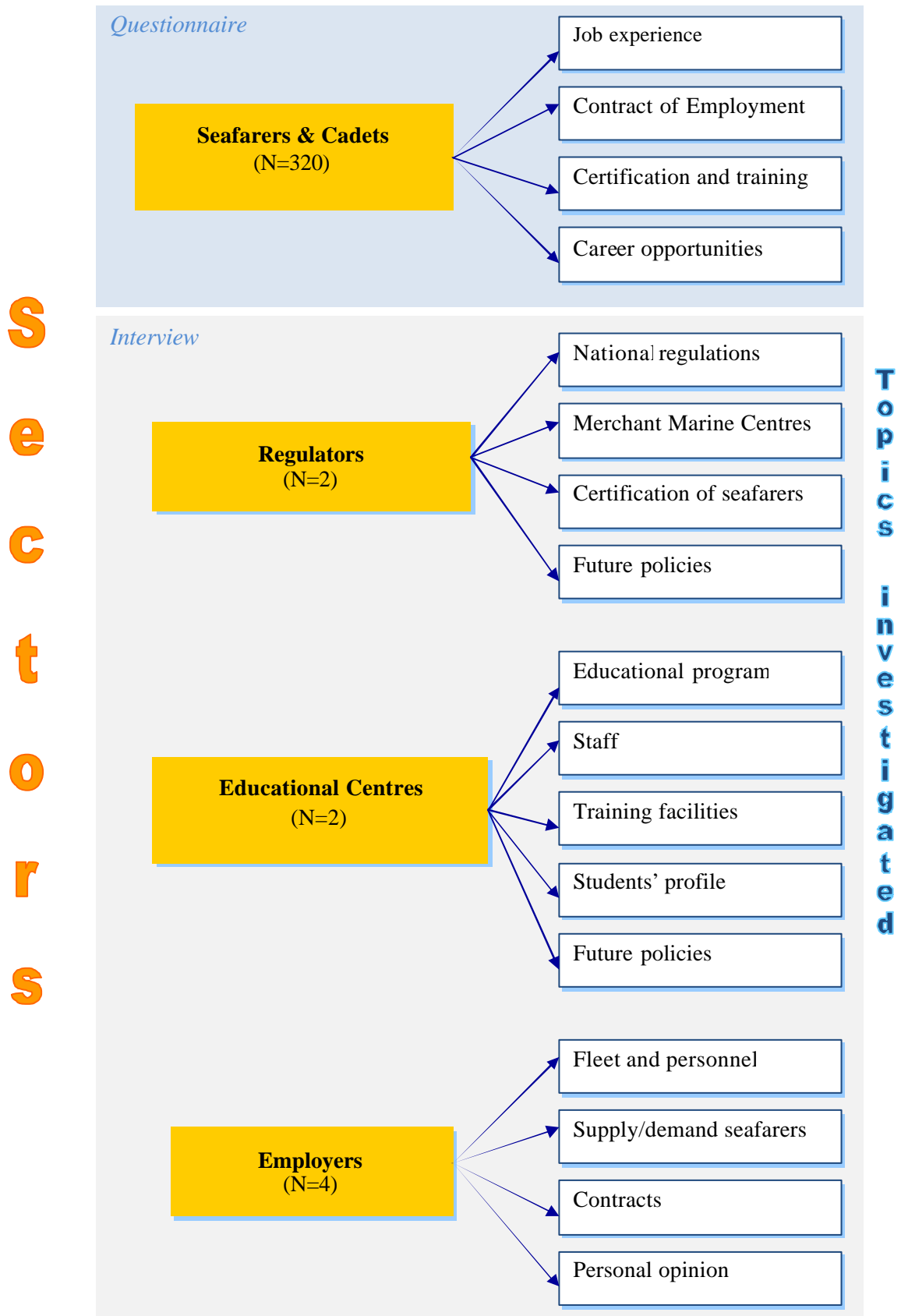
2.1.6 Topics investigated

The main purpose of the questionnaires was to investigate several aspects of seafarers' lives. Figure 3 outlines the topics investigated with regard to each group of respondents: seafarers, regulators, educational centres, and employers.

The questions directed to seafarers aimed to provide a picture of their job experience, contract of employment, certification and training, and career expectations or opportunities. Most of the data collected under these headings were quantitative and have therefore been presented in the form of tables, bar or pie charts in Chapter 5.

With respect to the other three groups of respondents (regulators, educational centres, and employers) data were basically obtained through interviews in the form of documentary and oral evidence. The main findings are presented in Chapters 6, 7 and 8.

Figure 3: Sectors and topics investigated by the survey



2.2 Study implementation

2.2.1 Setting

The research took place between June and November 2003. Participants were based in the three major coastal cities of Ecuador: Guayaquil, Esmeraldas and Manta (see Figure 4). Questionnaires were administered at the seafarers' homes or in public cafes, on board vessels, and at other random locations. The latter refer to places where seafarers usually expect to be hired by employers, and included locations in the city of Guayaquil, next to the monument 'Reloj Público', Citibank building and Ecuadorean Maritime Museum. Questionnaires to cadets were distributed inside classrooms and at several places around the ESMENA's campus.

Figure 4: Geographical location of the survey's participants



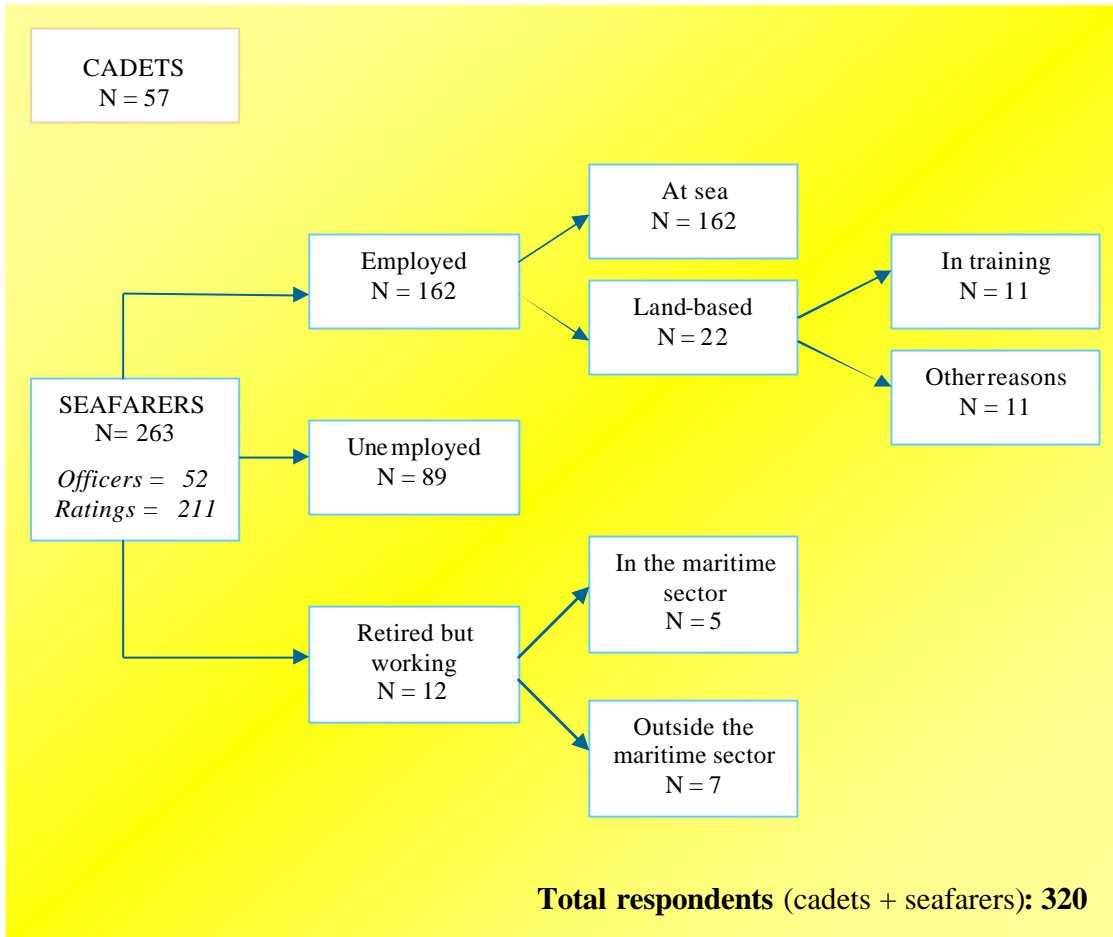
2.2.2 Participants

The key respondents in this study were seafarers and cadets. In addition supplementary information was obtained from regulators, nautical institutes and shipping companies. Table 5 provides the type and number of participants who were interviewed and who filled in questionnaires. A more detailed breakdown of the cadets and seafarers who participated in the survey is also presented in Figure 5.

Table 5: Participants and data collection methods

Participants	Number of questionnaires	Number of interviews
Cadets	57	-
Seafarers	263	42
Regulators	-	2
Educators	-	2
Employers	-	4
Total	320	50

Figure 5: Breakdown of cadets and seafarers who participated in the survey



2.2.3 Ethics

A leaflet outlining the aims of the project and the organisations involved in the research was prepared in Spanish and was distributed among the participants. The following principles and code of conduct was observed by the fieldworker.

- SIRC would not intervene or engage in any collective action rather than reporting accurately the results of the study.

- Under no circumstances should the survey be interpreted as a job application.
- Participation in the survey was voluntary.
- Answers given to the questionnaire were to be treated confidentially and the identities of the respondents remained anonymous.
- Monetary incentives were never offered to the people or organizations that granted access to the seafarers or facilitated the distribution and collection of filled questionnaires. SIRC's publications were made available to those participants who showed an interest in the activities of the centre to encourage their trust in the future use of the information provided by them.

Part II: Background

3. Country information

3.1 General

Ecuador is located in the northwest part of South America. It is bordered by Colombia in the north and Peru in the east and south. The country has an area of 276,840 square kilometres and a coastline of 4,597 kilometres⁸.

Available data from 2000 (see Table 6) indicates that in 2000 Ecuador had a population of 13.1 million. About 60% of the population were between 15 and 64 years old. The birth rate in Ecuador is relatively high standing in 2000 at approximately 25.99 births per 1,000 inhabitants. In 2000, the labour force was estimated to be 4.2 million and the unemployment rate was 13% (see Table 6)⁹.

Table 6: Comparative statistics of Ecuador with the South American region and the world, 2000

	Ecuador	South America	World
Demographic and economic indicators			
Population (million)	13	355	6,211
Children that are underweight	15%	8%	27%
GDP per capita (international dollars)	3,203	7,374	7,416
Coastal statistics			
Length of coastline (km)	4,597	144,567	1,634,701
Territorial sea (km ²)	107,280	1,029,960	18,816,919
Population living within 100 km of the coast	61%	67%	39%

Source: Earth Trends Country Profiles, 2001

⁸ Earth Trends Country Profiles, Coastal and Marine Ecosystems – Ecuador
<http://earthtrends.wri.org/pdf_library/country_profile/s/coa_cou_218.pdf> (Accessed 23/06/2009).

⁹ INEC - 2005, National Institute of Census and Statistical Data or *Instituto Nacional de Estadísticas y Censos*. <www.inec.gov.ec> (Accessed December 2008)

The economy of Ecuador is highly dependent on crude oil production, although other important exports include bananas, shrimp, coffee, cocoa, cut flowers and fish.

In 2003, crude oil and hydrocarbon products accounted for roughly 10% of the GDP, 43% of exports, and just less than one quarter of the country's fiscal revenue¹⁰.

Notwithstanding these export revenues in 2000, about 52.3% of citizens were living on less than two dollars a day¹¹ and the level of inflation stood at 96%. This situation led the government to replace the national currency with the US dollar in an effort to curtail inflation¹².

3.2 Social classes, military power, and labour relations

A brief introduction about the economic groups which influence governmental policies, and specifically maritime policies, is relevant to an understanding of the structure of national shipping, the maritime education system and patterns of labour relations.

3.2.1 Social classes

Social class has been a strong element of society in Ecuador since the Inca Empire. Throughout the Spanish occupation, the Spaniards and their descendants constituted the dominant classes. This pattern continues during the Republican which was also bolstered by the arrival of foreigners from similar class backgrounds.

¹⁰ 2005 Trade Policy Review of Ecuador – Trade Policies by Sector, WTO Trade Policy Reviews, SICE – Foreign Trade Information System, <http://www.sice.oas.org/ctyindex/EQU/ECUNatlDocs_e.asp> (Accessed September 2009)

¹¹ Earth Trends Country Profiles, Economic indicators – Ecuador <http://earthtrends.wri.org/pdf_library/country_profiles/eco_cou_218.pdf> (Accessed in June 2009).

¹² http://news.bbc.co.uk/2/hi/americas/country_profiles/1212882.stm

In this way the dominant class of Ecuador is composed of two groups. The first group are the traditionally Spanish descendents of colonial ancestry who live in the highlands and own large expanses of land. The second group includes exporters of agricultural products, bankers and entrepreneurs who live in coastal regions and come from heterogeneous backgrounds, but are mainly European and Lebanese immigrants¹³. While the first group seems to have consolidated most of its power at the military level, mostly the transportation of oil cargoes; the second group plays an important role in the transportation of agricultural products and is well known for its active participation in political parties.

3.2.2 Military power

The military is a powerful force within the country. Most critical authors consider the military a “new institutional elite which has maintained its role as arbiters of national policy”¹⁴.

The political instability of the country at several stages of its Republican history, and most specifically during the sixties, contributed to the establishment of a military dictatorship between 1972 and 1979. Although the role of the military had been endorsed by the Ecuadorean Constitution since 1945, it was during the dictatorship period that this role was reinforced, and more specifically in relation to the management of the so-called

¹³ In 1973, it was estimated that the upper classes accounted for not more than 10% of the population. Remmling G. et al. *Social classes in Ecuador: a study of the ideological distortion of social reality*. 1973.

¹⁴ Garcia B. *Ecuador: democratización y FFAA; el contexto histórico, social y político en una relación ambivalente*. <www.iugm.es/ADEFAL/documentacion/nuevos_analisis/ANALISIS%20ECUADOR.pdf> (Accessed January 2009)

“strategic resources” (such as oil and steel among others). The dictatorship period also corresponded to an increase of the country’s oil revenues and external debt¹⁵.

During the eighties all attempts to reduce the military power were unsuccessful. The Law of Modernization for example failed to privatise the strategic sectors above. In fact, the territorial dispute with the neighbouring country, Peru, in 1982 helped to secure the military control over the strategic resources and the maritime educational system¹⁶. The Hydrocarbons Law and the Constitution (Article 183) adopted during the nineties, stated that hydrocarbon resources are “an unalienable and imprescriptible patrimony of the State” that must be administered by the Army¹⁷.

Military companies subsist until today. In 2008, for instance, an Ecuadorean newspaper reported a 22-year contract signed between the Navy (Flopec) and the oil production company (Petro Ecuador) for the transportation of gas and crude oil¹⁸. A year later, it was also revealed that the army owns more than 30 companies dedicated to the production of steel, dairy products and clothes. Additional businesses run by the Army include the export of cut flowers, banana, shrimp and oil shipments. Shipbuilding and the sea carriage of oil, account for approximately 100 million US dollars of the Army’s annual income¹⁹.

¹⁵ During the dictatorship period, Ecuador’s external debt increased from 234 million US dollars (in 1971) to 1,174 million US dollars (in 1979). Ibid. Garcia B

¹⁶ American Insider (brief article) *Bid to cut Ecuador’s military out of oil revenues is facing resistance*. Dec 1, 2000.

¹⁷ Political Constitution of the Republic of Ecuador, 1998, Article 247; and Hydrocarbons Law, Article 1.

¹⁸ El Universo. *Marina: contrato Flopec-PetroEcuador no tiene monto*. 15 January 2008. <www.eluniverso.com> (July 2009)

¹⁹ El Universo. *Militares controlaran firmas pese a restriccion*. 5 January 2009. <www.eluniverso.com> (July 2009).

3.2.3 Labour relations

It is possible to argue that the country's economy is manifestly based on cheap labour. The rural workers union FENACLE²⁰, for instance, affirms that Ecuadorean exporters favour the proliferation of subcontracted labour and strongly discourage workers from forming trade unions. This assertion is well supported by the International Labour Organisation (ILO)'s documentation which informs that no collective bargaining is in force in Ecuador²¹.

FENACLE claims that subcontracting firms make extensive use of short term contracts, pay very low wages, and fail to declare employees to social security authorities. According to the union, subcontractors are generally the same shareholders of the main company and hire less than 30 workers in order to avoid the formation of syndicates²². Those who intend to organise unions may lose their jobs or be blacklisted²³.

In relation to seafarers, Ecuadorean law provides for a minimum monthly basic salary of 220 US dollars²⁴. So far, the country has not ratified either the Seafarers' Welfare Convention 163 or the associated Recommendation 173, both adopted by the ILO in 1987²⁵.

²⁰ Spanish name for FENACLE : *Federacion Nacional de Trabajadores Agroindustriales, Campesinos e Indigenas Libres del Ecuador*. Free translation to English: National Federation of Agro-industrial Workers, Peasants and Free Indigenous Communities of Ecuador. Website: www.fenacle.org.ec

²¹ ILO 1993b, Case No. 1617(Ecuador). ILO Principles concerning collective bargaining. www.ilo.org (Accessed June 2009).

²² The Labour Code in Ecuador requires at least 30 workers to form a trade union. In 2005 it was estimated that 60% of enterprises employ less than 30 workers in the country. See ICFTU – International Confederation of Free Trade Unions, International recognised core labour standards in Ecuador, Geneva, June 2005. <<http://www.icftu.org/www/pdf/clsecuador2005.pdf>> (Accessed June 2009).

²³ ICFTU – International Confederation of Free Trade Unions, 2006 Annual survey of violations of trade unions rights, Period of review: January to December 2005. < www.icftu.org/www/pdf/survey06/Survey06-EN.pdf> (Accessed in June 2009)

²⁴ See Ministry Agreement No. 00068, 5th June 2008, <www.mintrab.gov.ec> (Accessed October 2009).

²⁵ ICSW Seminar – International Committee on Seafarers' Welfare, 6-8 October 2003, Veracruz, Mexico.

3.3 Maritime transport and related legislation

Maritime transport plays a fundamental role in the country's international trade. In 2003, about 95 per cent of its foreign trade, equivalent to some 26.5 million tonnes, was transported by sea²⁶.

Ecuador has four major ports: Guayaquil, Esmeraldas, Puerto Bolívar and Manta. In 2003, these ports handled a total of 8.56 million tonnes of international freight. The country also has three crude oil terminals (Balao, La Libertad and El Salitral) and 17 private terminals, from where 15.73 million tonnes were exported from in 2003²⁷.

The main regulations governing maritime transport are presented in Table 7. The Law on the Facilitation of Exports and Waterborne Transport reserves domestic waterborne freight and passenger transport to vessels flying the Ecuadorian flag.²⁸ Nonetheless, the maritime administration can authorise national shipping companies to lease or rent out vessels of other flags on a bareboat charter basis "in exceptional cases",²⁹ for example: temporary lack of transport capacity; total or structural loss of a vessel; major repairs to a vessel lasting over six months; transport of specialized products; needs relating to national security.

²⁶ 2005 Trade Policy Review of Ecuador – Trade Policies by Sector, WTO Trade Policy Reviews, SICE – Foreign Trade Information System, <http://www.sice.oas.org/ctyindex/ECU/ECUNatlDocs_e.asp> (Accessed September 2009)

²⁷ Ibid.

²⁸ Law on the Facilitation of Exports and Waterborne Transport, Article 16.

²⁹ Regulation on Maritime Activity, Article 125.

Table 7: National legislation on maritime transport

Legislation	Year	Title*
		The Maritime Policy Code
Decree 98	1972	The General Law on Maritime and Inland Waterway Transport (Official Journal 406, 1 February 1972)
Decree 289	1976	The General Law on Ports (Official Journal 67, 15 April 1976)
Decree 3409	1979	The National Merchant Marine Development (Official Journal 824, 3 May 1979)
Law 147	1992	The Law on the Facilitation of Exports and Waterborne Transport (Official Journal 901, 25 March 1992)

* Free translation to English; see Appendices for the Spanish name of the legislation.

3.4 Merchant fleet and major ship ownership

There are two state shipping companies, *Flota Petrolera Ecuatoriana* (FLOPEC) and *Transportes Navieros Ecuatorianos* (TRANSNAVE). FLOPEC was established in 1973 and specializes in hydrocarbon transport.

According to the law, the transportation of hydrocarbons from and to Ecuador is reserved for national shipping companies in which the State holds at least a 51 per cent equity stake.³⁰ In 2005 the national merchant fleet consisted of 37 vessels, as detailed in Table 8.

With regard to the private sector, the Noboa Group is the major banana exporter in Ecuador. It is owned by Alvaro Noboa who is the richest man in the country and runs a variety of industries from shipping to banking. Bananas exported by the group are sold under the brand name 'Bonita' which has representation in various countries including the United States, Belgium, Italy, Japan, Argentina and New Zealand.

³⁰ Law on the Facilitation of Exports and Waterborne Transport, Article 15.

Table 8: Ecuadorean registered fleet in 2005

Type of vessel	N°
Tanker vessels	24
Passenger vessels	8
General cargo vessels	1
Refrigerated vessel	1
Chemical tanker	1
Specialised tanker	1
<i>Total</i>	<i>37</i>

Source: www.cia.gov

Trireme Vessel Management (formerly known as Ecuadorian Line) is part of the Noboa Group. The company which is based in Antwerp acts as owner, operator and technical manager of 12 reefer vessels that are registered in the Bahamas with eight different shipping companies. See Table 9.

Table 9: Noboa Group reefer fleet

Vessel's name	Built	Registered Owner	Deadweight (tons)
<i>Abelmarle Island</i>	1993	Difko LXXXI	14,140
<i>Artic Ocean</i>	1989	Artic Ocean Shipping Ltd.	10,303
<i>Atlantic Ocean</i>	1989	Atlantic Ocean Shipping Ltd.	10,285
<i>Baltic Sea</i>	1973	Conception Island Shipping Ltd.	9,072
<i>Barrington Island</i>	1993	Difko LXXXI	14,140
<i>Bering Sea</i>	1975	Acklins Island Shipping Ltd.	15,814
<i>Celtic Sea</i>	1970	Fortune Island Shipping Ltd.	11,902
<i>Charles Island</i>	1993	Difko LXXXI	14,140
<i>Coral Sea</i>	1976	Afklins Island Shipping Ltd.	15,814
<i>Duncan Island</i>	1993	Difko LXXXI	14,140
<i>Hood Island</i>	1994	Difko LXXXI	14,140
<i>Indian Ocean</i>	1989	Indian Ocean Shipping Ltd.	10,313

Source: Lloyd's Fleet Register, 2009

Noboa has tried to gain the presidency of Ecuador four consecutive times. During his campaign in 2006, he was accused of tax evasion, child labour and anti-unionism³¹. In November 2006³², 82 Ecuadorean seafarers who went on strike on two of his reefer vessels were forced to abandon the vessel by armed guards, and replaced immediately by a Filipino crew³³. Two years later, an Ecuadorean tribunal ruled in favour of the striking seafarers who had claimed that Noboa had not paid social security contributions in the seafarers' home country for a period of 12 months³⁴. The fine imposed to the company Transmabo owned by Noboa accounted for 16 million dollars³⁵.

The *New York Times* reported a similar incident in 2002, when 120 workers at the Noboa plantations were dismissed after going on strike and attempting to join a trade union³⁶. Not paying the workers' national insurance has been said to be an employer tactic to avoid the formation of trade unions and consequently strikes. According to the Ecuadorean Labour Code, only workers whose employers pay for social security are considered as 'permanent workers' and therefore have the right to strike. Decree 105, adopted in 1967 may punish non authorised strike with prison³⁷.

³¹ See Wikipedia. <http://en.wikipedia.org/wiki/%C3%811varo_Noboa> (Accessed July 2009).

³² International Transport Workers Federation. *Negotiations follow presidential hopeful's gun point removal of crew*. <<http://www.itfglobal.org/press-area/index.cfm/pressdetail/1073>> (Accessed June 2009).

³³ Nautilus International Telegraph, *ITF protest as striking crew are forced off their ship at gunpoint*, January 2007. <www.nautilusint.org> (Accessed July 2009). See also ITF Press Area, *Negotiations follow presidential hopeful's gunpoint removal of crew*, November 2006. <www.itfglobal.org> (Accessed July 2009).

³⁴ See Intermanager News, *Transmabo drama takes new turn*. <www.intermanager.org> (Accessed July 2009).

³⁵ El Universo. *Embargan empresa de Alvaro Noboa*. 21 February 2008. <<http://www.eluniverso.com>> (Accessed May 2009)

³⁶ Forreño J. *In Ecuador's bananas field, child labour is key to profits*. New York Times, July 13, 2002.

³⁷ ITUC-CSI-IGB. *2007 Annual Survey of violations of trade unions rights*. Ecuador. <<http://survey07.ituc-csi.org/getcountry.php?IDCountry=ECU&IDLing=EM>> 9 (Accessed October 2009).

3.5 Seafaring workforce and related legislation

Ecuador provides an appreciable number of seafarers in relation to its total population³⁸. Based on the figures provided by BIMCO/ISF³⁹ and the total population⁴⁰, it is estimated that Ecuador provides about 465 seafarers per million inhabitants⁴¹.

International legislation adopted by IMO and ratified by Ecuador has had a significant effect on the development of national regulations implemented by the country. The STCW Convention of 1978 was enforced in Ecuador in 1988 through the Official Register N° 904. Table 10 presents national legislation relevant to seafarers⁴².

Finally, it is important to mention that as of 2006 Ecuador has not yet ratified the following ILO Conventions in relation to seafarers⁴³:

- Convention N° 180 concerning *Seafarers' Hours of Work and the Manning of Ships*, Geneva, 22 October 1996.
- Convention N° 166 concerning the *Repatriation of Seafarers (Revised)*, Geneva, 9 October 1987.
- Convention N° 164 concerning *Health Protection and Medical Care for Seafarers*, Geneva, 8 October 1987.

³⁸ FAL Bulletin No 158, Facilitation on Trade and Transport in Latin American and the Caribbean, Prepared by the Secretariat of the Economic Commission for Latin America and the Caribbean (ECLAC), October 1999. < <http://www.eclac.org/transporte/noticias/bolfall/7/5097/fal158.htm>> (Accessed June 2009).

³⁹ According to BIMCO/ISF Manpower Update 2005, the number of seafarers in 2005 was 6,230, including 930 officers and 5,300 ratings.

⁴⁰ The total population in Ecuador was 13.4 million in 2005.

⁴¹ Op. Cit. FAL Bulletin No 158, Facilitation on Trade and Transport in Latin American and the Caribbean, Prepared by the Secretariat of the Economic Commission for Latin America and the Caribbean (ECLAC), October 1999. < <http://www.eclac.org/transporte/noticias/bolfall/7/5097/fal158.htm>> (Accessed June 2009).

⁴² The Spanish name of the legislation is presented in the Appendices.

⁴³ ILOLEX country information. <www.ilo.org/ilolex> (Accessed March 2008)

- Convention N° 163 concerning *Seafarers' Welfare at Sea and in Port*, Geneva, 8 October 1987.

- Convention N° 147 concerning *Minimum Standards in Merchant Ships*, Geneva, 29 October 1976.

Table 10: National legislation relevant to seafarers

Year	Legislation	Spanish title
2001	Resolution 91-01	Medical standards for seafarers in respect of sight and hearing
	Resolution 92-01	Seagoing requirements for the certification of seamen who belong to the coast guard
	Resolution 94-01	Standards for merchant seamen employed in coastal shipping
	Resolution 100-01	Manual of procedures for education, training, and upgrading courses of merchant marine officers (<i>Replaces Res. 102/88 and Res. 251/91; modifies Res. 167/02</i>)
	Resolution 102-01	Recognition of seagoing time for upgrading/promotion of merchant marine officers (<i>Replaces Res. 173 of 1990 and Res. 218 of 1990</i>)
	Resolution 103-01	Recognition of university degrees obtained by merchant marine officers (<i>Replaces Res. 197/90 and Res. 230/91</i>)
	Resolution 109-01	Manual of procedures for education, training, and upgrading courses of merchant marine ratings .
2002	Resolution 167-02	<i>Modifies Res. 100/0, literal d) of Article 11</i>
2003	Resolution 208-03	Requirements for the issuance of the Merchant Seaman's Licence for officers and ratings of the Ecuadorian Navy who are NOT in active service (<i>Replaces Res. 219/91</i>)
	Resolution 233-03	Procedures for the recognition and revalidation by the Maritime Authority of Ecuador of titles or certificates of competency obtained abroad. (<i>Replaces Res. 93/01</i>)
	Resolution 247-03	Internal Regulations of the National Merchant Marine School, ESMENA
2004	Resolution 278-04	Regulations concerning uniform wear by merchant marine ratings
	Resolution 282-04	Standards, requirements and procedures for the education, training and certification of personnel working on board vessels for industrial and artisanal fishing (<i>Replaces Res. 104/01</i>)
2005	Resolution 319-05	Categorisation for database purposes of the merchant marine personnel working at and on shore in accordance to their certificate of competency (<i>Replaces Res. 105/01 and Res. 168/02</i>)
2006	Resolution 003-06	Establishing the ID card number as the registration number for seafarers
	Resolution 004-06	Exchange of the seafarers register (marine book) issued by DIGMER at the Port Captaincies
2009	Resolution 008-09	Standards, requirements and procedures for education, training, certification and register of seafarers (<i>Replaces Res. 55/07, 282/04, 106/01, and 003/08</i>)
	Resolution 009-09	Minimum safe manning levels required for vessels operating in Ecuadorian waters, including: (i) national-flag vessels, (ii) fishing vessels, (iii) vessels in the process of flagging in, and (iv) foreign-flag vessels in excess of 50 GT which operate in Ecuadorian waters
	Resolution 010-09	Regulations for education, training, register and disciplinary regime for pilots

Source: <www.dirnea.org/data/resoluciones_de_digmer/Resoluciones_naves/Personal_maritimo>

3.6 Maritime Administration

The body responsible for formulating policies for the maritime sector is the National Council of Merchant Marine and Ports. It consists of the Ministry of Defence and delegates from several ministries (Foreign Trade, Industrialization, Fishing and Competitiveness; Foreign Affairs; Economic Affairs and Finance; and Public Works). Other members of the council include the National Planning Secretariat, the General Commander of the Navy, the First Naval Zone and the Directorate General of Maritime Interests.

The entity responsible for implementing shipping policies is the National Directorate of Aquatic Areas⁴⁴ – **DIRNEA**. Established in 1951 by the Decree N°116, the organisation was originally named Inspectorate of Merchant Marine and kept this name until 1958 when it was called Directorate General of Merchant Marine and Coasts⁴⁵ – DIGMER. For more than 50 years, DIGMER was subordinate to the Ministry of Defence and operated in accordance with the policies that emanated from the General Commander of the Navy⁴⁶.

In 2007, under the Presidency of Rafael Correa the Ministry of Transport and Public Works was set up. The following year, by virtue of Decree 1111, DIGMER was renamed DIRNEA. Figure 6 shows the structure of DIRNEA. While DIRNEA maintains most of the responsibilities previously assigned to DIGMER, matters related to ports and maritime traffic were transferred to a dependency of the newly established ministry, the

⁴⁴ Free translation for *Dirección Nacional de los Espacios Acuáticos* – DIRNEA.

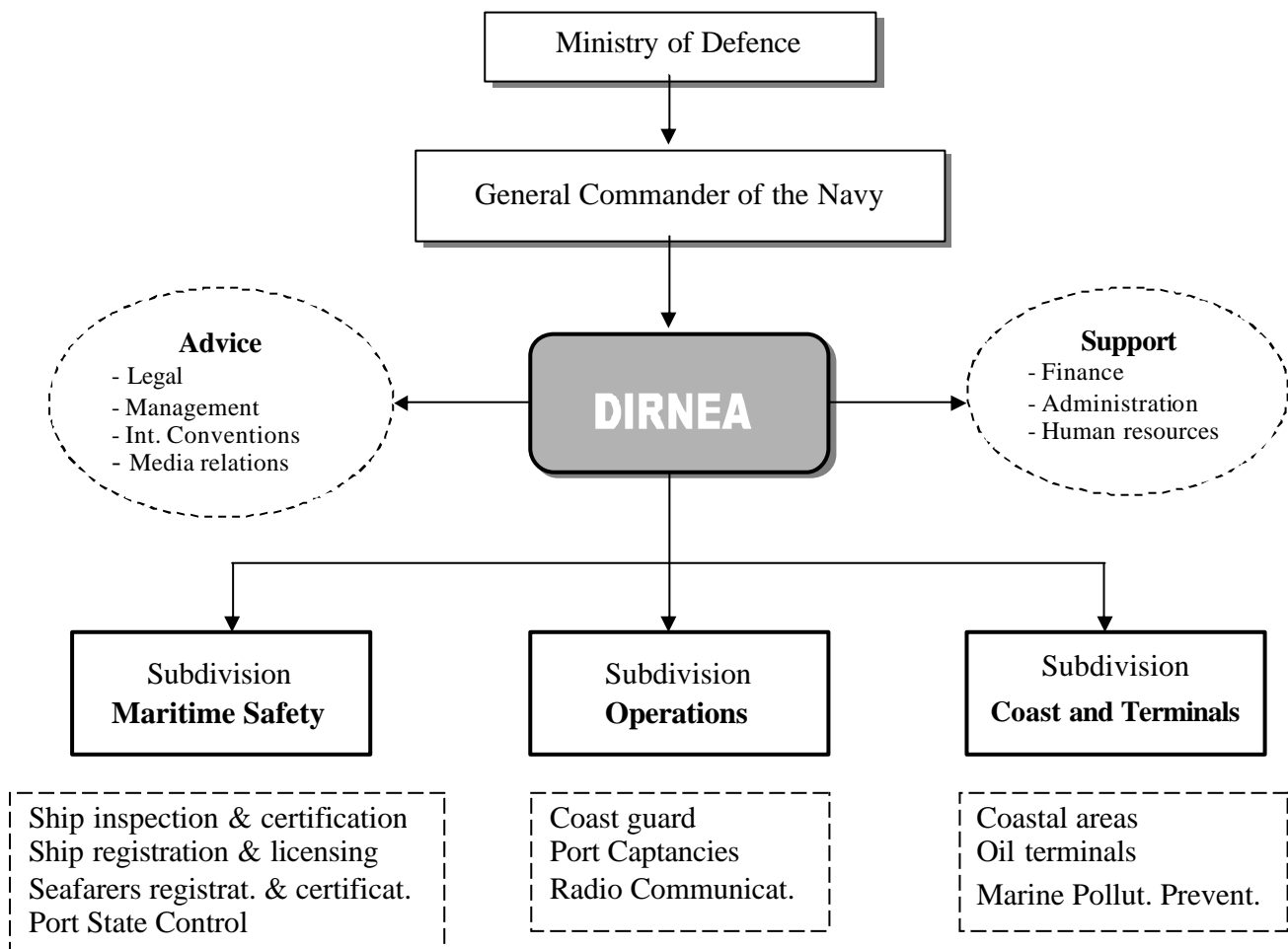
⁴⁵ Free translation for *Dirección General de la Marina Mercante y del Litoral* – DIGMER

⁴⁶ Sanchez M (1993). *Dirección General de la Marina Mercante y del Litoral, breve historia*. ESMENA.

Sub-secretariat of Ports, Fluvial and Maritime Transport⁴⁷. Current responsibilities of DIRNEA include the following⁴⁸:

- Operation of port captaincies, coast guard, and oil handling facilities;
- Marine pollution response;
- Maritime certification;
- Education and training of merchant marine personnel and fishermen;
- Maritime security; and
- Buoys and Lighthouses.

Figure 6: Structure of DIRNEA



⁴⁷ Free translation for *Subsecretaría de Puertos y Transporte Marítimo y Fluvial*

⁴⁸ See Decree N°1111, Quito, 27th May 2008.

3.7 Maritime Education and Training

The Nautical School of Merchant Marine⁴⁹, ESMENA, was founded in 1966. Its main headquarters are located in the city of Guayaquil. Executive Decree Nº 369 of 1969 governs the Internal Regulations of the school and has authorised it to train captains, deck officers, deck engineers and ratings. DIRNEA regulates the programmes and courses offered by ESMENA.

The school has signed agreements for cooperation with other higher educational institutions in Ecuador, such as the Polytechnic of Guayaquil (ESPOL), the Metropolitan University and the Naval University Moran Valverde. ESMENA is also collaborating with a vocational centre for the training of fishermen, ESTEPE.

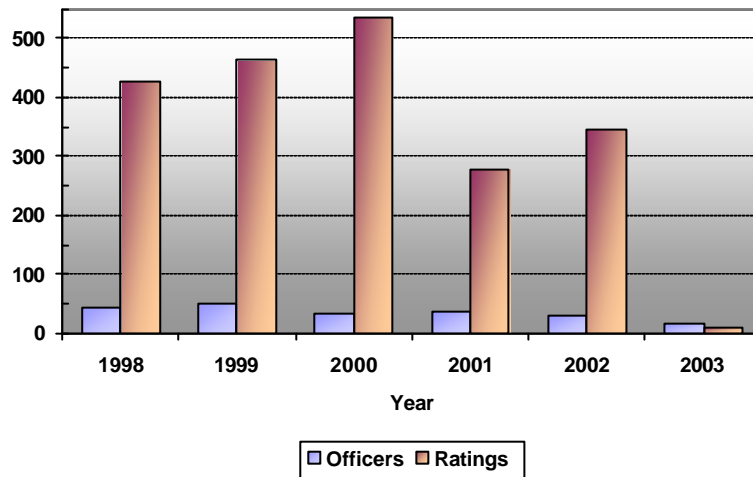
To gain admission to ESMENA, candidates are required to have completed 12 years of education: primary (6 years) and secondary (6 years). Secondary education in Ecuador is divided into two cycles: (1) *Basic*, which requires 3 years of study, and (2) *Specialisation*, which requires 3 further years. There are two types of high schools (or colleges) in Ecuador: Modern Humanities and Vocational or Technical. In vocational schools students can obtain a diploma after completing the Basic cycle. The diploma enables them to start working in administrative or technical positions at some companies. In both types of colleges students who complete 6 years of study obtain a Baccalaureate diploma, which is recognised by the Ministry of Education

Figure 7 shows a huge majority of students enrolled to become ratings. On the other hand, the number of students enrolled to be officers is substantially small. Year 2000

⁴⁹ Free translation for *Escuela de la Marina Mercante Nacional* – ESMENA

registered a peak in the number of rating cadets. This positive trend was inverted the following year. Since then a decreasing trend in the number of students is observed. Thus, it is correct to conclude that the number of officer cadets has been more or less stable with a slight increase in 1999. Figures 7 and 8 present the officers' potential career paths.

Figure 7: Enrolment of students at ESMENA, 1998-2003



Source: ESMENA, 2004⁵⁰

At the time of the study the Metropolitan University was planning the creation of postgraduate courses for seafarers. Such courses require the approval of DIGMER and the planned courses covered three areas: Maritime Safety Administration; Port Management; and Shipping Management.

The ESPOL – *Escuela Superior Politecnica del Litoral* or Polytechnics offers engineering courses (6 years) and upper vocational courses (3 years) in a wide variety of sciences. The Faculty of Marine Engineering and Sea Sciences trains professionals in

⁵⁰ Data presented here was collected during the pilot survey. A breakdown of enrolments by rank is presented in the Appendices.

Naval Architecture, Aquaculture, and Biology, among others. Furthermore, ESPOL offers one vocational course in Fishing Technology and postgraduate courses in Aquaculture and Business Administration.

Figure 8: Captain and Deck Officers' career

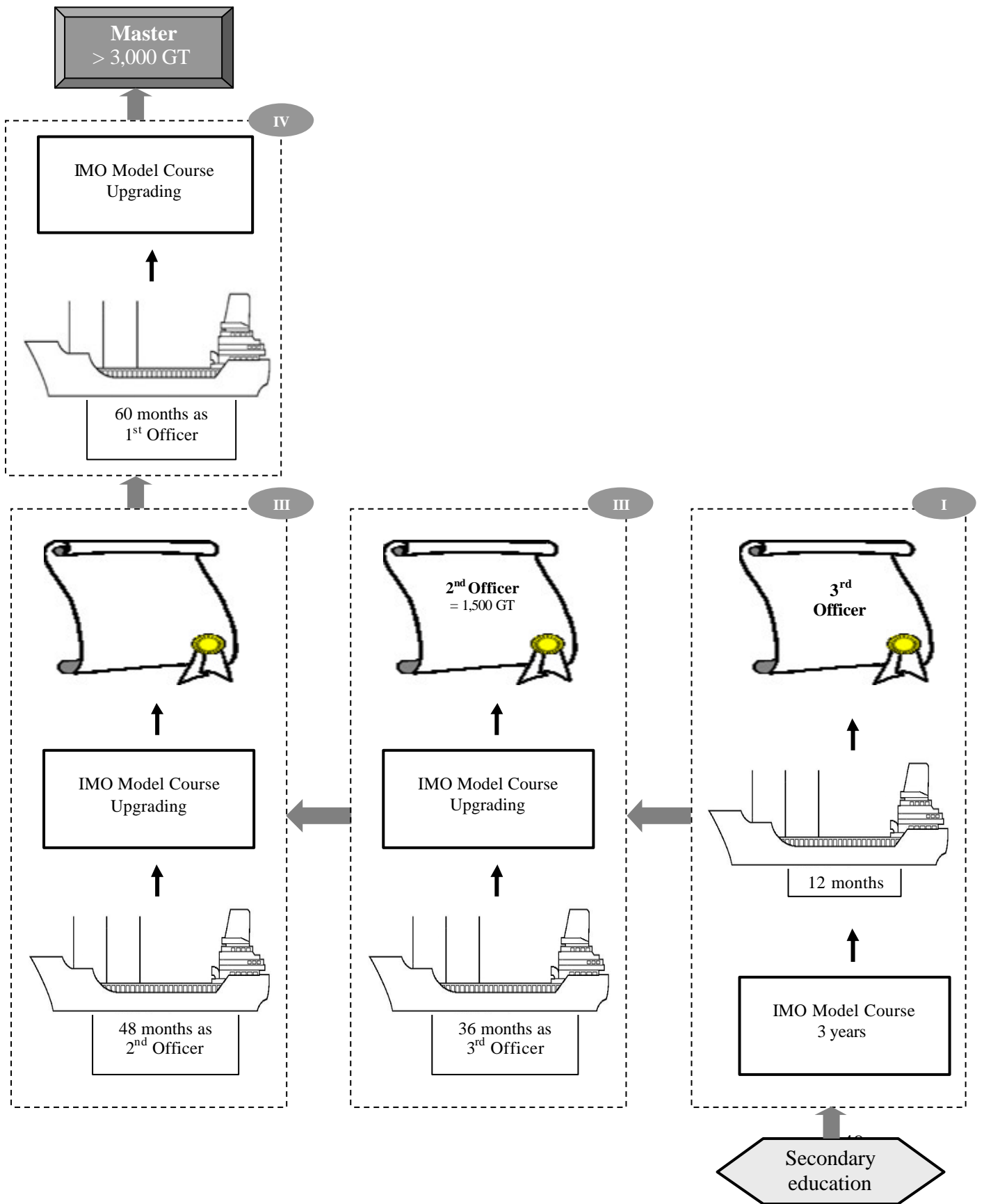
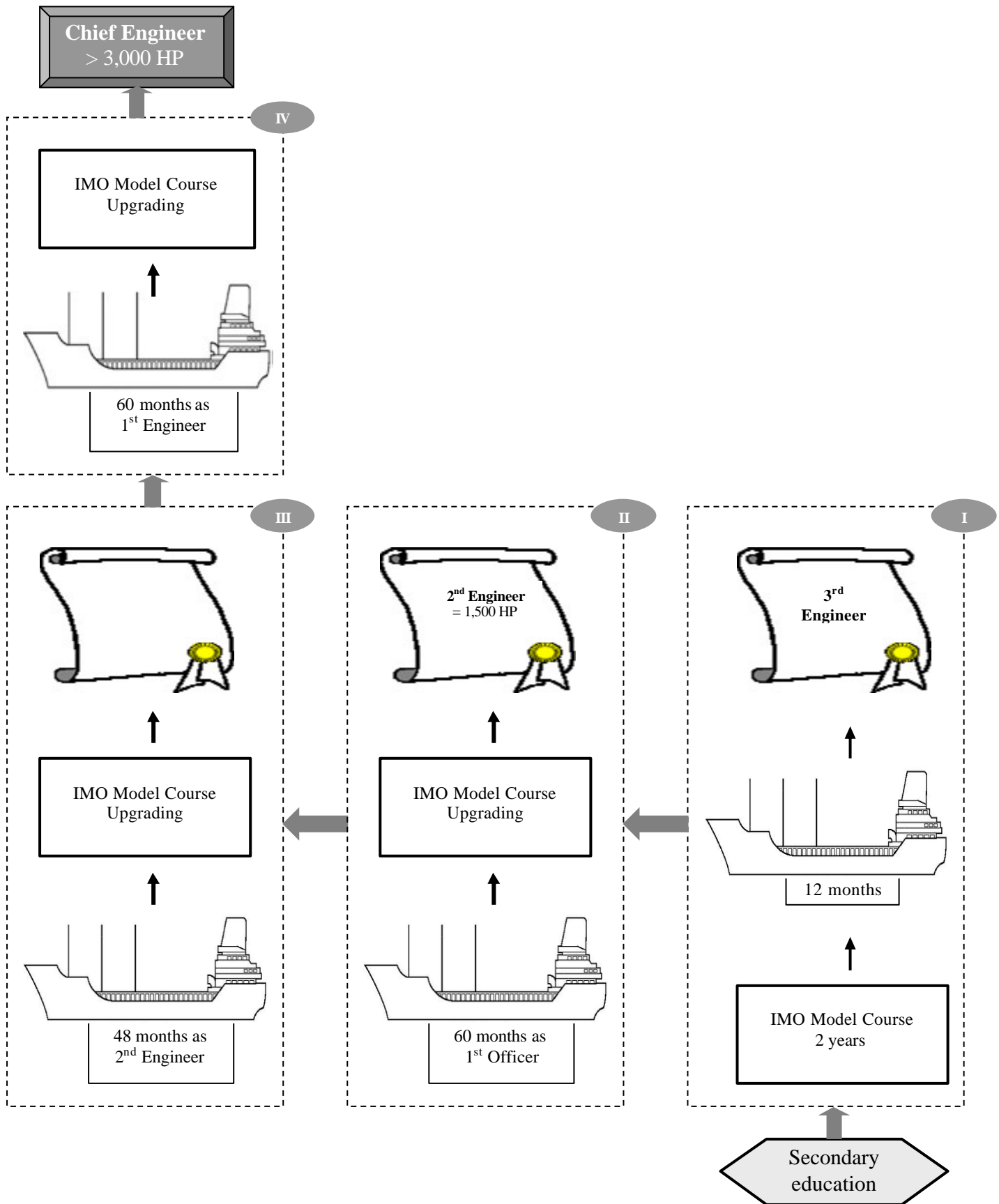


Figure 9: Chief Engineer and Engineer Officers' career



Part III: Research Findings

4. Questionnaire survey to seafarers

This chapter describes the findings from the questionnaire. Within the questionnaire five major aspects of seafarers' lives in Ecuador were explored as follows:

- (1) Seafarers' profile - a descriptive analysis of the demographic composition of all seafarers surveyed: gender, age, place of birth and residence, marital status, and partner's occupation.
- (2) Job function and experience - information about seafarers' expertise: competencies, fleet, languages and experience.
- (3) Recruitment, contracts of employment and welfare issues - the existence of manning agents, contractual terms, earnings and discrimination.
- (4) Career building and development - issues such as career attractiveness, retention, turn over and training for career advancement.
- (5) Demand for labour - unemployment and job hunting periods.

Most data are analysed and presented in the form of tables, bar and pie charts. A summary at the end of the chapter provides an overall interpretation of the results.

4.1 Seafarers' profile

4.1.1 Gender

In all, 320 individuals participated in the questionnaire. Most respondents were male (see Table 11). The percentage of male respondents was 97% (N=310) compared to 3% (N=10) female. About two thirds (N=209) of the participants worked as ratings. The majority of women respondents were cadets.

Table 11: Officers, ratings and cadets grouped by gender

Respondents	Male	Female
Officers	52	-
Ratings	209	2
Cadets	49	8
<i>Total</i>	310	10

4.1.2 Age

As one might anticipate, cadets were the youngest group of respondents in the sample (see Table 12). Ratings were the oldest group of respondents on average. The majority of ratings (84%, N=152) were between 30 to 59 years old. Officers were younger compared to ratings, the highest proportion being between 30-49 years.

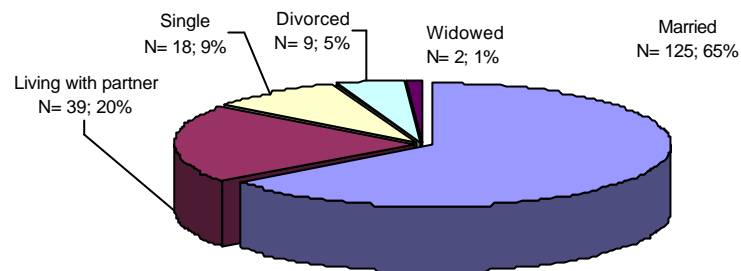
Table 12: Seafarers and Cadets grouped by age

Age range	Officers	Ratings	Cadets	Total
Less than 20	-	-	27	27
20-29	1	15	30	46
30-39	12	43	-	55
40-49	22	64	-	86
50-59	7	45	-	52
60 or more	1	15	-	16
<i>Total</i>	43	182	57	282

4.1.3 Marital status

Most seafarer participants (164 or 85%) were married or lived with a partner. A very small group were widowed (see Figure 10).

Figure 10: Participants grouped by marital status⁽¹⁾



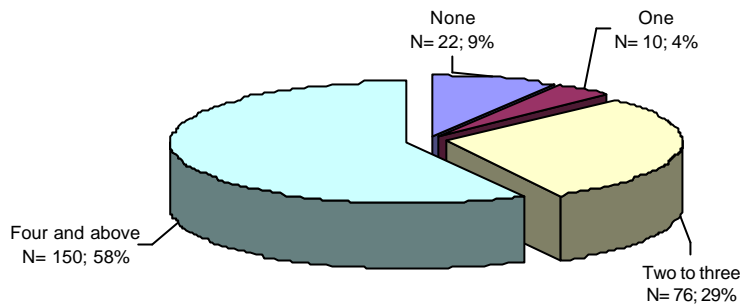
4.1.4 Partner's occupation and dependants

The majority of seafarer partners did not engage in paid employment (62% N=87). However, a small percentage of partners (15%) worked in highly skilled occupations. More than half of the seafarers had four or more dependants. (See Table 13 and Figure 11).

Table 13: Occupational level of seafarers' partners

Type of occupation of seafarer's wife or partner	No.	%
Highly skilled	21	15
Semi-skilled	33	23
Household/family chores	87	62
Total	141	100

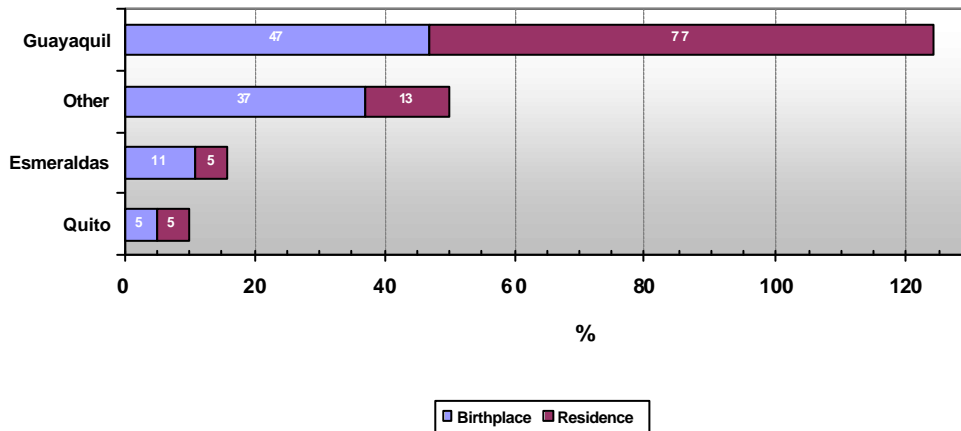
Figure 11: Number of dependants of seafarers (children+relatives)



4.1.5 Birthplace and place of residence

In order to investigate levels of migration, seafarers were asked about their place of birth and residence. With regard to birthplace, as presented in Figure 12, most seafarers were born in coastal cities. A large majority (57% N=146) were born in the cities of Guayaquil and Esmeraldas and most participants lived in Guayaquil. This finding may be related to the role that the city plays in the country's economy and providing employment. Furthermore, because ESMENA is based in Guayaquil, seafarers who are based there are able to easily attend specialist courses and upgrade their training.

Figure 12: Birthplace and residence of seafarers



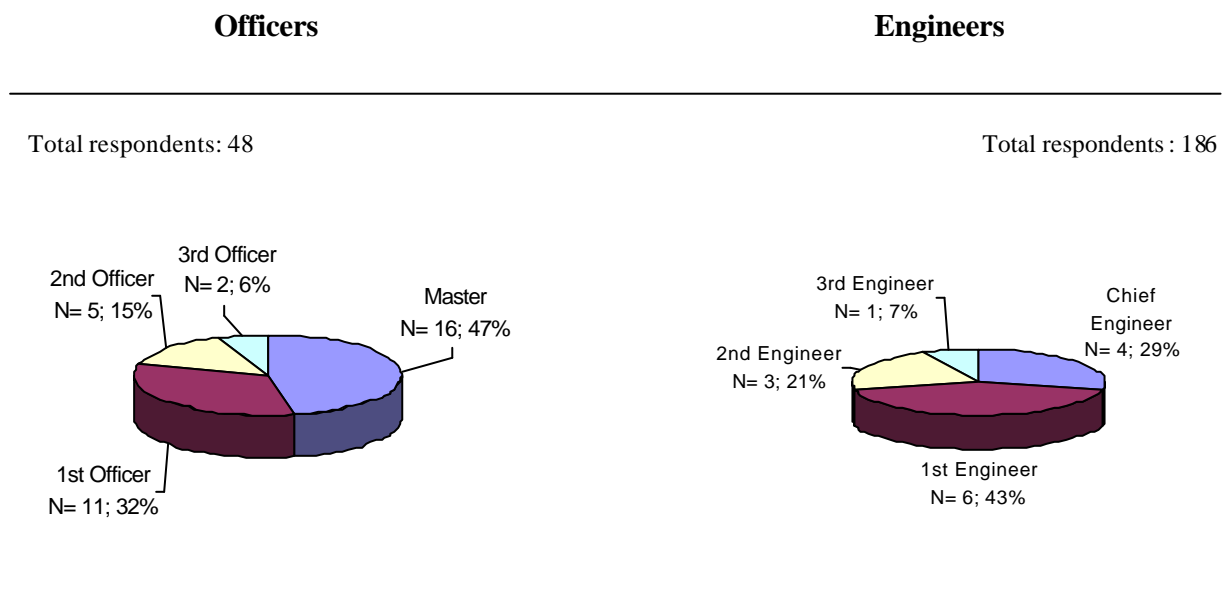
4.2 Job function and experience

4.2.1 Competencies

A breakdown of officers and engineers, by rank is presented in Figure 13. As can be seen, the smallest proportion corresponds to 2nd and 3rd officers. This confirms the affirmation made by participants during the pilot survey regarding a shortage in the supply of 2nd and 3rd officers. While this pattern can be partly explained by ESMENA's closure, the possibility of having less people interested in undertaking a seafaring career must be also considered.

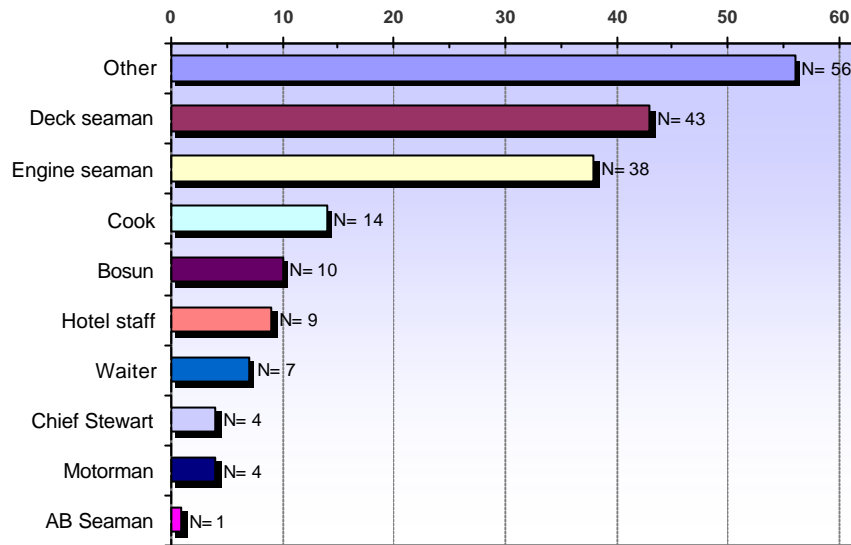
Concerning ratings, Figure 14 shows that deck and engine seamen represented the largest proportions of the surveyed sample: 43% (N=99).

Figure 13: Officers and Engineers by rank



Q: What is your current or latest job function?

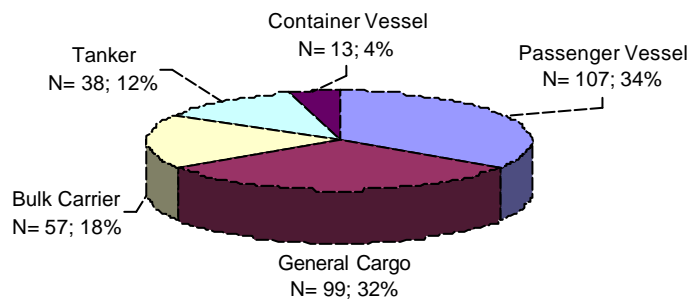
Figure 14: Breakdown of ratings by rank



4.2.2 Fleet operation

When asked about the type of ship that seafarers had most recently embarked on, around one third said they had embarked on passenger vessels, with another third on general cargo vessels. The remaining (one third) had mainly embarked on three types of vessels: bulk carriers, tankers and container vessels (see Figure 15).

Figure 15: Type of vessels seafarers have recently embarked



Concerning the tonnage of the vessels seafarers had recently embarked on, Figure 16 shows they (41%, N=63) had mostly sailed on vessels between 500 to 10,000 tons.

Similarly, Table 14 reveals that 83% of seafarers most recently worked on vessels registered with the three major flags of convenience: Panama, Bahamas and Liberia.

Figure 16: Tonnage characteristics of vessels where seafarers had recently embarked

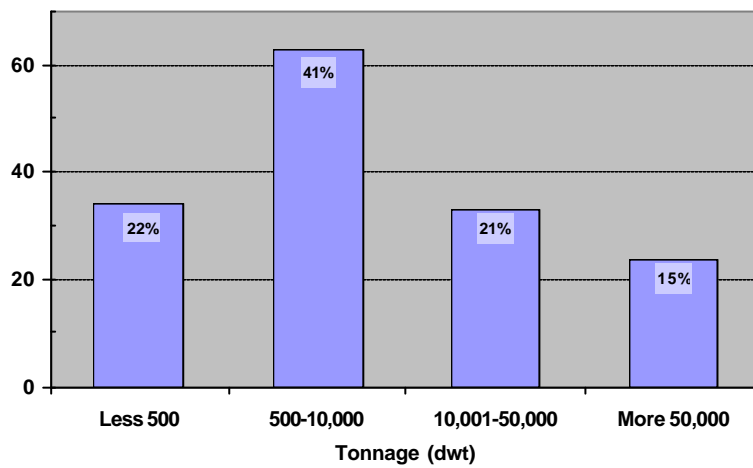


Table 14: Open registry of vessels where seafarers had recently embarked

Flag	No.	%
Panama	38	40
Bahamas	31	33
Liberia	9	10
Cyprus	7	7
Bolivia/Honduras/Belize	5	5
Malta	3	3
Vanuatu	2	2
Total	95	

4.2.3 Languages spoken on the latest trip

Well over two thirds of seafarers spoke Spanish compared to less than a quarter who spoke English on their latest trip. These results may suggest that there are a greater number of seafarers working for Ecuadorean ship owners whose vessels operate under open registries. It could also indicate that some seafarers work with Spanish crews. Although the latter possibility cannot be confirmed, Ecuador is one of the countries which has been inspected by the European Maritime Safety Agency⁵¹, as part of the European Commission plan to recognise seafarers' certificates issued by third countries, as required by the Directive 2001/25/EC⁵².

It is also interesting to note that Ecuadoreans do not appear to have much opportunity to work with foreign crews. Indeed, foreign crews do not account for more than 30% of the nationalities with whom seafarers had last sailed. Consequently, Ecuadoreans represent the majority.

There is a further interesting difference between officers and ratings sailing with mixed nationality crews. While ratings had mostly navigated with Asians on their last voyage and less with Europeans, officers in contrast had worked more with Europeans on their last voyage.

⁵¹ See Newsletter No. 28 issued by the European Maritime Safety Agency (EMSA), May 2007. <http://www.emsa.europa.eu/Docs/newsletters/newsletter_200705.pdf > (Accessed July 2009).

⁵² The Directive, adopted in 2001, requires a minimum level of training of seafarers, in accordance with the STCW Convention.

Figure 17: Main language spoken in the latest vessel seafarers had sailed

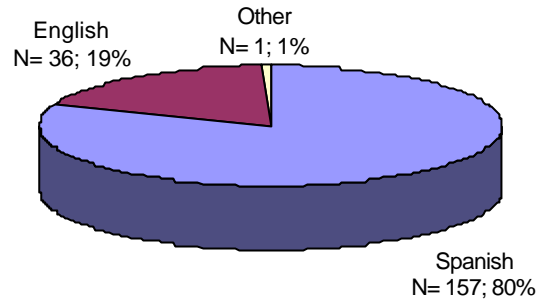
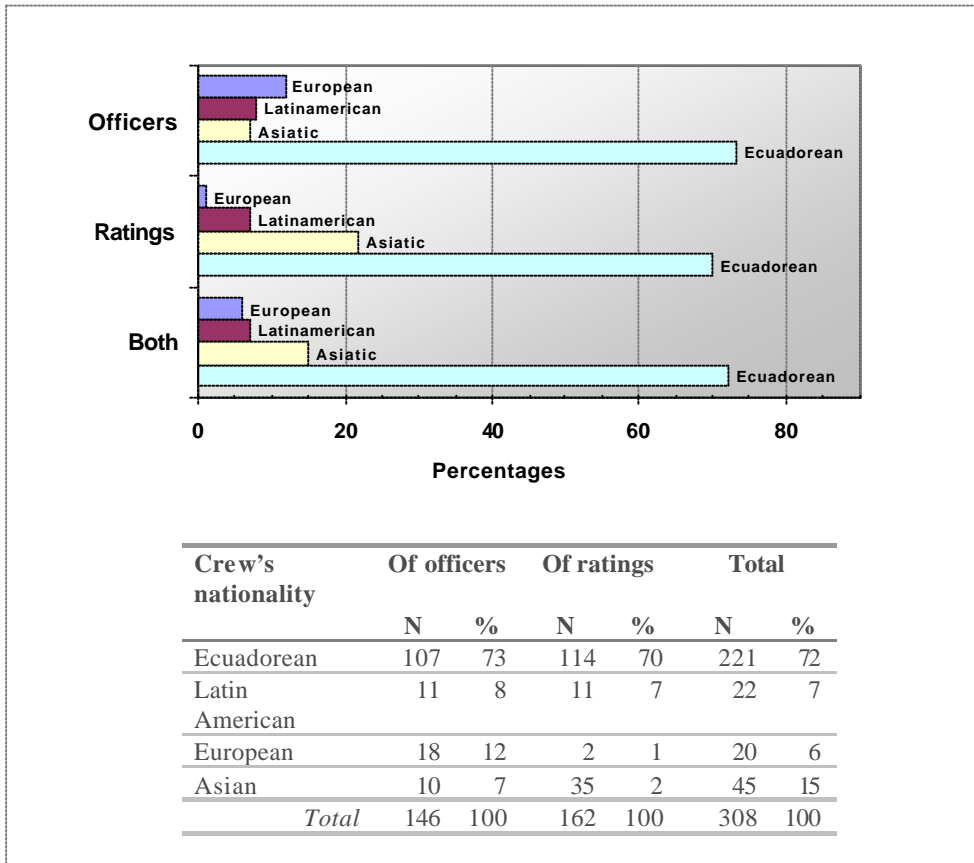


Figure 18: Nationalities of the crews with whom seafarers sailed on their latest voyage



4.2.4 Sailing experience

Most seafarers began working at sea between the ages of 20-29 years. Approximately 33% had more than 20 years of sailing experience.

Figure 19: Age of seafarer at first embarkation

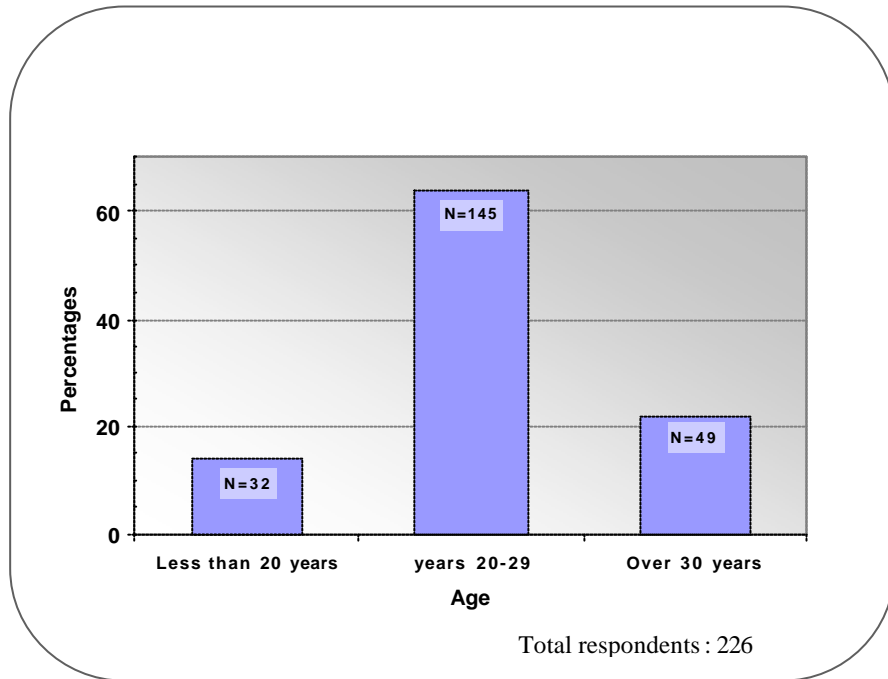


Table 15: Sailing time

Sailing time	No.	%
Up to 5 years	21	9
Between 6 to 10 years	32	14
Between 11 to 15 years	48	21
Between 16 to 20 years	53	23
More than 20 years	77	33
Total	227	100

4.3 Recruitment, contracts of employment and welfare issues

This section considers several aspects of recruitment and the terms and conditions which are generally stipulated in the contracts seafarers sign with their employers.

4.3.1 Manning agents or the ‘enganchador’

When asked about how they had got their last job on board seafarers most frequently suggested that they were recruited directly by the ship owner (52%). However a significant minority (23%) had been recruited as a result of contacts with colleagues and friends (see Table 16).

Table 16: Seafarers’ modes of recruitment on their latest trip

Methods of recruitment	No.	%
Through an agent or “enganchador”	7	3
Through an agent	8	3.5
Directly from the ship owner	126	52
Through advertisements	9	4
Through the internet	7	3
Through friends/colleagues	56	23
Through family members	6	2.5
Other means	23	9
<i>Total</i>	242	100

4.3.2 Contracts of employment

The range of companies for which seafarers had worked varied between one and more than five (see Table 17). Like many seafarers internationally, Ecuadorean seafarers were predominantly employed on short term contracts. The period of time for those contracts ranged from 4 to 9 months. Table 18 shows 73% officers (N=30) and 64% ratings

(N=76) were engaged on short term contracts. It should be noted that temporary workers are not currently covered by the Ecuadorean Labour Code⁵³.

With respect to permanent employment, a greater proportion of ratings (N=43, 80%) were hired on a permanent basis rather than officers (N=11, 20%). It is likely that this pattern corresponds to the significant number of ratings employed in Navy related companies.

Table 17: Seafarers grouped by the number of companies for which they have worked during their career

Number of companies	No.	%
One	48	24
Two	45	22
Three	42	21
Four	34	17
Five or more	33	16
<i>Total</i>	202	100

Table 18: Seafarers' types of contract and duration

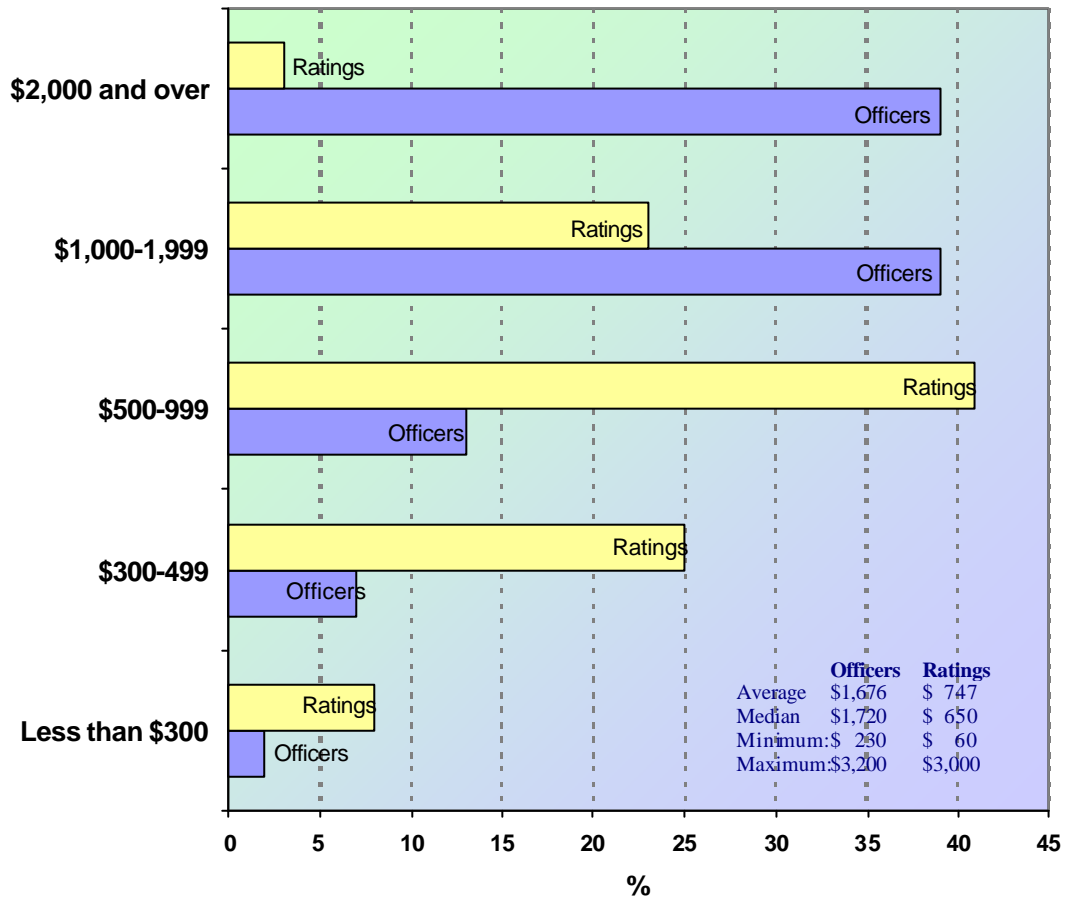
Contract's duration	Officers	Ratings	Officers + Ratings
Permanent contract	11	43	54
Fixed term contract	30	76	106
Up to 3 months	4	14	18
From 4 to 9 months	17	38	55
From 10 months to 1 year	7	23	30
Over 1 year	2	1	3
<i>Total</i>	41	119	160

⁵³ Op. Cit. ICFTU – International Confederation of Free Trade Unions, International recognised core labour standards in Ecuador, Geneva, June 2005. <<http://www.icftu.org/www/pdf/clsecuador2005.pdf>> (Accessed June 2009).

4.3.3 Salaries

In general, officers earn significantly more than ratings. The biggest share for officers corresponds to salaries of \$1,000 and over. However a very small number of ratings reported salaries of \$2,000 and over (see Figure 20).

Figure 20: Seafarers grouped by salaries' range



4.3.4 Contract settlement

Figure 21 provides a summary of the welfare aspects that are normally included in the contracts. Most seafarers (N=132; 70%) declared that they generally sign a contract at their employer's headquarters rather than onboard the vessel. A vast majority also said that they 'clearly' understood the terms of the contract. About half of the contracts

included provisions for holidays (or breaks) and national insurance, but only 10% of participants said that a pension for retirement was agreed in the contract. The majority of seafarers were not members of trade unions and said they did not have to pay an “enganchador” or manning agent before being hired. Interestingly, about 94% of seafarers are not affiliated to trade unions.

With regard to the usual period for holidays, there were minor variations. Most seafarers took holidays of not more than 15 days, and only 9% took longer than 15 days. Results also showed small differences between the most common and most recent holiday

Figure 21: General issues included in contracts of employment

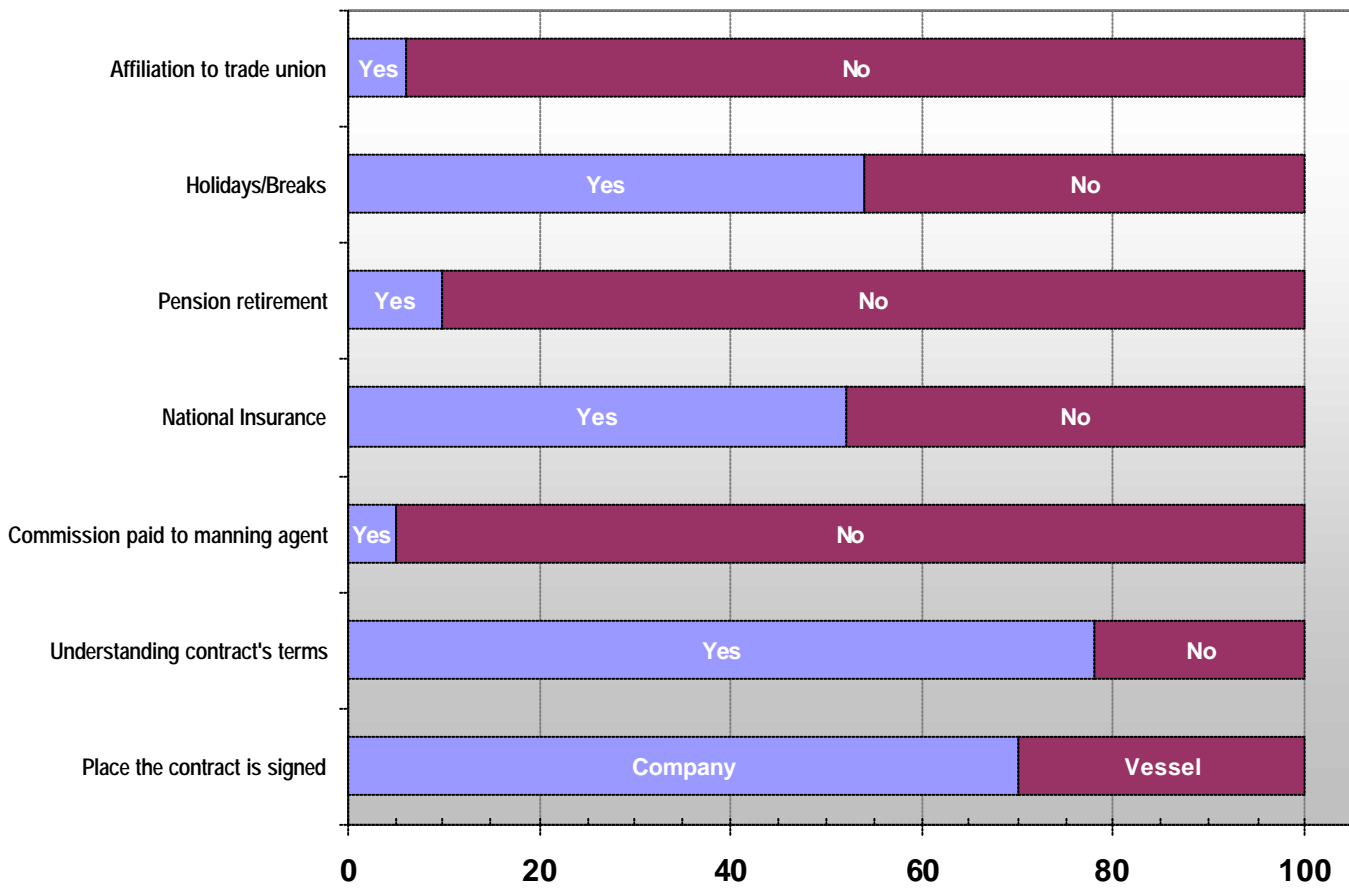


Table 19: Holidays and shore leave
%

Usual holidays/ shore leave	No.	%
Less than 4 days	34	38
Between 4 to 7 days	26	29
Between 8 to 15 days	21	24
More than 15 days	8	9
Total	89	100

Most recent holiday/shore leave	No.	%
Less than 4 days	58	44
Between 4 to 7 days	33	25
Between 8 to 15 days	29	22
More than 15 days	11	9
Total	131	100

Note: total respondents varies from 189 to 197

4.3.5 Welfare issues and discrimination

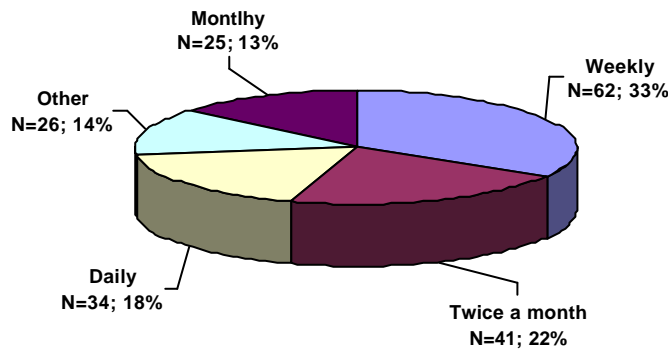
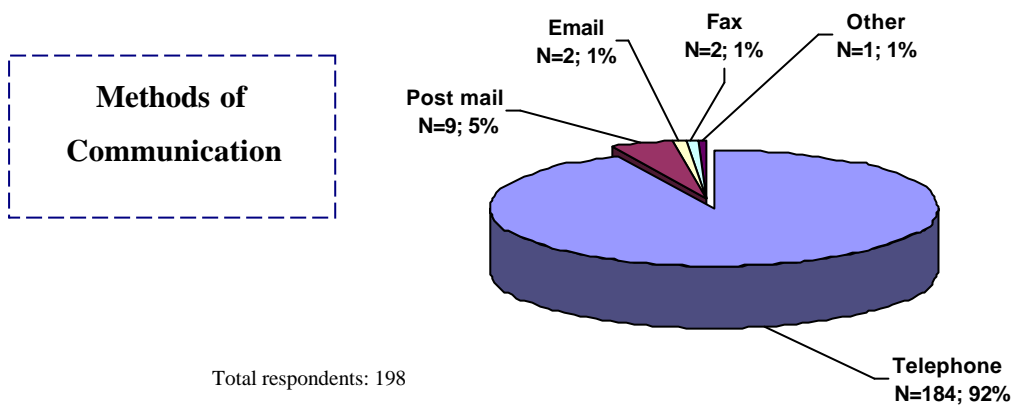
While sailing the telephone was the main form of communication seafarers used to contact their families. Although electronic mail was the cheapest form of communication, only a very small group (1%) used it.

This situation may have been related as much to the high costs of internet access for Ecuadorean families as it did to email access on board; figures from 2000, for instance, show that a very low percentage of the population (7%) had internet access at home⁵⁴. Contact with families was frequently made weekly or twice a month. Seafarers infrequently communicated daily and monthly.

⁵⁴ INEC, 2000

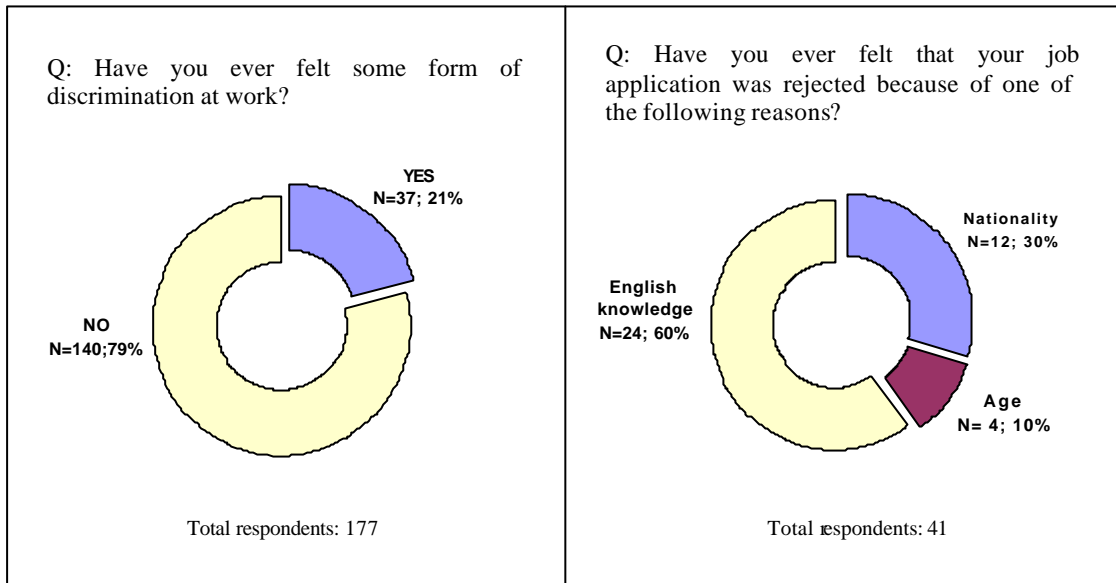
Finally, seafarers were asked if they had experienced discrimination at work. A large majority (N=140, 79%) said 'NO'. However, seafarers did believe that they had experience having their job applications rejected on the grounds of lack of English and some thought they were rejected on the grounds of nationality.

Figure 22: Methods and frequency of communication between seafarers and their families



Frequency

Figure 23: Discrimination of seafarers



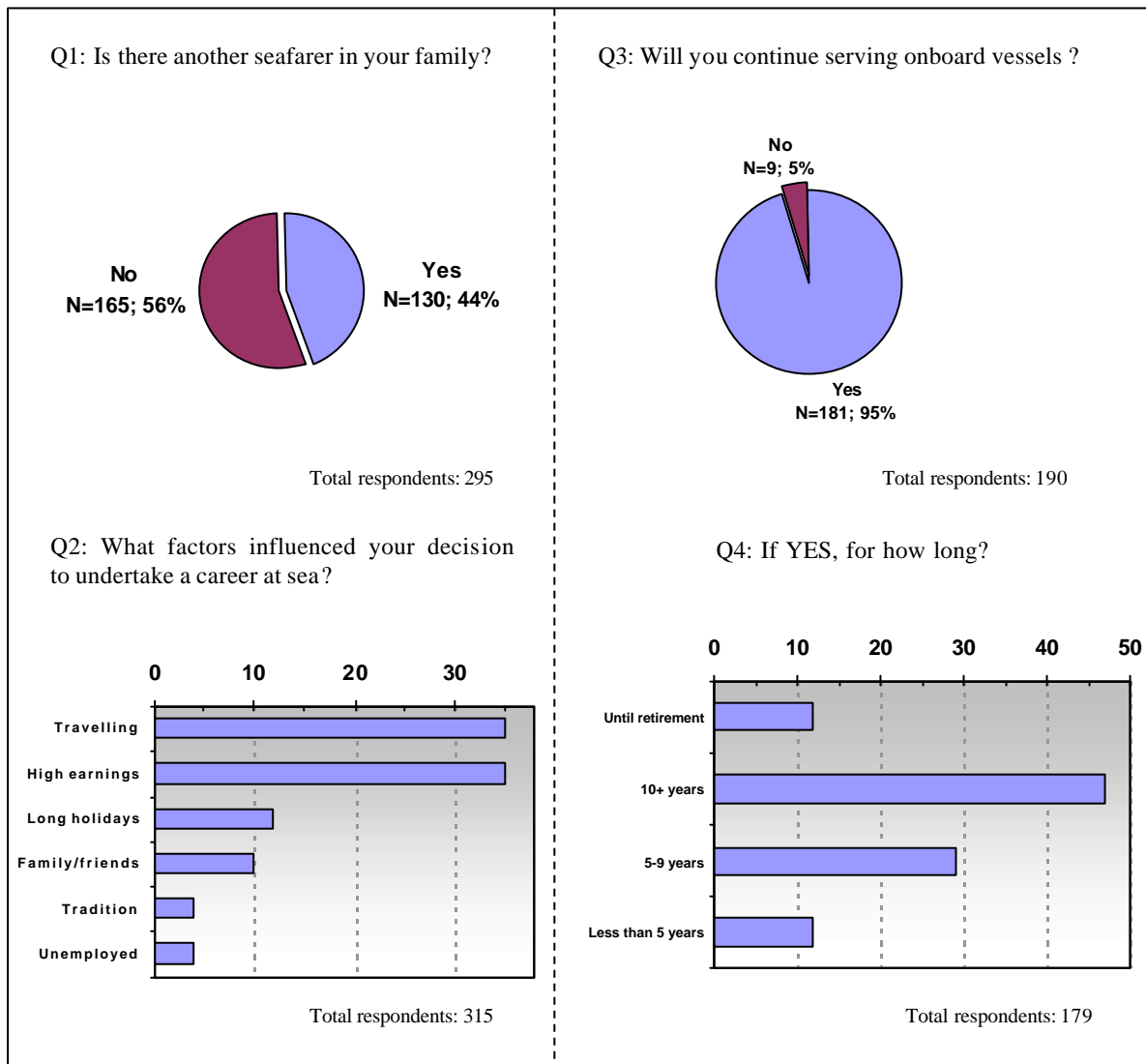
4.4 Career building and development

The survey also tried to establish why participants opted for a career at sea and how long they planned to remain with it. In general, most seafarers gave very positive answers.

4.4.1 Attractiveness

Of the respondents completing a questionnaire, 44% had a seafarer within the family. The factors which most motivated them to choose a career at sea were reported to be high earnings and opportunities for travel. An appreciable number of participants said they would continue sailing, some of them for more than 10 years (47%), and some until they retired (12%). See Figure 24 below.

Figure 24: Choosing a career at sea

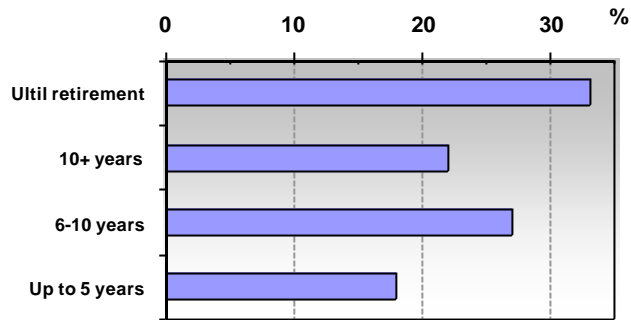


4.4.2 Retention

Seafarers were also asked some questions related to career progression. The main aim was to explore the extent to which the seafarers' initial plans to sail evolved from the time they first embarked to the present day. See Figure 25 below.

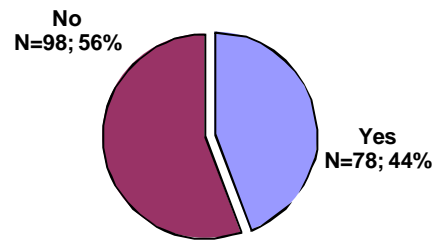
Figure 1: Evolution of seafarers' plans or commitment to go to sea

Q1: At the time of your first embarkation, how long were you planning to spend at sea?



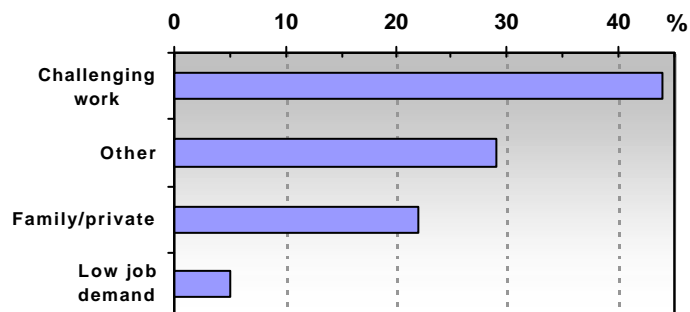
Total respondents: 192

Q2: Have you changed your mind since then?



Total respondents: 176

Q1: If YES, please explain why?



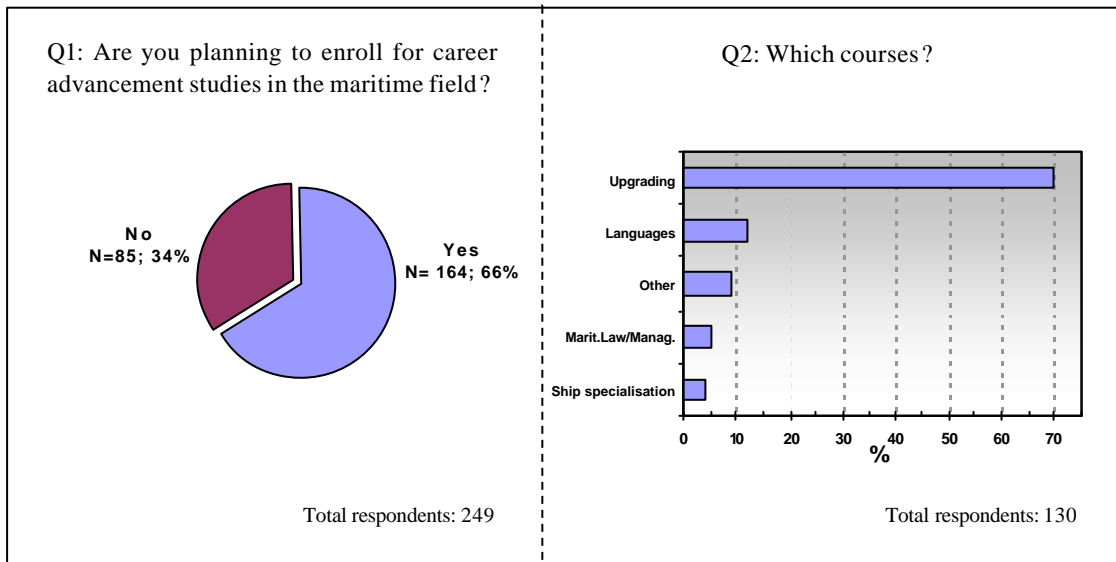
Total respondents: 59

Thirty-three percent of respondents (N=64) planned to sail until they reached retirement age, and 18% (N=22) planned to sail for a further 5 years. More than half (56%, N=98) declared that their career plans had not changed since the time when they first went to sea. For those who had already changed their minds about continuing to work at sea, the decision was attributed to the challenging working conditions onboard (40%), and to family and personal reasons (22%).

4.4.3 Training for career advancement

A significant proportion of seafarers (N=164; 66%) wished to pursue additional training in order to progress their careers. Many of them complained about the reduced options or training alternatives available at ESMENA and other educational institutions within the country.

Figure 26: Seafarers' training aspirations



4.4.4 Shore based jobs

A notable finding which emerged from the questionnaire data was the relatively high number of seafarers (66%) who had undertaken other types of jobs ashore. The majority (66%) had worked in mechanical, technical or other sea-related activities (see Figure 27 and Table 20).

Equally surprising was the proportion of seafarers who stated that they would continue working as a seafarer even if they were offered the possibility of another job ashore with similar earnings to those at sea.

Figure 27: Seafarers who undertake alternative jobs ashore

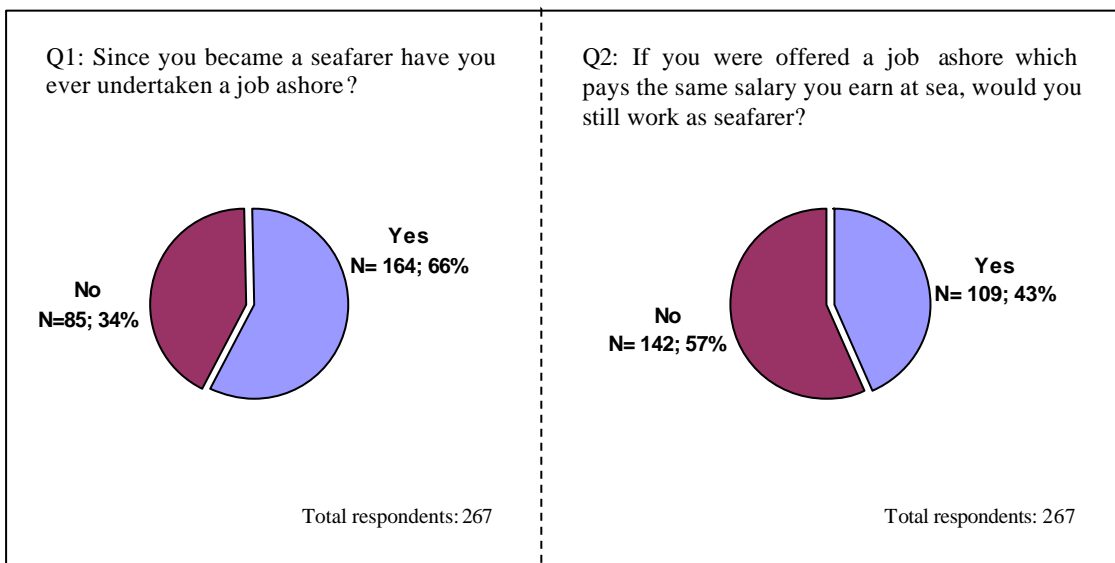


Table 20: Type of jobs seafarers had undertaken ashore

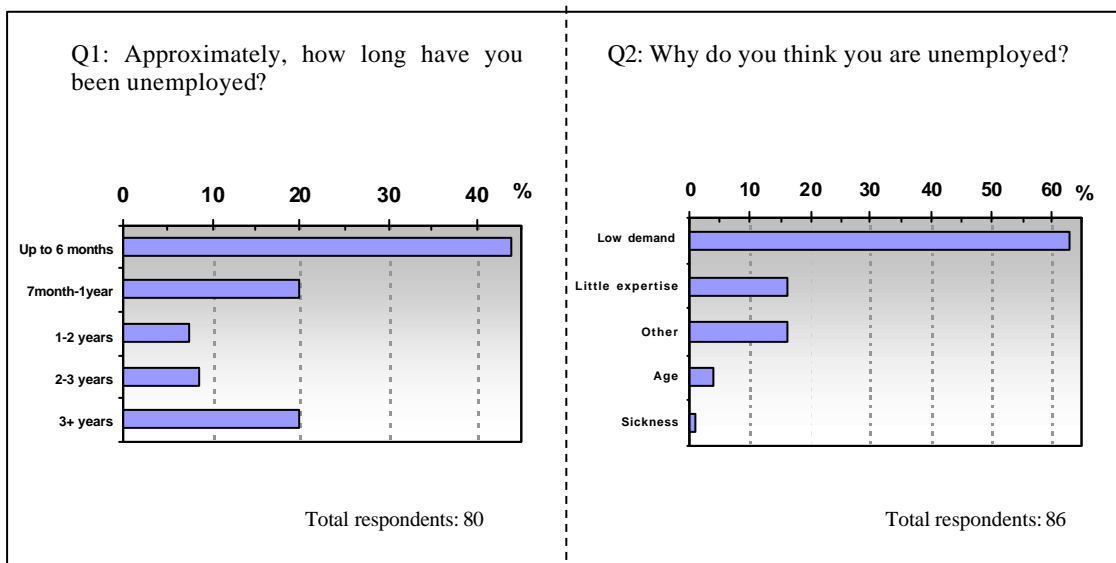
	No.	%
Mechanical services	63	32
Technical services	43	22
Sea-related services	23	12
Commercial services	21	10
Other services	48	24
Total	198	100

4.5 Demand for labour

4.5.1 Unemployment

While European countries experience a shortage of seafarers, in Ecuador unemployment among the seafarers who participated in the questionnaire seemed to run at about **42%**. Forty-five percent of respondents (N=94) declared that they had been unemployed for a period of up to **6 months** (see Figure 28). Seafarers thought low demand was the main reason for the level of unemployment.

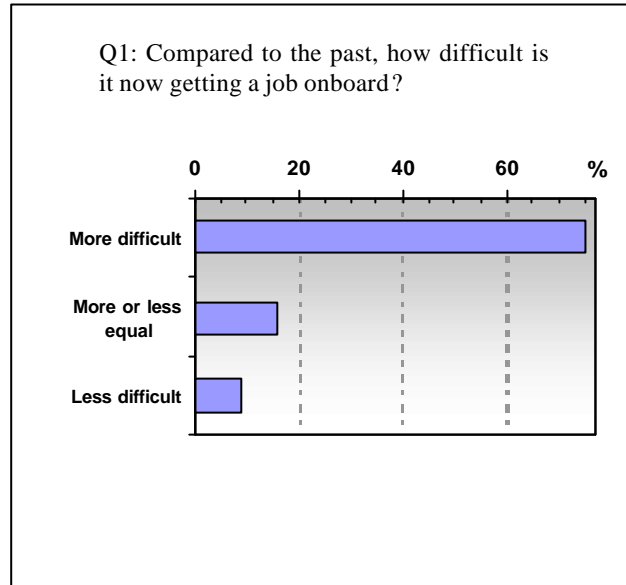
Figure 28: Unemployment – most likely periods and reasons



4.5.2 Job hunting opportunities

About three quarters of the respondents stated that getting a job onboard was becoming more difficult (see Figure 29).

Figure 29: Seafarers' perceptions about job opportunities onboard vessels



Seafarers stated that they generally waited up to 6 months before being recruited by a ship owner. A small number (6%) had, however, waited more than 2 years to be hired (see Table 21).

Table 21: Period before embarking on a vessel

Period of time	No.	%
Less than a month	57	27
1 to 6 months	94	45
7 months to 1 year	36	17
1 year to 2 years	11	5
More than 2 years	12	6
Total	210	100

4.6 Summary of findings

Demographics:

- The workforce was predominantly male and mainly composed of ratings.
- There were very few women among the cadets.
- Most ratings were aged between 40-49. Officers were slightly younger, from 30-49 years old.
- A large number of seafarers were married. Seafarers' partners were generally low skilled and generally chose to stay at home.
- The number of dependants was relatively high: 4+
- The majority of respondents came from, and lived in, coastal regions.

Background experience

- Seafarers had mostly embarked on passenger and general cargo vessels.
- The majority of vessels were registered in Panama, Bahamas and Liberia. Gross registered tonnage for those vessels ranged from 500 to 10,000 tons.
- Relatively few seafarers had the opportunity to work with foreign crews and English was rarely used as a working language onboard vessels.
- One third of the participants had sailing experience of 20 years or more.

Employment contracts and welfare

- A large number of seafarers said they had been recruited directly by the ship owner, with no manning agent or “enganchador” acting as an intermediary.

- The number of companies which seafarers had worked for ranged from one to more than five.
- A considerable number of seafarers were hired on short-term contracts (73% of officers and 64% of ratings).
- Officers' average salary was well over **1,600 US dollars**, though a small group (9%) earned less than 500 US dollars.
- Ratings' average salary was approximately **750 US dollars**, however a significant number of them (33%) earned less than 500 US dollars.
- Few contracts (10%) made provision for a retirement pension. However, nearly 50% of contracts stipulated payments for holidays and national insurance.
- Holidays or breaks did not normally extend beyond 15 days.
- While seafarers were onboard, the telephone was the most common form of communication used to keep in touch with their families.
- The majority of seafarers stated categorically that they did NOT belong to a trade union.
- Many seafarers stated they had not suffered any kind of discrimination at work but some felt they had missed job opportunities for two important reasons: lack of proficiency in the English language (60%), and nationality (30%).

Career issues

- Seafarers stated that the most popular reason for choosing a career at sea were the following:

- Travel (35%),
 - High earnings (35%),
 - Tradition or having a friend or relative who is seafarer (14%), and
 - Long holidays (12%).
- In general, seafarers were very enthusiastic regarding the period of time they planned to sail at the time they first embarked. Less than half of the respondents changed their minds later. For those who did decide they wanted to curtail their careers at sea the main reason given was the challenging working conditions onboard.
 - With regard to training opportunities, the most common courses seafarers wished to pursue were upgrade courses.
 - When seafarers were not sailing (e.g. breaks or unemployed), they generally worked ashore. Activities ashore included mechanical, technical and commercial duties.
 - About half of the participants indicated they would continue working as seafarers even if offered a job ashore with a salary similar to that earned offshore.

Labour demand

- Generally the period of time before seafarers gained employment varied between one and six months.
- Most seafarers reported that finding a job was becoming increasingly difficult.

5. Visit to educational centres

ESMENA and the Metropolitan University were visited during the fieldwork and semi-structured interviews were carried out with key representatives. In addition, cadets and seafarers were asked about some aspects of ESMENA's educational system. Among the

issues explored seafarers' familiarity with the STCW Convention, their satisfaction with ESMENA's educational system, main funding sources and enrolment opportunities. The information collected during visits and from the questionnaires is presented in the next sections.

5.1 ESMENA

5.1.1 Background

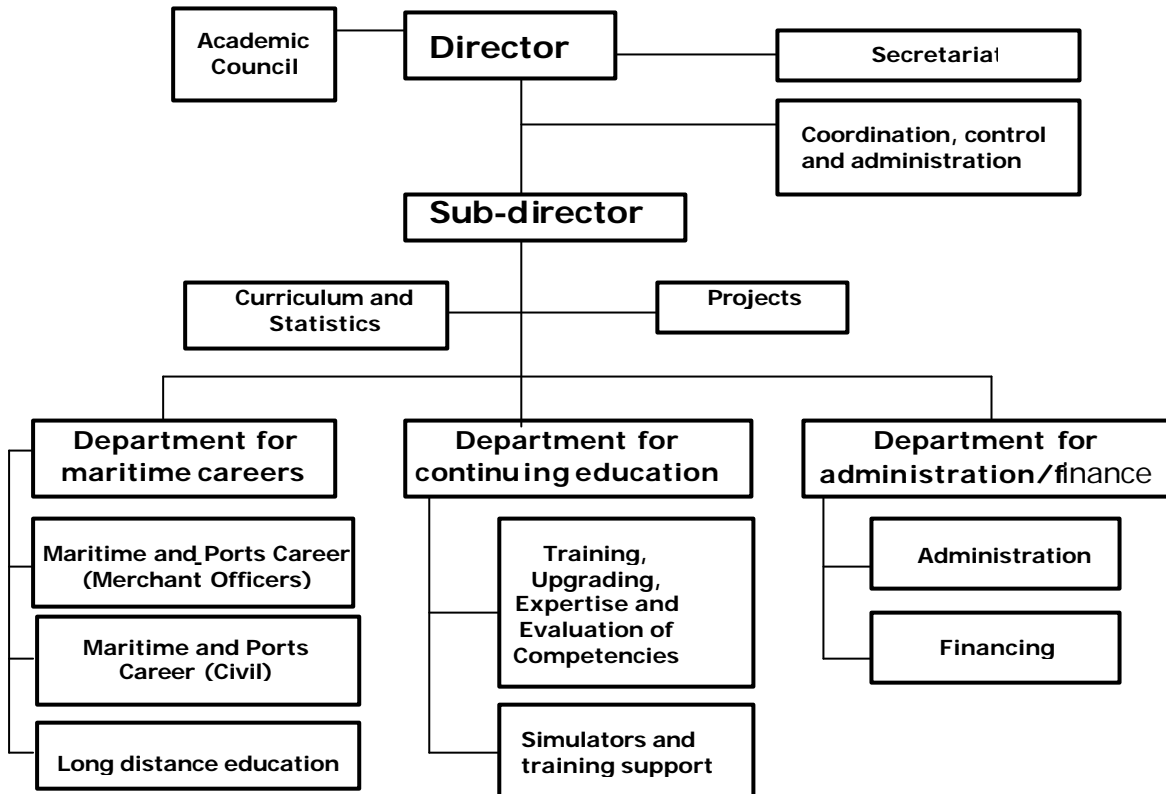
The National College of Merchant Marine (ESMENA) was established in Ecuador by Decree 732, 21st July 1966. In 1991, ESMENA interrupted its activities for a period of approximately 10 years. Partly as a consequence, by the year 2000, there was a deficit of about 26 3rd Deck Officers and 18 3rd Engine Officers⁵⁵.

Training of 3rd Officers was reinitiated on 17th April 2001. Female students were also admitted to the college for the first time. The strategy used by the college to meet the seafarer shortage was to run (on a temporary basis) a two-year programme that under normal circumstances would require four years of study. The first year was dedicated to theory and the second to practice onboard vessels.

In April 2003, ESMENA had 64 students registered, 12 of them were women (16%). These students became 3rd Officers by 2005. Following graduation, ESMENA re-initiated three-year courses for 3rd Officers.

⁵⁵ Written evidence provided during the interview. The shortage figure was estimated from the Registered Ecuadorean Fleet in 2000 (32 merchant vessels over 700 DWT).

Figure 30: Structure of ESMENA



At the time of the study, ESMENA was in a period of transition. Three options were being considered to direct the future of the institution. The first was the possibility of establishing a new university specialising in maritime affairs; for such a case, ESMENA would have been integrated as a Department or Faculty of the new university. The second alternative was the signature of an agreement between ESMENA and other local universities (e.g. the Metropolitan University) in relation to the supplementation of the training it currently offered. The third option was to obtain official recognition from the Ecuadorean Ministry of Education as an institute of higher education.

At present ESMENA has implemented the second option and an agreement with the Metropolitan University was signed in 2003. Similarly, ESMENA has recently signed an

agreement for academic cooperation with ESSUNA – *Escuela Superior Naval*. The agreement allows ESMENA’s students to use resources and receive training at ESSUNA’s headquarters⁵⁶.

Subsequently the educational program has been extended to provide training to fishermen following the signature of an agreement with EPESPO – *Escuela de Pesca del Pacífico Oriental*. During the last years, ESMENA has provided short courses at several locations, mainly port captaincies; nonetheless, the most remarkable event has been the opening of new facilities in the port of Manta. Manta’s extension currently has 5 classrooms with capacity for 20 students⁵⁷.

ESMENA and DIRNEA meet informally to discuss matters related to the future of the school. The school, for instance, sends a report to DIRNEA twice a year. The report gives information about special events held at ESMENA, new staff and changes introduced to the course plans. However, it must be highlighted that DIRNEA does not systematically supervise the work of ESMENA, nor does it conduct dedicated visits to monitor the centre’s performance.

5.1.2 Admissions

Conditions for the recruitment of students are defined in Resolution No 247/03, chapter VIII, articles 41 to 47. Invitations for applications are publicised in the press. The maximum number of applicants for acceptance may not exceed 40 students in any one year. This intake is reviewed every two years and varies slightly in accordance with the

⁵⁶ Ministerio de la Defensa Nacional de la Republica del Ecuador. *Escuela de la Marina Mercante inaugura tres aulas*. 3 September 2009.

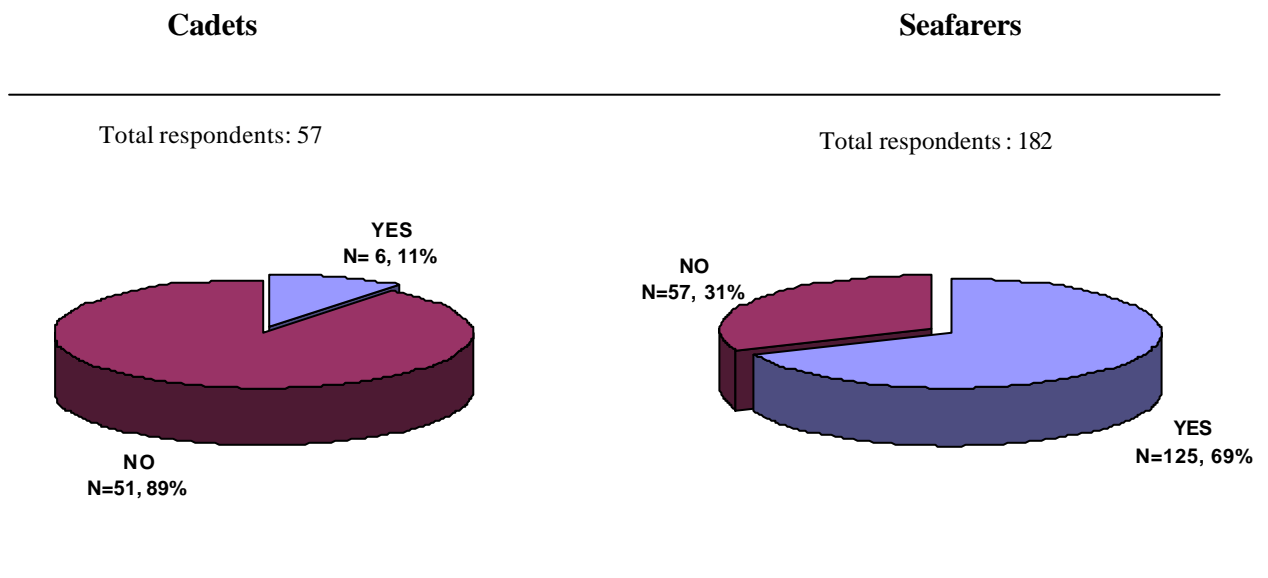
⁵⁷ La Hora (Ecuadorean newspaper). *Manta- Mercantes tendran mas facilidades*. 2005 <www.lahora.com.ec>.

places available in the national fleet. It was noted that the student quota is not always specified in press announcements⁵⁸.

Admissions are dependent upon exam results and medical records. Before admission applicants must pass a three month pre-university course. The course includes Mathematics, Physics, Chemistry and English. A medical examination is conducted at the Navy Health Department. Candidate interviews and tests of psychological and physical aptitude are undertaken at ESMENA's headquarters.

A three-member panel composed of the Head of Studies, Head of Course and Head of Cadet Course, manage the admission process and conduct psychological examinations and personal interviews.

Figure 31: Training demand versus supply places available at ESMENA



Q: Are the places available at your country's MET institutions of sufficient number to fulfill the current demand for training

⁵⁸ *Inscripciones para la Marina Mercante en la Base Naval Norte*. 19 May 2002. <archivo.eluniverso.com>

The questionnaire administered to cadets and seafarers demonstrated that more than three quarters of cadets think there is a shortage of places available at ESMENA (see Figure 31). However, in apparent contradiction of this finding about three quarters of the seafarers who participated in the survey believed that there were too many professionals in the sector (see Figure 31). This latter assertion can be confirmed by the high level of unemployment, as presented in chapter 5.

5.1.3 Quality assurance

The institution has ISO 9001 certification issued by Bureau Veritas on 8th March 2001.

According to the system, ESMENA commits to the following objectives:

- To complete a year, students enrolled on officer courses must obtain a minimum mark of 7/10. Similarly, students enrolled on rating courses must obtain a minimum mark of 14/20.
- At least 80% of the students must obtain marks higher than 7/10.
- On average 80% student satisfaction should be achieved.
- On average between 230 and 240 courses must be organised each academic year.
- A minimum of 87% instructors per year have to be qualified.
- The quality management system should have no more than five non conformities every external audit.

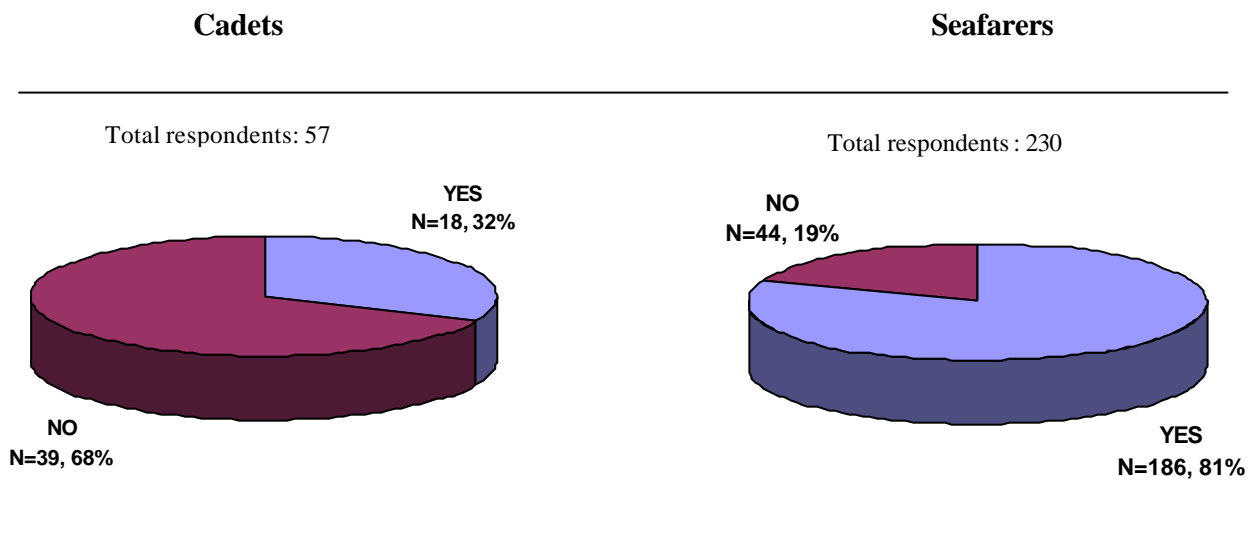
5.1.4 Personnel

At the time of the interview, ESMENA had a permanent staff of 45 people, of which less than 10 were lecturers (See Table 22). Nonetheless, the institution held a list of lecturers that could be contracted on a temporary basis.

Table 22: Background and number of the teaching staff

Staff	Number
Merchant officers	22
Navy officers	6
Navy ratings	1
Other	16
Total	45

Figure 32: Cadets and seafarers' familiarity with the STCW Convention



Q: Are you familiar with the requirements of the STCW Convention?

The salary that lecturers received was very low, standing at about 6 US Dollars per hour⁵⁹. Confronted with this fact, the ESMENA representative recognised that the salary was low and that it was consequently very difficult to develop lecturers' loyalty.

⁵⁹ Recent information obtained from ESMENA at the time of writing this report shows that current salaries vary from 8 to 10 US dollars per hour. Lecturers who have an international background can earn up to 15 US dollars per hour (*Email message received in November 17, 2009*).

Although, non permanent lecturers attend IMO Model Courses, informal talks with some of them revealed they were hardly familiar with the requirements of the STCW Convention, more particularly with the use of simulators, as required by Regulation I/12. Furthermore, instructors said that the institution had not implemented a regular training plan. For example, after undertaking the IMO Model Course, no further courses were organised for updating this knowledge.

Unfamiliarity with STCW also extended to cadets, the figure below shows that more than half the cadets were not fully aware of the requirements of this Convention. However, more than three quarters of seafarers confirmed they were familiar with it.

5.1.5 Training facilities, equipment and simulators

ESMENA's campus has dedicated buildings for lectures, administration, laboratories, workshops and sports. The campus includes a 25-metre swimming pool and a high jump tower.

Safety exercises are mainly conducted outside ESMENA headquarters, at La Libertad oil terminal, which is situated about 250km from the school's campus. The terminal belongs to the navy state-owned company FLOPEC – *Flota Petrolera Ecuatoriana*. A more detailed list of training facilities and equipment available to ESMENA's students is presented in Table 23.

The software for the Radar/ARPA and GMDSS simulators was not purchased from an external manufacturer but developed by experts from the Ecuadorean Navy. Additional equipment used for fire fighting training of merchant marine students is available at the Navy training centre, *Base Naval de Salinas*, which belongs to the Navy University (Escuela Superior Naval).

Table 23: Training facilities available to ESMENA's students

Laboratories	Equipment	Simulators
<ul style="list-style-type: none"> ▪ PC laboratory ▪ Language laboratory ▪ Automatic control laboratory ▪ First aid and medical care training laboratory 	<ul style="list-style-type: none"> ▪ Refrigeration plant ▪ Hydraulic plant ▪ Life rafts ▪ Personal survival equipment ▪ Distress signal equipment ▪ EPIRB/SART ▪ Portable fire extinguishers 	<ul style="list-style-type: none"> ▪ Radar/ARPA Simulator (developed in-house) ▪ GMDSS Simulator (developed in-house)

5.1.6 Educational and training schemes for certification

It is estimated that around **25,800** cadets graduated during the period of 1997 to 2002. Courses at ESMENA are offered in accordance with STCW Convention Regulations. Information about the courses, graduation requirements and certificates is presented in Table 24. The cost of some courses provided by the centre is also presented in Table 25.

Table 24: General information about careers offered at ESMENA

STCW Requirements	Careers	Duration	Examination (e.g. test, thesis, projects)
Reg. II/1 and III/1	Degree in Maritime Transport – Deck (3 rd Officer)	Theory: 3 years Sailing: 1 year	Tests and Dissertation
Art. VI, Reg. I/6	Promotion Courses for Master and Chief Mate	Theory: 9 weeks	Tests and Individual Project
Reg. II/ and III/1	Degree in Maritime Transport – Marine Engineering (3 rd Officer)	Theory: 3 years Sailing: 1 year	Tests and Dissertation
Art. VI, Reg. I/6	Promotion Courses for Chief Engineer and Second Engineer	Theory: 9 weeks	Tests and Individual Project
Art. VI, Reg. I/6	Ratings	Theory: 9 weeks Sailing: 2 months	Tests
Art. VI, Reg. I/6	Promotion Courses for Ratings	Theory: 9 weeks	Tests

Table 25: Cost of courses at ESMENA

Courses	Cost (US Dollars)
▪ Basic IMO Model Course	87
▪ ARPA	260
▪ Proficiency in survival craft, rescue boats and fast rescue boats	50
▪ Personal survival techniques	50
▪ First aid at sea	125

It should be noted that at the time of the visit, ESMENA was not recognised by the Ministry of Education as a centre for higher education. Only DIRNEA recognised it.. This situation has changed slightly in subsequent years. Under certain conditions, titles obtained at ESMENA may now be recognised by the Metropolitan University and the Navy university. Law No. 2005-26, published in the Registro Oficial No.182, 6 January 2006, established the “*Universidad Naval Comandante Rafael Moran Valverde*” and entitled it to admit students who do not belong to the Navy. Although the university is still managed by the Navy, it is now validating ESMENA’s courses to form bachelor degrees in two areas: Naval Sciences and Logistics⁶⁰. It should be noted that the program applies to ratings only.

During an interview a representative from ESMENA spoke of the difficulties the centre had in providing training onboard vessels. He expressly asked our research team to help investigate possible shipping companies in Europe that would be interested in taking their cadets. Most cadets from ESMENA conduct seagoing service on vessels owned by FLOPEC and DOLE. Attempts to embark on vessels owned by the Noboa Group have

⁶⁰ The Spanish title for these careers are “*Licenciatura en Ciencias Navales*” and “*Licenciatura en Logística Naval*” <www.conesup.net>

not been successful so far despite repeated requests from ESMENA. It was revealed to the team that the Noboa Group has openly expressed that *“the company has no interest in embarking Ecuadorean seafarers, neither contracting them or giving job-training opportunities to young cadets”*⁶¹.

This finding suggests that frictions exist between the Noboa Group (beneficiary of maritime policy) and the Navy (drafter of maritime policy). As explained in Chapter 3, the Noboa Group owns a large fleet of reefers to transport bananas to the US, Europe and other remote locations.

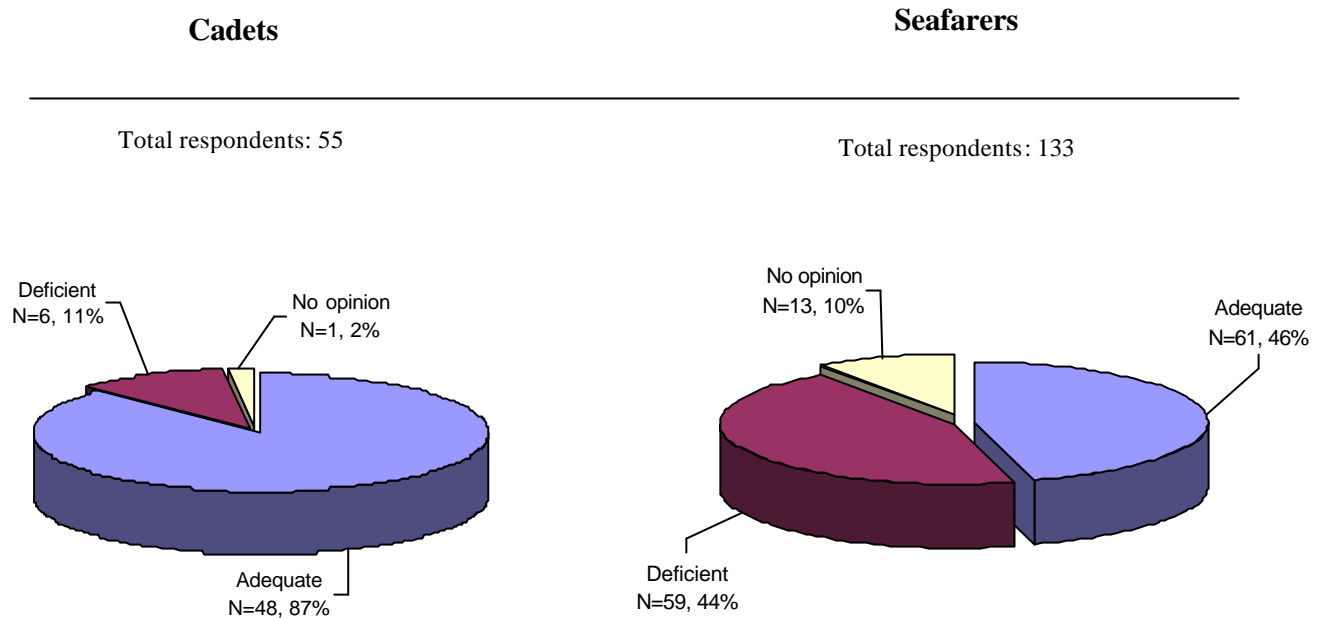
5.1.7 ESMENA’s training program

The opinions of cadets and seafarers who participated in the study varied considerably when it came to consideration of ESMENA’s training programme.

More than three quarters of cadets praised the education provided by ESMENA and gave favourable comments about its staff. See Figure 33.

⁶¹ Noboa ran four times as a candidate for the Presidency of Ecuador. He has had some burning issues with the ILO and has been accused of unfair treatment towards an Ecuadorean crew. See Chapter 3.4.

Figure 33: Cadets and seafarers' opinion about the adequacy of training provided by ESMENA



Q: How do you consider the education at MET institutions in your country?

Nonetheless, opinions among seafarers were markedly divided. 44% felt their education was deficient against 46% who thought it was adequate. A small proportion (10%) had no opinion about the matter.

Figure 34: Selected comments given by CADETS regarding the performance of ESMENA

Q: What is your opinion about MET institutions in your country?

Comments given by CADETS

- “They offer the knowledge required to sail ships”
- “They have a good academic level”
- “They are improving and bringing in more experienced instructors”
- “Staff in the school are serious and well trained”
- “The school is very good and competitive at international level”

As demonstrated in Table 35, those seafarers who considered their education “deficient” attributed this fact to FIVE major factors:

- a) Insufficient equipment
- b) Low profile of some instructors
- c) Navy’s monopoly on seafarer educational policies
- d) Insufficient seagoing service, and
- e) The need to update course content⁶²

⁶² Very few comments relate to the need to teach Advanced English skills.

Figure 35: Selected comments from SEAFARERS regarding the performance of ESMENA

Q: What is your opinion about MET institutions in your country?

Comments given by SEAFARERS working or taking upgrade courses

“ESMENA is the only nautical school in the country, everybody goes there and ... it is administered by the **Navy**”

“They do not hold ‘state of the art’ **equipment** and laboratories”

“There is lack of adequate training facilities, **equipment** and simulators”

“**Courses** are really expensive”

“They need high quality specialized **instructors**”

“They are too much **military**”

“**Navy** officers, who administer ESMENA, do not have experience in the commercial aspects of maritime transport which is where seafarers operate”

“They should have **instructors** who come from the merchant marine sector and not from the Navy”

“Senior staff (e.g. Head directors) and most **instructors** come from the Navy; they have no experience in the merchant marine sector”

“They should help seafarers to **embark** on board vessels”

“Learning is bare minimum and there is not sufficient seagoing **training**”

“**Training** on board vessels is insufficient”

“Very few companies give us **training** opportunities on board vessels”

“They should teach as *Advanced English*”

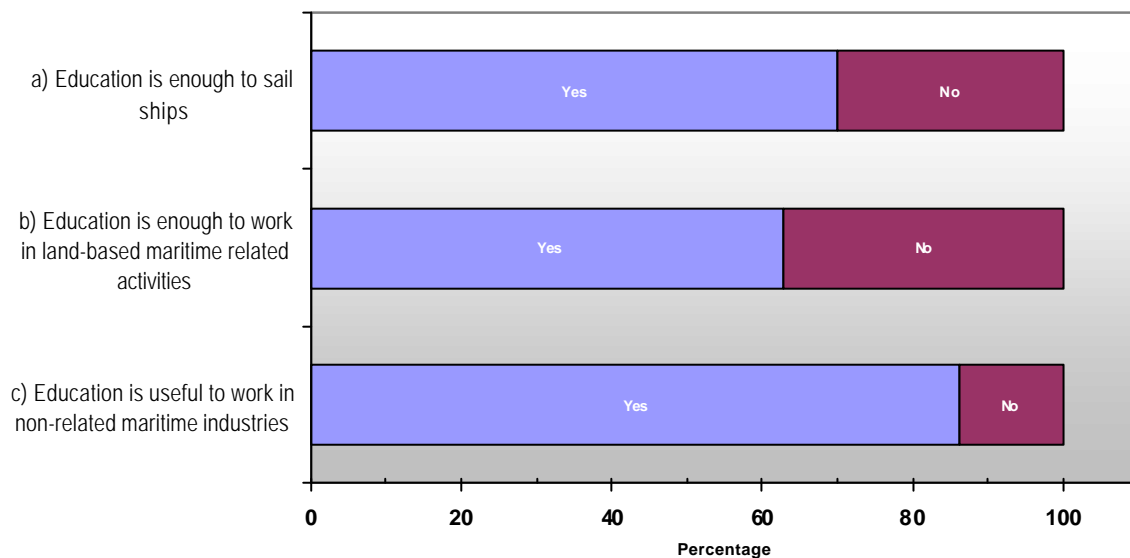
“The time frame for theoretical **lessons** is short”

“There are not **courses** in shipping or ports management and other commercial issues related to the international carriage of goods by sea”

“The contents of the **courses** should be updated and the subjects should not be repeated; we are generally learning the same but the cost of courses increases from time to time”

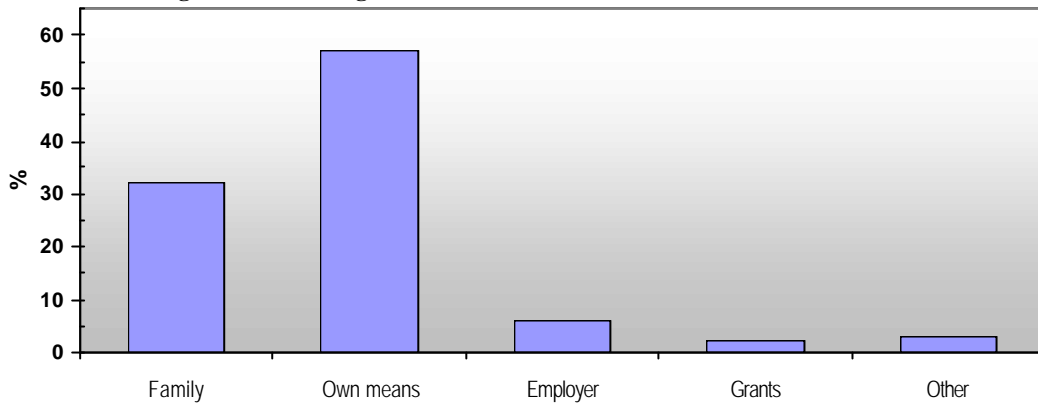
The results from the questionnaire presented in Chapter 5 revealed that many seafarers worked in other types of sectors during the periods they could not embark on a vessel. More than 80% of the participants thought that the education provided by ESMENA was useful in order to carry out tasks in other types of industries, not just the maritime sector (see Figure 36). The majority of seafarers and cadets also agreed that the education provided by ESMENA was sufficient to work onboard vessels and also in maritime related activities ashore

Figure 36: Cadets and seafarers' opinions about the proficiency of the educational program for: a) Sailing ships, b) Land-based maritime related activities, and c) Non-related maritime industries



Finally, the study revealed that seafarers and their families pay for their studies themselves. The IECE – *Instituto Ecuatoriano de Credito Educativos y Becas*, has signed an agreement with ESMENA to provide loans to students. These loans are repaid following graduation at a low interest rate.

Figure 37: Funding sources of cadets and seafarers' education



5.2 The Metropolitan University

5.2.1 Maritime courses

At the time of the study, the Metropolitan University was organising new training courses for seafarers. In 2003 the university had signed an agreement with ESMENA to provide the following courses:

- (i) Expert in Maritime Safety Administration,
- (ii) Expert in Port Management, and
- (iii) Expert in Shipping Management.

The agreement allowed seafarers who had graduated from ESMENA to validate their studies and obtain a university degree at the Metropolitan University. As a consequence the *Consejo Nacional de Educacion Superior* (CONESUP) authorised the Metropolitan University to endorse ESMENA's curriculum at a "vocational career" level⁶³.

⁶³ See < <http://archivo.eluniverso.com>>

According to one interviewee, the new courses contributed to the fulfilment of the sector's need for professionals specialising in the commercial aspects of maritime transport. A total number of 98 students had enrolled on the courses. The number of women had increased from 12% in the first year to 50% in the second year.

The Metropolitan University does not offer IMO Model courses because ESMENA is the unique institution DIRNEA authorises to conduct such courses.

Funding is offered to seafarers in the form of fellowships and loans. While the Ecuadorean foundation (*Fundación Educativa José Barrezueta Bacherel*) finances 100% of the studies, the Ecuadorean Institute for Educational Loans (IECE) provides loans for students.

5.2.2 Staff and facilities

At the time of the visit, the centre had 37 instructors, 20 of them held permanent contracts and 15 had temporary contracts. The university paid higher salaries to instructors compared to ESMENA. To illustrate, the salary was 12 US dollars for lecturers of “basic subjects”, and 15 US dollars for instructors in “specialised subjects”. About half of the instructors had obtained MSc and PhD qualifications abroad.

The university's facilities included 12 classrooms with a capacity for 30 students each, a computer lab and virtual library which could be accessed through the internet. E-learning was another interesting aspect of the education offered by the university. In addition, lessons were provided at weekends and throughout the academic holidays in January and July.

At the time of the visit, the centre was in the process of obtaining quality assurance certification ISO 2009. Nonetheless, the university had a self evaluation and “self regulatory system”, where the students and teachers were evaluated periodically. While students were assessed through exams and projects, the evaluation of instructors was carried out by both students and university staff. The adopted criteria were that teachers who received a mark below 4.5 (out of 5) would not see their contracts renewed.

5.2.3 Challenges and expectations

The last part of the interview included questions about the major needs, challenges and future plans of the centre.

Concerning needs, the representative of the Metropolitan University spoke of two aspects of paramount importance:

- Appointing more instructors with adequate backgrounds to teach lessons in shipping and port management, as at the time of the research only one instructor had a merchant marine background. Other instructors had expertise in areas such as: maritime law, crewing, environment protection, multi modal transport, and ship construction, among others.
- Giving seafarers plenty of opportunity to conduct seagoing service on vessels engaged in international voyages.

When discussing these problems the interviewee stated that the Navy is the “*unique institution which authorises and provides training for seafarers, and this situation has many disadvantages*”, as follows:

- Financial aid from international organisations (e.g. IMO programmes) is difficult to get when the Navy is involved. The ideal situation would be that ESMENA is privatised and operated independently from the Navy.
- The Navy cannot act, at the same time, as regulator (DIRNEA), educator (ESMENA) and service provider (FLOPEC). DIGMER should take measures which prevent Navy officers competing with merchant marine officers. The administration of FLOPEC by the Navy had favoured Navy officers. For instance, there have been cases of Navy officers switching from military vessels to merchant vessels, which had been attributed to the fact that navy titles are easily and simultaneously validated by ESMENA and DIRNEA.

Asked about plans for the next 5 years, the representative declared *“that the centre has the vision to establish a kind of Maritime Transport Institute which is able to provide not only independent maritime training and education, but also proposes solutions to the problems faced by the sector”*. He stressed:

“Many seafarers are unemployed and that is a serious problem. While the reduction of the fleet has had severe consequences on the supply of employment, the closure of ESMENA on the other hand, constituted a step backward, particularly because it discouraged academic development and consequently the professional growth of seafarers”.

In conclusion the interviewee very much welcomed the aims of the project and expressed a great interest in establishing contact with academic and research institutions at an international level.

6. Interviews to regulators

6.1 DIRNEA

The following sections provide an overview of the duties of DIRNEA (at that time called DIGMER). Particular attention is given to the presentation of information collected during the interviews and the application of international standards, namely the STCW Convention. At the end, the results of the study which concern the authority's certification process are presented.

6.1.1 Background

The DIGMER representative began the interview with a brief account of the events that had lead to the reduction of the merchant fleet in Ecuador. He stated that Decision 314 of the Cartagena Accord, adopted in 1992, contributed to the liberalisation of the cargo moved in Andean ports (Bolivia, Colombia, Ecuador, Peru and Venezuela)⁶⁴. This situation favoured the proliferation of flags of convenience which also lead to a subsequent reduction and almost disappearance of the Andean fleet. Consequently, job opportunities for Ecuadorian seafarers were drastically reduced. FLOPEC is at present the only oil tanker state-owned company in Ecuador. For many seafarers FLOPEC still operates, thanks to the law, for the promotion of exports and sea transport, also called law

N⁶⁴ Comunidad Andina. Decision 314: Libertad de Acceso a las cargas transportadas por via marítima y políticas para el desarrollo de la Marina Mercante del Grupo Andino.
<<http://www.comunidadandina.org/normativa/dec/d314.htm>> (Accessed 6 July 2003).

for oil cargo quota, which grants the transport of oil cargoes to vessels that operate with at least 51% of state funds⁶⁵.

The interviewee stressed that Ecuadorian seafarers have great disadvantage in the European Union market, particularly because their certificates cannot receive recognition at the higher educational level. However, the representative expressed that this situation is expected to change in the near future through the revision of ESMENA's academic curriculum. Concurrently, an agreement for collaboration between ESMENA and the Metropolitan University was envisaged.

The interviewee also stated that there is no consensus about who should be the institution for administering labour complaints from seafarers. While these complaints are usually received at DIRNEA, he believed it is not the right institution to deal with them. He stated that the most important maritime legislation affecting seafarers in Ecuador is very old but it is currently undergoing extensive revision. In fact, the Code of Maritime Police dates from 23 March 1960⁶⁶.

6.1.2 Main duties related to the STCW requirements

According to article 3 of the General Law on Maritime and Inland Waterway Transport⁶⁷, the National Council of Merchant Marine and Ports should implement policies related to the education and training of seafarers. Article 7 of this law also entitles DIRNEA to implement conventions to which the country is signatory.

⁶⁵ CORPEL. *Transporte Marítimo: Ley de facilitación de exportaciones y del transporte acuático*. <http://www.ecuadorexporta.org/trafmari_marcjur1.htm> (Accessed 6 July 2003).

⁶⁶ Dirección General de Intereses Marítimos (DIGEIM). *Recopilación de Leyes y Reglamentos Marítimos y Portuarios*. Tomos I y II, Quito 1995. pp. 11-164.

⁶⁷ Ley General del Transporte Marítimo y Fluvial, Decreto Supremo No. 98, Registro Oficial 406, 1-II-72.

Ecuador ratified the STCW Convention on 28 April 1988⁶⁸. Due to administrative problems, the country was not included in the White List the first year it was released by the IMO but was featured just a year later, in 2001.

A brief review of the resolutions enacted by DIRNEA shows that most resolutions adopted before 2001 are still in force⁶⁹. In subsequent years, the administration published a few resolutions related to the certification of seafarers, but these were invalidated later by Resolution 008/09 which makes more comprehensive provision for the application of STCW requirements.

Resolution 247/03 provided internal regulations for ESMENA. It was recently replaced by Resolution 016/09 that authorises ESMENA to celebrate agreements with other universities which can issue titles to students who have graduated from ESMENA.

Resolution 008/09 provides for the application of the STCW Convention. Finally, Resolutions 009/09 and 010/09 establish “safe manning and requirements for pilots”.

In relation to the implementation of the STCW Convention, the main activities DIRNEA conducts are summarised below:

- (i) **The issuance of certificates of competency following the completion of ESMENA courses** (see Table 26). It should be noted that the validity of certificates of competency is 5 years, as required by STCW. By 2003, DIRNEA had issued 21,924 certificates of competency relating to IMO Courses.

⁶⁸ See Reg. Oficial No. 904, 30 March 1988. Notice that STCW was adopted by IMO the 7th July 1978, so Ecuador took 10 years to endorse it.

⁶⁹ See Table 10 in Chapter 3.

Table 26: Training programme and certification of officers

DECK department	ENGINE department
<ul style="list-style-type: none"> • <i>Ecuadorian legislation:</i> Resolutions 100/01 and 012/09 • Validity period: 5 years • <i>Medical certificate:</i> Required before admission to ESMENA and before the issuance of the certificate. • <i>Course programme:</i> <ol style="list-style-type: none"> 1. Basic IMO Model course 2. Advanced fire fighting 3. First aid at sea 4. Proficiency in survival craft , rescue boats and fast rescue boats 5. Personal survival techniques 6. Radar operation at management level 7. GMDSS operator 8. Electronic chart display 9. Use of bridge equipment 10. Vessel and company security officer 11. Use of Electronic chart display and information system 	<ul style="list-style-type: none"> • <i>Ecuadorian legislation:</i> Resolutions 100/01 and 012/09 • <i>Validity period:</i> 5 years • <i>Medical certificate:</i> Required before admission to ESMENA and before the issuance of the certificate • <i>Course programme:</i> <ol style="list-style-type: none"> 1. Basic IMO Model course 2. Advanced fire fighting 3. First aid at sea 4. Proficiency in survival craft , rescue boats and fast rescue boats 5. Personal survival techniques 6. Vessel and company security officer
<ul style="list-style-type: none"> ▪ <i>Spanish title:</i> Capitan de Altura ▪ <i>Seagoing service:</i> 5 years in vessels over 3,000 GRT 	<ul style="list-style-type: none"> ▪ <i>Spanish title:</i> Jefe de Maquinas ▪ <i>Seagoing service:</i> 5 years in vessels with engine power over 3,000 Kw.
<ul style="list-style-type: none"> ▪ <i>Spanish title:</i> Oficial de Cubierta de Primera ▪ <i>Seagoing service:</i> 4 years in vessels over 3,000 GRT 	<ul style="list-style-type: none"> ▪ <i>Spanish title:</i> Oficial de Máquinas de Primera ▪ <i>Seagoing service:</i> 4 years in vessels with engine power over 3,000 Kw.
<ul style="list-style-type: none"> ▪ <i>Spanish title:</i> Oficial de Cubierta de Segunda ▪ <i>Seagoing service:</i> 3½ years which consists of 36 months (3 years) of effective time on vessels over 500 GRT; plus 6 months as Oficial de Cubierta de Tercera 	<ul style="list-style-type: none"> ▪ <i>Spanish title:</i> Oficial de Máquinas de Segunda ▪ <i>Seagoing service:</i> 3½ years which consists of 36 months (3 years) of effective time on vessels with engine power over 750 Kw; plus 6 months as Oficial de Maquinas de Tercera
<ul style="list-style-type: none"> ▪ <i>Spanish title:</i> Oficial de Cubierta de Tercera ▪ <i>Seagoing service:</i> ½ year 	<ul style="list-style-type: none"> ▪ <i>Spanish title:</i> Oficial de Máquinas de Tercera ▪ <i>Seagoing service:</i> ½ year

(ii) **The authorisation for ESMENA’s students to carry out seagoing training.**

Before 2009 Ecuadorian legislation did not specify the type and characteristics of vessels where seagoing service was to be undertaken. This situation changed with the adoption of Resolution 016/09, which applies STCW recommendations in

respect to tonnage and main engine power where deck officers should undertake seagoing service:

- From 500 gross tonnage (for officers in charge of navigational watch) to 3,000 tons (for Masters).
- Vessel's main engine power from 750 kW (for officers in charge of an engineering watch) to 3,000 kW (for a Chief Engineer).

(iii) **The registration of merchant marine and fishing vessel personnel who have completed courses at ESMENA.** At present, DIRNEA maintains an online database that provides information about the diplomas, rank and certificates of competency obtained by Ecuadorean seafarers.

(iv) **The recognition of certificates of competency issued by foreign maritime administrations.** Resolution 233/03 allows DIRNEA to recognise, endorse and revalidate foreign certificates of competency. To this effect a list of the documents required for recognition and a validity period of 5 years have been established. At the time of the study Ecuador had recognised certificates from Andean countries, such as Colombia, Peru and Bolivia. This is in conformity with an Andean Community protocol signed in 1996 for mutual recognition of certificates.

(v) **The issuance of medical fitness certificates for seafarers.** Medical examinations are conducted at two different stages: the first exam is required before admission to ESMENA, and the second before the issuance of the certificate of competency. The medical certificate is valid for two years. DIRNEA

sends a list of approved doctors to vessel owners. The list is reviewed every five years⁷⁰.

- (vi) **Investigation of accidents**, as defined by the Maritime Policy Code, is conducted by the Port Captaincies on behalf of DIRNEA, following collision, foundering, loss of cargo, etc.

6.1.3 DIRNEA’s certification process

DIRNEA stated that certificates of competency are generally issued within 72 hours. Table 27 shows the costs of those certificates.

Table 27: Cost of certificates issued by DIRNEA

Certificates	Cost (US Dollars)
Officers:	
▪ Captain	36
▪ Deck Officer	18-23
▪ Engine Officer	18-28
▪ Auxiliary services	20-28
Ratings:	
▪ Deck	5-18
▪ Engine	5-9
▪ Auxiliary services	5-18

Source: Acuerdo 715-A, August 2000

The questionnaire administered to seafarers revealed that 69% of respondents considered that DIRNEA was efficient in the issuance of certificates. Among the seafarers who considered the administration as deficient, the following reasons were alleged:

⁷⁰ See Resolution 091/01, articles 2 and 3, requires hearing and eye examinations.

- Lack of information
- Slowness
- Too many requirements
- Negligence, and
- Preferential treatment to Navy personnel

Figure 38: Opinion about DIGMER's efficiency to issue seafarers' certificates

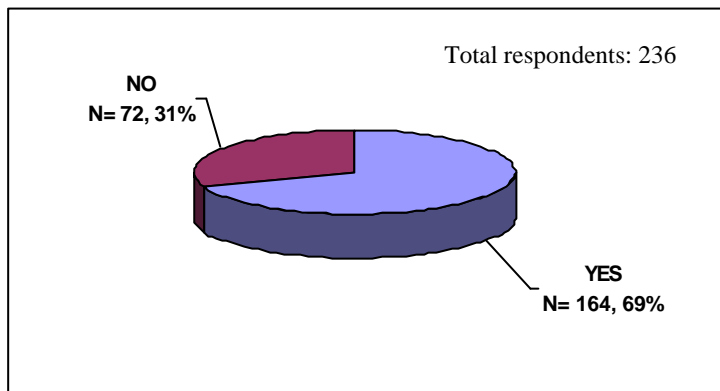
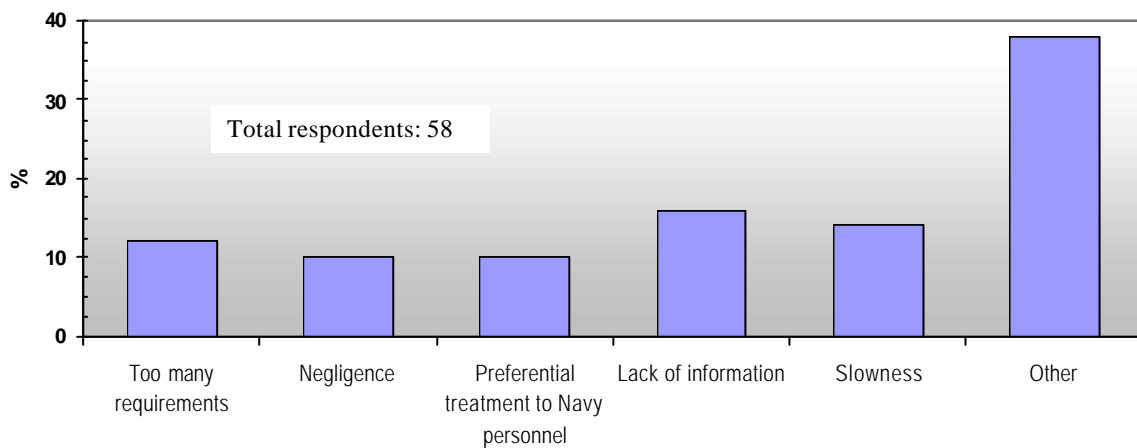


Figure 39: Shortcomings of DIGMER's certification process identified by seafarers



6.2 DIGEIM

DIGEIM is a consultative body of the Ecuadorian Maritime Administration whose main purposes are (i) the drafting of maritime policies, (ii) prevention of marine pollution by oil, and (iii) representing the Navy in maritime events at national and international level. The organisation was established in 1977 by the Law Decree 1837 (23 September). It is based in Quito and is a member of the National Merchant Marine and Ports Council.

Among the legislation drafted by DIGEIM are the General Law on Ports⁷¹, the General Law on Maritime and Inland Waterway Transport⁷², the Law on the Facilitation of Exports and Waterborne Transport⁷³, the National Merchant Marine Development Law⁷⁴, the Law on the Strengthening and Development of Waterborne Transport and Related Activities⁷⁵, the Regulation on Maritime Activities⁷⁶, the General Regulation on Port Activity⁷⁷, and the Regulation on Port Services.⁷⁸

DIGEIM's representative explained that the process to amend and adopt maritime legislation in Ecuador has been slow. The amending of the Maritime Policy Code, for instance, took more than 8 years. Similarly, elaboration of the Law on the Strengthening and Development of Waterborne Transport and Related Activities had to be re-drafted for a period of 3 years before its final adoption.

⁷¹ Supreme Decree No. 289, Official Journal 67, 15 April 1976.

⁷² Supreme Decree No. 98, Official Journal 406, 1 February 1972.

⁷³ Law No. 147, Official Journal 901, 25 March 1992.

⁷⁴ Supreme Decree No. 3409, Official Journal 824, 3 May 1979.

⁷⁵ Law No. 2003-18, Official Journal 204, 5 November 2003.

⁷⁶ Executive Decree No. 168, Official Journal 32, 27 March 1997.

⁷⁷ Executive Decree No. 467, Official Journal 97, 13 June 2003.

⁷⁸ Merchant Marine Directorate Resolution No. 110, Official Journal 406, 6 September 2001.

6.3 Ministry of Labour

A short unstructured interview was conducted with the representative of the Ecuadorian Ministry of Labour. Asked about the number of claims and the process used to deal with them, it was stated that very few complaints are normally made. It is a requirement that seafarers present written claims, no special format is required but the claimant will receive an appointment within 48 hours. If the incident described by the claimant occurred in international waters, it will be processed by the Department of International Affairs.

The Ministry has a department that deals with claims, but this is not an entire department specialising in seafarers' claims. Thus, the process to investigate a claim includes the designation of an inspector, who is not necessarily someone with a seafaring or maritime background. The claimant must pay all expenses required to conduct the inspection. The employee will be officially called to the Ministry's headquarters, if they fail to appear twice they will be required to appear in court; under those circumstances the case will be decided by a judge. The ILO Conventions that Ecuador has ratified so far are not those related to seafarers. The most relevant ILO Convention Ecuador has ratified to defend "general" workers' rights is ILO Convention 26.

Until recent years, there was no legislation to regulate the minimum salary seafarers must receive. However, Ministry Agreement No. 00068 adopted on June 5th 2008, established 36 Sector Commissions, among them a "Commission for Inland, National and

International Traffic”⁷⁹. The commission recently stated that a minimum monthly basic salary of 220 US dollars should be paid to seafarers. In this respect, seafarers are grouped according to the type and size of the vessels (e.g. gross tonnage), as presented in the Table 28.

Table 28: Minimum Basic Salary for Seafarers, according to vessel traffic category

Vessel sector category where seafarers work	Minimum Basic Salary (US dollars)
Inland waters:	
<ul style="list-style-type: none"> ▪ Boats ▪ Tugs ▪ Dredgers 	220
Coastal waters:	
<ul style="list-style-type: none"> ▪ Vessels less than 500 gross tonnage ▪ Vessels 500-999 gross tonnage ▪ Vessels 1,000-3,000 gross tonnage ▪ Vessels more than 3,000 gross tonnage 	220
International waters:	
<ul style="list-style-type: none"> ▪ Vessels up to 3,000 gross tonnage ▪ Vessels 3,000-10,000 gross tonnage ▪ Vessels 10,000-30,000 gross tonnage ▪ Vessels more than 30,000 gross tonnage 	220

7. Interviews with employers and seafarer associations

7.1 Employers

In Chapter 2 it was reported that the project received very little support from shipping companies. Based on the opinions provided by those employers who participated in the study, it is however possible to explain briefly some aspects of Ecuadorian labour, such as the strengths and weaknesses of Ecuadorian seafarers, and the efficiency of the work

⁷⁹ The Spanish name of the Commission is *Comisión Sectorial de Tráfico Fluvial, Costanero e Internacionales*. See Ministerio del Trabajo y Empleo Acuerdo No. 00104 <www.mintrab.gov.ec> (Accesed October 2009).

conducted by the Ecuadorian Maritime Administration, and Ministry of Labour at least in terms of employer perceptions are concerned.

7.1.1 FLOPEC – Flota Petrolera Ecuatoriana

FLOPEC is the major employer of maritime labour in Ecuador. The company was established in 1973 with the purpose of transporting hydrocarbons at national and international ports. From its inception until the present day, it has been managed by the Navy.

According to some people, FLOPEC survives due to the law on cargo reservation; the company however believes it plays an outstanding role as an employment provider. In 2003 a spokesman for FLOPEC reported that privatisation “*would be the end of the Ecuadorean merchant marine*” because it would open up the possibility for the company to flag out and hire cheaper labour⁸⁰.

The company has been accredited with ISO 9001 and ISO 14001. It fully complies with OPA 90, and the ISM Safety and ISPS Security Codes. In 2009, FLOPEC acquired a new simulator that is based at ESMENA and can be used by ESMENA students for their training⁸¹. In general, the seagoing service that cadets undertake at FLOPEC comprises not more than 10 months.

During the interview, FLOPEC representatives stated that it is forbidden for navy personnel to form unions. They also said that information on salaries could not be disclosed. Asked about the possibility of distributing questionnaires among its personnel,

⁸⁰ Ward R. *Special Report on Ecuador, Peru & Colombia: Gearing up for privatisation*. Lloyd's List, November 12, 1993.

⁸¹ Expreso. *Full misión será el nuevo instructor de los marinos*. <www.diario-espreso.com> 4 March 2009.

they replied that it required the approval from top managers and limited the number of answered questionnaires to eight. Therefore, participation of the seafarers who worked at FLOPEC was likely achieved at ESMENA's headquarters or through the questionnaires answered online.

7.1.2 Issues explored during interviews with employers

- **Training**

Of the three employers approached, FLOPEC was the only company that paid for upgrade courses for the seafarers who work with them. Its representative, however, expressed concerns about the number of seafarers who have left the company to work with others, who obviously benefit from the knowledge and experience acquired by FLOPEC's seafarers⁸². The interviewee said that under those circumstances it is becoming difficult for employers to provide free training to seafarers, as there is no guarantee they will remain with the company.

A representative from another employing company pointed out, during the interview, that they do not normally pay for training courses for seafarers. A third company indicated that if such cases occur, the fee would be deducted from the seafarer's salary at a future date.

The most popular courses that seafarers employed by the above three companies usually enrol on are the IMO Courses: ARPA, GMDSS, first aid and contingency planning.

⁸² The company OCP – Heavy Crude Oil Pipeline, formed by a consortium of foreign firms has employed seafarers who used to work for FLOPEC.

- **Salaries and contracts**

The shipping companies that provided information about salaries stated that salaries did not go beyond 2,300 US dollars for Officers and 700 US dollars for ratings. It can be noted that these figures coincide with those obtained from the questionnaire for seafarers (see section 5.3.3).

FLOPEC is the only company that offers additional benefits, such as a discount at Navy supermarkets, medical attention, tax payment and uniforms.

The duration of contracts was usually between 3 and 5 months. However, one company's representative explained that a one-year contract may be also signed. Holidays ranged from 15 to 30 days, although one company stated 35 days after 5 months work. The age limit varied from 60 to 65 years.

- **National and private insurance**

In the case of injury or death at work, the three companies mentioned that they were covered by the Ecuadorean social insurance. One of the companies, however had P&I insurance which grants cover up to 20,000 US dollars worth of compensation. With regard to rest periods after injury, the same company informed that it does not go beyond 60 days should a seafarer need it as a consequence of an accident at work.

- **Employment of former or retired seafarers**

Two companies involved in maritime related activities were approached during the study. In general it was revealed that as far as they were aware few companies employed former or retired seafarers. In the two companies approached employment of former seafarers

varied between 1% to 8%. The former seafarers who were employed were male and ranged from 35 to 50 years old. The positions they normally occupy are those within the operational field, for example supervising repair and maintenance of marine equipment. This suggests that seafarers who have worked in the engine department have more opportunities to work in such sectors. On the other hand, seafarers from the deck department have better opportunities to work with maritime authorities or at the nautical school.

- **Strengths and weaknesses of Ecuadorean seafarers**

Asked about the strengths of Ecuadorian seafarers some of the comments provided are presented below:

“At Navy institutions seafarers follow a military-based discipline, for that reason they can be considered as disciplined, hard workers and very collaborative” – FLOPEC.

Asked about the weaknesses of the Ecuadorian seafarers some of the comments provided are presented below:

“Many seafarers have not approved the STCW courses on tanker familiarization, their level of English is frequently low and some of them are dismissed due to bad behavior and alcohol abuse” – MARNIZAM.

“I can identify defects on ratings, not on officers. Some ratings have rebel behaviour and may even abandon their duties before another worker comes to replace them” – FLOPEC.

“Some of them leave our company when they are offered a higher salary” – FLOPEC.

- **Efficiency of the maritime administration**

Participants were invited to provide suggestions to improve the work of the maritime administration. Some relevant views are presented below:

“I would appreciate it if the process to register vessels improves, costs should be also reduced and speeding up of the services they provide” – MARNIZAM.

“There is a lack of information, especially with regard to the application of regulations at national and international level. The current process to register vessels should be reviewed and changed, because it is sometimes contradictory. For example, if a vessel complies properly with international regulations, such as those imposed by the US, why is it then necessary to obtain nearly the same type of certification through DIGMER (today called DIRNEA)? The renewal of certificates is problematic, as some certificates have a very short duration. Certificates for inspections and traffic permits are also hard to obtain” – FLOPEC.

In relation to the collaboration between the Ministry of Labour and the maritime administration:

“At present, there is no direct relationship between the Ministry of Labour and DIGMER (today called DIRNEA). I think areas (maritime, land and air based) should be clearly identified and regulated separately” “It is also necessary to improve labour related aspects, such as seafarers’ insubordination and abandoning of the vessel” – FLOPEC.

- **Challenging issues**

When asked about the main problems that Ecuadorian seafarers confront, the response was that *“there is incipient knowledge of the English language and seafarers work in an environment where there is shortage of information”* – MARNIZAM.

Similarly, with regard to the Navy administration of maritime affairs, FLOPEC considered that *“it is fine because Navy personnel are organized people who are also highly respected. In addition, the standards employed in the maritime sector are remarkably similar to those of the military and navy life”*.

7.2 Seafarers’ associations and prominent seafarers

7.2.1 The officers’ society

At the time of the survey there was only one officers’ associative body recognised by the Ministry of Education: The COEMME – Colegio de Oficiales de la Marina Mercante or Society of Merchant Marine Officers.

Two representatives of this organisation were interviewed. Below is a description of the most important issues raised by them during these interviews.

a) Unionism

Both interviewees considered that Ecuadorean seafarers are not well organised to defend their rights collectively. The first representative stated that lack of association is a major weakness for Ecuadorean seafarers, if compared for example to the Filipino seafarers. According to him, this situation has hampered past initiatives which sought the drafting of legislation aimed at protecting the seafaring profession.

Another issue which restrains the spirit of association was said to be the lack of a place where seafarers can gather. The COEMME's representative mentioned that the organisation is seeking funding from international organisations in order to build such a facility. He added that such a venture would require the participation of all the seafaring community and that they should also consider the building of an educational centre, which is independent from the Navy. Below is an extract of his assertions:

“We are trying to build a recreational area that can later be converted into a merchant university, this might be possible in the next five years, but for that to happen we urgently require international support and above all a greater involvement of COEMME's members”.

The second representative explained that ratings have managed to get international support and have established UTDEME; however, he considered this a disadvantage because the union, which is currently supported by the International Transport Workers Federation (ITF), does not enjoy wide acceptance. He alleged that employers do not welcome seafarers belonging to unions, whose members are usually referred to as 'trouble makers'.

The statements made by the second interviewee showed to some extent how officers are afraid of forming trade unions in Ecuador.

b. Maritime policies implemented by the Navy

Both participants stressed that navy policies do not sufficiently promote the seafaring career. One of them declared that policies implemented by the maritime administration, DIRNEA, are based in very old legislation, namely, the 1960 Maritime Police Code.

According to them, this piece of legislation does not take into account the current problem of unemployment following the reduction of the Ecuadorean fleet.

When asked if marine policies should continue to be dictated and controlled by the Navy, one of the interviewees initially hesitated and said: “*Yes, the head*”, but he immediately retracted and expressed the view that the military education and discipline concentrate on subjects which merchant officers do not strictly require to operate vessels. His statements are presented below:

“No, definitely no, because if I said the head, it would be the same. The Navy officer is prepared to manage what is basically military not maritime, not the commercial nature that shipping has. This task only falls to us, merchant seafarers, because we have built up the appropriate skills, and within the most appropriate sea environment”.

c. Education and training at centres administered by the Navy

Both interviewees were invited to express their opinions about ESMENA’s courses and the training facilities the centre provides. The first interviewee considered the cost of the courses provided by ESMENA to be high and expressed the view that the centre fails to offer specialised courses for seafarers who wish to work in maritime land-based related industries, e.g. port management. Teaching of English was highlighted as a problem too, particularly when seafarers are required to work as part of mixed crews. He estimated that ‘less than 15% of Ecuadorean seafarers speak English’.

The second interviewee considered that the closure of the educational centre, ESMENA, for a period of 10 years did not help to develop the seafaring career. He added that

ESMENA's equipment, like the simulators, was outdated and IMO funding was not available because ESMENA is an institution sponsored by the Navy. His views are presented below.

“I think training facilities have to be upgraded, simulators for instance are outdated, but as a matter of fact, all that can be improved if we get the funding from IMO, but unfortunately IMO could only help if ESMENA is not military”.

d. Shortcomings in Ecuadorean legislation in relation to seafarers

The following shortcomings were identified by the interviewees concerning the type of welfare legislation Ecuador requires. Such welfare provision includes legislation to:

- (i) protect the health and safety of seafarers at work,
- (ii) handle complaints related to working conditions and employment contracts,
- (iii) monitor the activities of manning and subcontracting agencies,
- (iv) compel Ecuadorean ship owners to pay for P&I insurance to cover seafarers employed by them,
- (v) specify minimum wages by rank or degree of specialization⁸³

e. Discrimination and unfair competition

Although both interviewees stated that they have never been discriminated against, the answers they gave to another question related to the Navy's role as provider of maritime education, suggested that some type of segregation is felt to exist between navy and merchant marine officers.

⁸³ By the time the interview took place, the Ministry of Labour had not differentiated the seafaring profession from other land professions. The situation only changed in 2008, see Chapter 6.3, the current minimum wage is 220 US dollars.

One representative, for instance, complained that merchant marine seafarers do not have official representation at meetings where decisions with an impact on the seafarers' lives are made. To illustrate, at national level the association has never been invited to any of the regular meetings held between the Maritime Administration, DIRNEA, and the Maritime Chamber of Commerce, among others.

On the other hand, at international level, merchant marine seafarers do not participate at IMO meetings. In fact, only Navy officers are appointed as IMO Permanent Representatives.

Besides the above, the same representative declared that merchant marine seafarers hardly benefit from international fellowships, such as those offered by the World Maritime University. Equally, the second representative declared that some grant aids, which are more useful to merchant marine officers, are mostly attributed to retired Navy officers, who work for the maritime administration. He illustrated this with an example of an offer made in the past by the government of Brazil, when Navy's personnel fully benefitted from those fellowships:

*“Some months ago, the government of Brazil offered five fellowships to merchant marine instructors and what did the maritime authorities do? Well they gave them to retired Navy officers who work for DIRNEA instead of ESMENA. Therefore, I objected to that decision and proposed that at least **one third** of those fellowships should be given to merchant marine officers who work for ESMENA; and more, I requested that ESMENA's instructors, even if they have not got permanent contracts, should be allowed to apply”.*

In general, both representatives agreed that there was some kind of Navy monopoly and consequently unfair competition between Navy and merchant marine officers in Ecuador. It was alleged, for example, that Navy officers appointed at several Navy-related organisations are entitled to upgrade their certificates. In fact, Article 1 of Resolution 102 of 2001 confers upon seafarers who have undertaken land based positions in some organisations managed by the Navy the right to upgrade their certificates with up to one year of seagoing service. The organisations include: DIRNEA, ESMENA, COEMME (Members of the Board of Directors), Shipping Company (Personnel appointed as Director, Head of Operations or Ship Inspector) and the Navy Oceanographic Institute.

The COEMME's representative alleged that Navy seafarers usually accept lower salaries than merchant marine officers. This situation occurs because, contrary to merchant marine officers, navy personnel are granted other benefits, such as free health care (at military hospitals), access to sport and recreational facilities, and goods sold at reduced prices in Navy's supermarkets.

A final aspect of discrimination that can be considered refers to the impossibility for ESMENA graduated officers to obtain a Bachelor degree. Currently the certificates issued by ESMENA are only recognised by the Ecuadorean Navy but not by the Ministry of Education. Officer representatives consider this situation unfair and demanded that ESMENA's certificates be recognised by civil educational authorities. Below is the assertion made by the COEMME's representative:

“To become officers, we study three years at the Navy school or ESMENA, this is followed by one year of seagoing service... It is unthinkable that a person who has the skills to command a vessel does not see his career recognised at university level

with a bachelor degree, but unfortunately that is the current situation in Ecuador and it is only now that the problem is coming to light”.

Both interviewees considered the latter situation an outstanding drawback which impedes these seafarers to conduct further studies abroad or fairly compete in the international labour market.

f. Strengths and opportunities

With regard to the strengths of Ecuadorian seafarers, the COEMME’s representative outlined as their main advantage *“their dedication, honesty and fervent spirit”.*

In answer to a final question, about the possibility of Ecuadorian seafarers working in the international labour market as Filipino and Indian seafarers do, one interviewee was positive and considered the Ecuadorean manpower well qualified. His statements are below:

“It is quite feasible because there is manpower which has been sailing long periods. We have the experience and we are qualified to do the job; unfortunately this workforce is currently unemployed because the big Ecuadorean fleets like TRANSNAVE went into bankruptcy”.

Then he added that the establishment of another training centre independent from the Navy would better address such type of international demand.

“Nevertheless, for that to be possible, fair competition needs to be built. For instance, the establishment of two educational centres, one specialised in merchant marine education and another in Navy education. The problem, however, is that presently there is not a big demand for seafarers and that can be attributed to the

reduction of the national fleet. There is no use of such of professionals if there is no fleet where seafarers can work”.

7.2.2 The seafarers ratings’ association

The ratings’ association UEME – *Union de Marineros Mercantes*, is characterised by divisions and internal disputes between members. For instance, there were two acting presidents at this Ratings’ Union. Although the Union had the support of the ITF – International Transport Workers Federation and had been member of it since 1997, it was only recently that it had received recognition from the Labour Ministry of Ecuador. The association adopted a new name in order to have a broader spectrum of workers. It is now called UTDEME – *Unión de Trabajadores de Mar del Ecuador*, and represents not only seafarers but also fishermen and other personnel engaged in the maritime industry. UTDEME was approached during the final stages of the project, but very little information could be obtained from them. UTDEME’s president said the association was currently preparing a law proposal to regulate the seafaring profession in Ecuador. The association currently has 800 members; about 300 of whom work in the fishing sector⁸⁴.

⁸⁴ ILO website

Part IV: Conclusion

8. Discussion and conclusions

The goal of this study was to provide an overview of the seafaring workforce in Ecuador, and explore what it could offer to international shipping. Questionnaires and interviews were used to collect data from four sectors: seafarers, regulators, educational centres and employers. The seafarers constituted the sector which was investigated in more detail; it included four subgroups: cadets, unemployed seafarers, employed seafarers, and retired seafarers. A total of 320 questionnaires and 42 interviews, completed with seafarers, were analysed and the results presented in this report. In addition, two regulators, two educational centres and four employees were interviewed. The major findings of the survey are discussed below.

8.1 Discussion

Supply and demand

- There was a high level of unemployment, approximately 42% in 2003⁸⁵, which may be mainly attributed to the drastic reduction of the merchant fleet, not only in Ecuador but throughout Latin America too. Indeed, more than a half (63%) of participants thought unemployment was a consequence of the small national market's demand. According to three quarters of respondents, getting a job is

⁸⁵ See Section 4.5.1

becoming ‘more difficult’. Nearly 45% declared that they had been unemployed for a period of up to 6 months.

- Unemployed seafarers, especially ratings, felt strongly attracted to work in the international fleets. Many of them might find it difficult to work with multinational crews because they do not speak fluent English. A representative from the officer’s society (COEMME), for instance, believed that less than 15% of Ecuadorean seafarers speak English⁸⁶. During the survey only 19% declared that English was the main language spoken on their latest trip⁸⁷. Just 3% of ratings⁸⁸ have sailed with European and Asiatic crews.

Maritime policies

- Authorities and educational centres have implemented policies intended to satisfy the national market’s demand. Nonetheless, Ecuadorean seafarers have worked in the past in Latin American fleets. Less than a quarter (22%) declared they had worked with Latin American crews and Spanish was the language spoken by the majority (80%) on their latest trip.
- Between 2001 and 2009, DIRNEA adopted nearly 20 resolutions to improve seafarers’ education and training. It is possible to speculate that two events encouraged the authorities to adopt newer legislation. They included the publication of the White List by IMO (2000) and the audit visit conducted by EMSA (2007).

⁸⁶ See Section 7.2.1.

⁸⁷ See Figure 17 (Section 4.2.3).

⁸⁸ See Figure 18 (Section 4.2.3).

Education and training

- Education provided within the country complies with the standards required by the International Maritime Organization, namely the STCW Convention, ratified by Ecuador in 1988. Two educational centres were visited: ESMENA and the Metropolitan University.
- Concerning ESMENA's campus, it has excellent physical facilities. Equipment owned by the Navy oil tanker fleet FLOPEC, such as the simulator, is normally shared between the Navy and merchant marine seafarers. The cost of some courses offered by the centre is expensive, as it exceeds the basic minimum salary of 220 USD⁸⁹ per month.
- One of the problems faced by ESMENA at the time of the survey was the lack of available fleet where cadets could conduct the required seagoing service. In the survey conducted among cadets and seafarers, this was identified as a shortcoming⁹⁰.
- There is a limited number of 40 students who can enrol ESMENA annually; this number may vary from year to year but is strictly based on the needs of the national fleet.
- As regard to the Metropolitan University, which supplements ESMENA's courses, its representative reported a deficit of lecturers with both teaching skills and a merchant marine background. At ESMENA, some seafarers thought that certain lecturers had a 'low' profile.

⁸⁹ See Table 25 (Section 5.1.6)

⁹⁰ See Section 5.1.7

- Some seafarers alleged that there was a lack of specialised courses for maritime land-based jobs, such as 'Ports and Ship Management'. This gap was being addressed by the Metropolitan University which started offering such courses in 2004.

Welfare and labour relations

- Cheap labour was identified as an issue. A decree adopted in 2008 established for the first time a national minimum wage of 220 US dollars per month for maritime personnel. Even lecturers at ESMENA and at the Metropolitan University earned low salaries, between 6 and 12 USD per hour. The survey reported an average monthly salary of 650 USD and 1,676 USD for ratings and officers respectively. Those salaries are lower than salaries received by seafarers in other countries; however, they are still higher than the Ecuadorean national minimum wage.
- The survey revealed extensive use of short term contracts. The country, in general, has a high number of workers employed by subcontracting firms. Approximately 66% of the seafarers surveyed were on short term contracts of 3 to 12 months.
- There have been submitted to the ITF and the ILO several claims alleging low wages, obstacles to the right of association, and non-affiliation of workers to the national social insurance system. Only cases reported internationally are concisely documented. A well publicised case involved the former candidate to the presidency and owner of a major reefer fleet in Latin America.
- It was argued, for instance, that subcontracting companies hire not more than 30 workers in order to avoid the formation of trade unions. The Navy is the largest employer of seafarers in the country. By law personnel hired by Navy-related companies are not allowed to join trade unions.

- During the study it was not possible to find a clear and formal procedure which would allow seafarers to report claims or disputes and to receive contractual advice. In fact, the Ecuadorean Labour Code does not specifically legislate for seafarers, so the same legislation is applied to sea, and land-based, personnel.
- During the survey only one third (34%) of the seafarers declared that they had permanent contracts. This finding was non-compatible with the replies given to a question related to retirement pensions, in which the majority of seafarers (90%) said that the contract did not provide for such a pension. In other words, permanent contracts mean employers should enrol workers within the National Insurance System and pay for their contributions on health insurance, including retirement benefits⁹¹. The only way to validate this finding would be through the collection of additional data from the Ecuadorean Social Insurance Institute (IESS – Instituto Ecuatoriano de Seguridad Social). Unfortunately, this was not contemplated in the survey design; therefore, it was not possible to determine how many seafarers really benefit from those social services, or truly hold permanent contracts and for how long. This is a subject to be considered if a similar study is conducted or this survey is repeated.

Discrimination

- The view that Navy seafarers have more privileges than merchant marine seafarers prevailed during the survey. Representatives from the officers' society, for instance, contested the leading role of the Navy as maritime policy maker (DIRNEA), fleet

⁹¹ Article 34 of the Ecuadorian Constitution as well as Article 4 of the Labour Code oblige employers to register on the Ecuadorean Social Security Institute (IESS) and enrol their workers on the general mandatory social insurance (or 'Seguro Social Obligatorio' in Spanish). See Chocho Victor, *Seguridad Social en el Ecuador* <www.monografias.com> 13 August 2007..

manager (FLOPEC) and administration of the merchant marine education (ESMENA). They thought the Navy has not got the right vocation for such undertaking because its spirit is strictly ‘military’.

- Despite the above claims, the seafarers never understood them as discrimination. Indeed, 79% said they have never felt discriminated against at work. Those who have felt discrimination attributed that fact to the lack of knowledge of the English language and their nationality.
- From a national perspective, the military has been considered a social class or ‘elite’ with singular powers in the political and economical stability of the country⁹². Thanks to the National Law on Oil Cargo Reservation, the Navy guarantees that the oil tanker fleet is registered under the Ecuadorean flag, and ensures that solely Ecuadorean citizens operate the vessels. However, such type of protectionism appears not to be achieving its desired results, which can be seen by the high number of unemployed ratings.
- Another matter of concern is that ESMENA, despite being recognised by the Navy has not got similar recognition by the Ecuadorean Ministry of Education. Some measures are taking place to change this situation. However, at the time of writing this report only the Navy officers seem to benefit from those exclusive measures.

⁹² See section 3.2.2

8.2 Conclusions

- Ecuadorean seafarers constitute a very motivated labour workforce. Nearly half of the survey's participants said that they would continue working as seafarer even if they were offered a job ashore.
- The education and training which is currently provided in the country meets the international required standards. Many seafarers, especially those who are currently unemployed would like to work for international shipping companies.
- Knowledge of the English language may however be a handicap. There was a view that the authorities should provide the means for Ecuadorean seafarers to learn English, as this could promote economic development and poverty alleviation.

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Appendix

National legislation relevant to seafarers (Spanish)

<i>Year</i>	<i>Legislation</i>	<i>Published</i>	<i>Spanish title</i>
2001	Resolution 91-01	R.O No.352 21/JUN/01	Normas médicas para la Gente de Mar en lo que atañe a vista y oídos.
	Resolution 92-01	R.O No.352 21/JUN/01	Requisitos de embarco para la titulación de marineros que formen parte de la guardia de la navegación.
	Resolution 94-01	R.O No.352 21/JUN/01	Normas para el Personal Mercante que realiza viajes próximos a la Costa
	Resolution 100-01	Sup. del R.O Nº395 del 22/AGO/01	Manual de Procedimientos para la formación y perfeccionamiento de Oficiales de la Marina Mercante. Deroga a la Res. 102-88 y la Res. 251-91. Modificada con la Res. 167-02
	Resolution 102-01	R.O No. 399 28/AGO/01	Reconocimiento de Tiempo de embarque para ascenso de oficiales de la Marina Mercante Nacional. Deroga las Res. 173-90 y la Res. 218-90.
	Resolution 103-01	R.O No. 399 28/AGO/01	Reconocimiento como Oficiales de la Marina Mercante a los Oficiales con título universitario. Deroga las Res. 197-90- y la Res. 230-91
	Resolution 109-01	R.O No. 407 07/SEP/01	Manual de Procedimientos para la formación y perfeccionamiento de tripulantes mercantes (marinería).
2002	Resolution 167-02	R.O No. 599 18/JUL/02	Reforma del literal d) del Art. 11 de la Resolución 100-01 del 20 de Julio del 2001. (refiere al Manual de Procedimientos para la Formación y Perfeccionamiento de oficiales de la Marina Mercante Nacional
2003	Resolution 208-03	Resolución Interna	Requisitos para la obtención de la matrícula de marino mercante a los oficiales y tripulantes de la Armada Nacional en servicio pasivo. Deroga a la Res. 219-91
	Resolution 233-03	R.O No. 102 12/JUN/03	Procedimiento para el reconocimiento y revalidación por la Autoridad Marítima del Ecuador de Títulos o Certificados de competencia otorgados en el extranjero. Deroga a la Res. 093-01.
	Resolution 247-03	R.O No. 193 20/OCT/03	Reglamento Interno de la Escuela de la Marina Mercante Nacional
2004	Resolution 278-04	R.O No. 402 19/AGO/04	Reglamento de Uniformes del personal de Tripulación de la Marina Mercante
	Resolution 282-04	R.O No. 446 20/OCT/04	Normas, requisitos y procedimientos para la formación y titulación de personal de buques pesqueros, industriales y embarcaciones artesanales. Deroga a la Res. 104-01
2005	Resolution 319-05	R.O No. 5 27/ABR/05	Clasificación del Personal de a bordo y de tierra de la Marina Mercante Nacional. Deroga a las Res. 105-01 y a la 168-02
2006	Resolution 003-06	R.O No. 213 20/FEB/06	Establecer el número de cédula como número de Matrícula del Personal Marítimo
	Resolution 004-06	R.O No. 213 20/FEB/06	Disponer el canje de las matrículas (carnet marítimo) otorgadas al personal marítimo por la DIGMER a través de las Capitanías
2009	Resolution 008-09	R.O No.615 18/JUN/2009	Normas, requisitos y procedimientos para la formación, titulación, registro, otorgamiento de matrículas y demás documentos al personal de la Marina Mercante Nacional
	Resolution 009-09	R.O No.618 23/JUN/2009	Dotación mínima de seguridad para naves nacionales, de pesca, en trámite de nacionalización y extranjeras mayores a 50 T.R.B. que operan en aguas ecuatorianas.
	Resolution 010-09		Normas para formacion, titulacion, registro y acciones disciplinarios a pilotos.