

## ECUADOR

## SUMMARY OF CLAIMS

TYPE	DATE	SOURCE	LIMITS	NOTES
TERRITORIAL SEA	Nov 1966	Decree No. 1542 (codified at Civil Code, Book II, Title III, Art. 628)	200nm	Claimed TS and the airspace above as "national property."
	Feb 1970	<a href="#">Civil Code as Amended by Decree No. 256-CLP</a>	200nm	Baselines from low-water mark. Declared that zones through and above the TS would be established by Executive Decree.  Claimed airspace above TS as "national domain."  <i>This claim is not recognized by the U.S.</i> U.S. protested claim in CY 1967, 1986, 1992, 2004 and 2013 and conducted operational assertions in FY 1979, 1980, 1985-87, 1989-1994, 1999, 2000, 2004, 2005 and 2011.
	Sep 2012	<a href="#">Declaration upon Ratification of 1982 LOS Convention</a>	12nm	Rolled back 200nm TS claim. Claimed to "exercise its sovereign jurisdiction and competence, without limitation or restriction of any type" in the TS, and guaranteed innocent passage "with the obligation that [ships] comply with the provisions of the Ecuadorian State". Claimed to require prior notification and authorization for: warships, naval auxiliaries, other vessels or aircraft; and ships powered by nuclear energy or transporting radioactive, toxic, hazardous or harmful substances in its "maritime spaces". Claimed to prohibit "military exercises or manoeuvres of any type" in its "maritime spaces".
ARCHIPELAGIC, STRAIGHT BASELINES, & HISTORIC CLAIMS	Jul 1971	<a href="#">Supreme Decree No. 959-A Prescribing Straight Baselines for the Measurement of the Territorial Sea</a>		Established straight baselines for the mainland and the Archipelago de Colon (Galapagos Islands). (Go to <a href="#">State Department LIS page</a> , scroll down and click on <a href="#">LIS No. 42</a> for U.S. analysis.)  <i>These straight baseline claims are not recognized by the U.S.</i> U.S. protested claims in CY 1986 and conducted operational assertions in FY 2014.
	Sep 2012	<a href="#">Declaration upon Ratification of 1982 LOS Convention</a>		Reaffirmed Supreme Decree No. 959-A regarding straight baselines. Declared Gulf of Guayaquil as a historic bay. Claimed to exercise "full jurisdiction and sovereignty over the Galapagos Marine Reserve...as well as over the Particularly Sensitive Sea area and the "area to be avoided", both established by the International Maritime Organization".
	Nov 2012	<a href="#">Joint Declaration on the International Recognition of the Gulf of Guayaquil as a Historic Bay</a>		Claimed the Gulf of Guayaquil as internal waters of both Peru and Ecuador.

TYPE	DATE	SOURCE	LIMITS	NOTES
CONTINENTAL SHELF	Feb 1951	Legislative Decree	200m	
	Sep 1985	<a href="#">Presidential Declaration on the Continental Shelf</a>		Extended continental shelf out “100 miles measured from the 2,500 metre isobath” along the undersea Carnegie Ridge to include the Galapagos Archipelago.  <i>This claim is not recognized by the U.S. U.S. protested claim in CY 1986.</i>
	Sep 2012	<a href="#">Declaration upon Ratification of 1982 LOS Convention</a>		Declared that Ecuador would make use of its right to extend its continental shelf to a distance of 350nm measured from the baselines of the Galapagos Archipelago. Claimed to require prior notification and authorization for: warships, naval auxiliaries, other vessels or aircraft; and ships powered by nuclear energy or transporting radioactive, toxic, hazardous or harmful substances within its “maritime spaces”. Claimed to prohibit “military exercises or manoeuvres of any type” in its “maritime spaces”.
EEZ	Mar 1969	Law of Fishing & Fishing Development	200nm	Fishing zone.
	Sep 2012	<a href="#">Declaration upon Ratification of 1982 LOS Convention</a>	200nm	Established EEZ. Claimed “exclusive sovereignty and jurisdiction” over its EEZ. Claimed to require prior notification and authorization for: warships, naval auxiliaries, other vessels or aircraft; and ships powered by nuclear energy or transporting radioactive, toxic, hazardous or harmful substances within its “maritime spaces.” Claimed to prohibit “military exercises or manoeuvres of any type” in its “maritime spaces”.  <i>The U.S. does not recognize this claim. The U.S. conducted operational assertions against this claim in FY 2017.</i>
ENVIRONMENTAL REGULATION	Sep 2012	<a href="#">Declaration upon Ratification of 1982 LOS Convention</a>		Declares that “States whose warships, naval auxiliaries, or other vessels or aircraft that, subject to prior notification and authorization by the Ecuadorian State, may pass through the maritime spaces subject to its sovereignty and jurisdiction, are liable for any damage they cause by polluting the marine environment, pursuant to articles 235 and 236 of [UNCLOS]”.
MARITIME BOUNDARIES	Aug 1952	<a href="#">Joint Declaration of Chile, Peru and Ecuador on the Maritime Zone</a> (Santiago Declaration)		Joint Declaration with Chile and Peru delimiting general maritime zone of not less than 200nm from coast signed; ratified by Ecuador and Peru in 1955.  Go to <a href="#">State Department LIS page</a> , scroll down and click on LIS No. 88 for texts of 1952 and 1954 Declarations and U.S. analysis.

TYPE	DATE	SOURCE	LIMITS	NOTES
<b>MARITIME BOUNDARIES, Continued</b>	Dec 1954	Agreement with Chile and Peru relating to a Special Maritime Frontier Zone		Agreement with Chile and Peru signed; EIF September 1967. Established a buffer zone to deal with inadvertent violations of maritime boundaries by fishermen of the member states.  Go to <a href="#">State Department LIS page</a> , scroll down and click on <a href="#">LIS</a> No. 88 for texts of 1952 and 1954 Declarations and U.S. analysis.
	Dec 1975	<a href="#">Agreement with Colombia</a>		Maritime boundary agreement with Colombia EIF; signed August 1975. Established maritime cooperation between the countries; Included a buffer zone to deal with inadvertent violations of maritime boundaries by fishermen.  Go to <a href="#">State Department LIS page</a> , scroll down and click on <a href="#">LIS</a> No. 69 for U.S. analysis.  In October 2012, Ecuador deposited with the UN ( <a href="#">M.Z.N.90.2012.LOS</a> ) Chart IOA41 entitled "Maritime Boundary Ecuador-Colombia".
	Mar 1985	Agreement with Costa Rica		Maritime boundary agreement with Costa Rica signed.
	Aug 2010	<a href="#">Executive Decree No. 450</a>		Approved and publicized Ministerial Agreement 0081 of July 2010 on the maritime boundary with Peru, and the outer maritime boundary (southern segment) of Ecuador; included <a href="#">Nautical Chart IOA42</a> .
	May 2011	<a href="#">Agreement by Exchange of Notes between Peru and Ecuador</a> (English translation begins page 6)		Exchange of Notes constituting a maritime boundary agreement with Peru EIF; established Gulf of Guayaquil as a historic bay.  <a href="#">International Boundary Study No. 172</a> discusses the history of the boundary between Ecuador and Peru.
	Nov 2012	<a href="#">Joint Declaration on the International Recognition of the Gulf of Guayaquil as a Historic Bay</a>		Claimed the Gulf of Guayaquil as internal waters of both Peru and Ecuador.
	Apr 2014	Maritime Boundary Agreement with Costa Rica		In March 2017, Ecuador deposited with the UN ( <a href="#">M.Z.N.126.2017 LOS</a> ) a list of geographical coordinates of points describing the maritime boundaries (EEZ and continental shelf) with Costa Rica.
	<b>LOS CONVENTION</b>	Sep 2012		

**ADDITIONAL INFORMATION**

Ecuador's [2012 Declaration upon Ratification of UNCLOS](#) (excerpted below) is ambiguous regarding its claimed rights within its "maritime spaces", which it defines as: internal waters, territorial sea, EEZ, and continental shelf. It further states that its claims are "subject to the provisions of the Convention," while also stating that other States must comply with "the laws, rules and regulations issued by Ecuador."

**Ecuador**

[Original: Spanish]

Upon ratification (24 September 2012):

I. The Ecuadorian State, pursuant to article 4 of the Constitution of the Republic, which provides that "the territory of Ecuador constitutes a single geographical and historical unit with natural, social and cultural dimensions, the legacy of our forebears and ancestral peoples. This territory includes the continental and maritime space, the adjacent islands, the territorial sea, the Galapagos Archipelago, the soil, the continental shelf, the subsoil and the superjacent continental, island and maritime space. . . .

II. The Ecuadorian State, in accordance with the provisions of the Convention, exercises sovereignty and jurisdiction over the 200 nautical miles that comprise the following maritime spaces:

1. Internal waters, which are the waters on the landward side of the baselines;
2. The territorial sea, which extends from the baselines to a limit not exceeding 12 nautical miles;
3. The exclusive economic zone, which is an area that extends for 188 nautical miles from the outer limits of the territorial sea; and,
4. The continental shelf;

III. Ecuador shall exercise its sovereign jurisdiction and competence, without limitation or restriction of any type, in the internal waters and the 12 nautical miles of the territorial sea, measured from the baselines. It guarantees the right of coastal and non-coastal countries to continuous and expeditious innocent passage of their ships, with the obligation that they comply with the provisions of the Ecuadorian State, and provided that such passage is not prejudicial to the peace, good order or security of the State;

IV. In the exclusive economic zone, the Republic of Ecuador shall have the following rights and obligations:

. . .

5. All other States, whether coastal or land-locked, enjoy the freedoms of navigation, overflight and the laying of submarine cables and pipelines, subject to the provisions of the Convention.

The other States shall observe and comply with the laws, rules and regulations issued by the Ecuadorian State in its capacity as a coastal State;

. . .

XI. It declares that States whose warships, naval auxiliaries, or other vessels or aircraft that, subject to prior notification of and authorization by the Ecuadorian State, may pass through the maritime spaces subject to its sovereignty and jurisdiction, are liable for any damage they cause by polluting the marine environment, pursuant to articles 235 and 236 of the Convention;

XVIII. The Ecuadorian State declares, in accordance with articles 5 and 416 of the Constitution of the Republic, that its maritime spaces constitute a zone of peace; consequently, no military exercises or manoeuvres of any type, nor any shipping activities that threaten or could threaten peace and security, may be conducted without its express consent.

Furthermore, it hereby declares that prior notification and authorization shall be required for the transit through its maritime spaces of ships powered by nuclear energy or transporting radioactive, toxic, hazardous or harmful substances.