C.I.A.N.A.M.

DIAGNOSIS OF THE AGENT ACTIVITY SHIPPER IN THE AMERICAN CONTINENT

Academic Report for FONASBA

Prepared by:
Inter-American Chamber of National Associations of Shipping Agents (CIANAM)

September 2025
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Methodological criteria

1. Institutional-comparative analysis approach

A comparative method of public policies is used, which starts by identifying the institutions responsible for the same public function in different national jurisdictions (in this case, the authorization of Shipping Agents or Maritime Agents).

This approach seeks to identify recurring institutional patterns or models, not just describe each country in isolation. The unit of comparison was the "competent public authority" (not specific requirements or detailed procedures).

For this analysis, we apply Douglas North's approach to institutions as formal rules. Next, we describe the theoretical model and its usefulness for public policy analysis and the comparative public policy method.

I. Douglass C. North's theoretical approach to institutions

North is one of the main exponents of the New Institutional Economics, and argues that institutions are the rules of the game in a society: the restrictions created by human beings that structure political, economic and social interaction (North, 1990).

These institutions can be:

- Formal: constitutions, laws, regulations, contracts.
- Informal: conventions, codes of conduct, unwritten social norms.

“Institutions consist of formal constraints (rules, laws, constitutions) and informal constraints (self-imposed standards of behavior, conventions, and codes of conduct), and their enforcement characteristics” (North, 1991: 97).

Central contributions

- They reduce uncertainty by establishing a stable framework of expectations (North, 1990).
- They structure the incentives that guide the behavior of economic actors and politicians.
- Institutional persistence: Even when formal rules change, informal norms can persist, limiting effective change (North, 1990; 2005).

- “Path dependence”: past decisions create institutional trajectories that restrict the possibilities of future change (North, 1990: 98-99).

II. Implications for public policy analysis

North's approach implies that public policies cannot be analyzed as isolated decisions, but rather as the results of interactions between actors within institutional frameworks that shape their incentives and constraints. This has several consequences:

a) Public policy failures are usually institutional failures: absence of "enforcement", perverse incentives or contradictory rules (North, 1990).
b) Formal reforms are not enough if the informal institutions that support previous behaviors are not also modified (North, 2005).
c) State capacities depend on institutional quality: agencies with clear rules, enforcement mechanisms and coherence in incentives can design and implement effective policies (North, 1991).

III. Application to the comparative method of public policies

From this perspective, North's theory is valuable because it helps explain why contexts with similar problems adopt different policies and achieve divergent outcomes. In practical terms, it provides:

1. Institutional variables as a comparison criterion
   - Compare regulatory, judicial, bureaucratic and accountability frameworks that condition policy decisions (North, 1990).
2. Consideration of historical trajectories (path dependence)
   - Understanding how past decisions generate inertia that limits or facilitates the adoption of new policies (North, 1990: 99).
3. Incorporation of informal institutions
   - Analyze social norms, clientelistic networks or bureaucratic cultures that affect policy implementation (North, 2005).
4. Assessment of state capabilities
   - Identify how different institutional configurations explain differences in the performance of public policies (North, 1991).

2. Inductive classification by types of authority

An inductive classification technique is applied: based on the data reported for each country, cases with similar patterns were grouped according to the type of entity granting the authorization:

- Maritime authority
- Port Authority
- Mixed/interinstitutional model

This typology does not exist predefined in international regulations; it was built *ad hoc.* for the present analysis, for explanatory and comparative purposes.

1. 3. Evaluation criteria: efficiency and governance
2. Two analytical axes were used to assess the advantages and disadvantages of each model:
3. Regulatory efficiency: regulatory clarity, simplification of procedures, authorization times, compliance costs.
4. Governance and control: inter-institutional coordination, traceability, oversight capacity, maritime and customs security.

The value matrix applied to the analysis of *“policy design”* and *“regulatory governance”* criteria allows to organize advantages and disadvantages of different principles or criteria extracted from the literature of experts such as Giandomenico Majone and RAW Rhodes. In terms of *"policy design,"* Majone emphasizes criteria such as clarity of objectives, coherence, flexibility, and efficiency in implementation. The advantage of these criteria is that they facilitate the design of effective and evaluable policies by establishing precise goals and control mechanisms.

3. Primary and secondary sources used

The primary source for this analysis is the responses to the questionnaire entitled "Diagnosis of Shipping Agent Activity in the Americas," prepared by the Inter-American Chamber of National Associations of Shipping Agents (CIANAM). Information was provided by members from Argentina, Brazil, Chile, Costa Rica, Ecuador, Honduras, Mexico, Peru, and Uruguay.

The regulatory and procedural information provided by the partners was verified through the URLs attached to the responses, and this information is therefore published by the maritime, port, and customs authorities of the countries analyzed.

Studies by international organizations such as the International Maritime Organization (IMO) and the Economic Commission for Latin America and the Caribbean (ECLAC) on port governance and trade facilitation were also consulted, particularly: "Maritime Transport Report 2024. Navigating Maritime Chokepoints. An Overview", consulted at https://unctad.org/system/files/official-document/rmt2024overview_es.pdf,

4. Limitations of the approach

- The analysis does not assess the effective compliance or operational quality of shipping agencies, but only part of their institutional and operational authorization framework.

- This is not an analysis of each country's legislation; it is a compilation and, in some cases, verification (via URLs provided in responses) of information reported by partners in each country.
- Typological classification simplifies complex realities: some countries have hybrid elements that could evolve with legal reforms.
- This is a static analysis, which does not yet include a historical perspective of normative evolution.
- The disadvantage of using the value matrix applied to the analysis of "policy design" and "regulatory governance" criteria is that this excessively rational and formal approach can underestimate political, social and institutional factors that affect the actual implementation of the policy, generating rigidity or disconnection with the dynamics of the context.

I. Requirements to be a Shipping Agent

A comparative analysis of which authority is responsible for issuing authorization or permits to operate as a Shipping Agent or Maritime Agent in different countries in the Americas, with an emphasis on the institutional and regulatory approach, revealed the following:

Three predominant models:

- Centralized maritime authority: Chile, Mexico, Costa Rica, Ecuador — A single maritime institution grants authorization; they offer regulatory clarity and traceability.

- Mixed or fragmented: Argentina, Uruguay, Honduras, Brazil — Several entities are involved (customs, ports, maritime, health), which can generate redundancies or regulatory gaps.
- Focus on port authority: Peru — Highlights the role of the authority port as an enabling authority, without direct dependence on port captaincies.

Level of legal formalization

- Countries such as Chile, Mexico and Peru have specific regulatory frameworks for maritime agencies.
- Brazil lacks specific sectoral legislation; its system is commercial-administrative, which can weaken the technical and professional control of the agencies.

Regional trend

- There is a shift towards centralizing control in a national maritime or port authority to guarantee standards and traceability (cases of Mexico, Chile, Peru).

- On the other hand, mixed models (Argentina, Uruguay, Honduras) can hinder efficiency by requiring procedures before multiple entities.

Comparative Analysis Topic I. Requirements to be a Shipping Agent, reactive: A. What authority is responsible for issuing the authorization or permit to be a Shipping Agent?

Table 1.

Country	Competent authority(ies)	Institutional nature	Observations of detected models
Argentina	General Directorate of Customs (Federal Administration of Public Revenue) and Argentine Naval Prefecture	Customs authority and maritime authority	It's a dual model: first, customs registration, then maritime clearance; registration with immigration and health authorities is also required.
Brazil	There is no single regulatory authority; registrations with National Health Surveillance Agency, Secretary of the Federal Revenue of Brazil, Port Authorities, Marinha do Brasil (Captainships) and Federal Police	Mixed: health, fiscal, port, maritime and police	There is no specific law regulating the profession; licensing is fragmented and commercial, rather than a professional authorization as such.
Chili	General Directorate of Maritime Territory and Navy Merchant (Chilean Navy)	National Maritime Authority	It is a centralized model in maritime authority, that regulates and supervises the activity of agencies
Costa Rica	Directorate of Navigation and Security (Ministry of Public Works and Transportation)	Civil maritime authority	Centralized civil-administrative model, with technical control over security and navigation.
Ecuador	Undersecretariat of Ports, Maritime and River Transport (Ministry of Transport and Public Works of Ecuador)	Civil maritime authority	It is a sectoral administrative authority dependent on the central executive power.
Honduras	General Directorate of the Merchant Marine of Honduras, Honduran Customs, National Port Company	Mixed: maritime, customs and port	Tripartite model, which fragments the authorization and coordination process.
Mexico	Secretariat of the Navy through the Unit of Harbor Masters and Maritime Affairs	Maritime authority national	Centralized militarized model, where the maritime authority exercises total control over registration and licensing.
Peru	National Port Authority of Peru	National port authority	strictly a binary model, requires first compliance with customs and then with port authority.
Uruguay	National Customs Directorate of Uruguay and National Port Administration of Uruguay	Customs and port	

Validity of the Shipping Agent authorization

Country	Validity 5	Scheme type
Argentina	years (maritime authority) / indefinite (customs)	Medium fixed term with double regime
Brazil	Indefinite, subject to regulatory compliance	Indefinite conditioned
Chili	Renewable annually	Strict periodic renewal
Costa Rica	No defined deadline	Indefinite tacit
Ecuador	1 year	Short fixed term
Honduras	Annual License / Biannual Guarantee	Mixed (annual and biannual components)
Mexico	5 years	Medium fixed term
Peru	Indefinite, renewable annually	Indefinite conditioned
Uruguay	No validity	Total indefinite

The validity regime of the authorization of the shipping agents in America reflects different institutional conceptions: from States that favor constant supervision (Chile, Ecuador), until States that delegate stability to the market with minimal controls (Uruguay, Brazil, Costa Rica). These arrangements show how the Formal rules respond to historical trajectories and national needs, but also how the lack of Regional harmonization generates competitive asymmetries between shipping agents depending on the country in which they operate.

The table (Table 2.) shows an institutional heterogeneity in the continent with respect to the validity of the authorizations, which can be classified into three large ones:
diagrams:

1. Medium fixed term (5 years) ÿ Argentina (maritime), Mexico
   - Establish reasonable time horizons that They balance the need for control with the operational stability of companies.
   - According to North, these are rules that reduce uncertainty by providing predictability, although they impose periodic renewal costs.
2. Short fixed term / strict renewal ÿ Chile (1 year), Ecuador (1 year), Honduras (annual/biannual)
   - They favor the constant supervision of the State over the performance of the agents.
   - From an institutional perspective, these are formal rules that increase transaction costs by requiring frequent procedures, but they reduce the risk of non-compliance or inactivity.
3. Indefinite or tacit ÿ Brazil, Costa Rica, Peru (indefinite renewable), Uruguay
   - The authorization remains valid as long as the requirements are met basic or there is no deadline.

- These rules promote institutional stability and long-term market confidence, but may create risks of regulatory capture or weak supervision.

The question "Is any exam required for obtaining or renewing a license?" reflects a central aspect of institutions: the regulatory requirements that determine who can participate in the maritime-port sector and under what conditions. These requirements constitute barriers to entry and mechanisms of legitimacy, directly affecting the professionalization and efficiency of the market. Here are the results.

grouped into three main categories:

1. Countries with mandatory examinations: In the cases of Argentina and Mexico, the examination functions as a formal selection mechanism intended to improve service quality and ensure technical competencies in interactions with customs and port authorities. From this perspective, it reinforces formal rules that reduce uncertainty and promote predictability in the activity. However, it also generates an entry cost that can limit competition and restrict access to new agents.

2. Countries with alternative requirements but no formal examination: In Chile, Ecuador, Honduras, and Peru, institutions do not focus on individual technical knowledge, but rather on the company's operational and financial capacity. Formal rules prioritize service stability and financial solvency as guarantee mechanisms for the State and third parties. Under North's framework, this emphasizes reducing financial risks and protecting business operations, rather than individual technical professionalization.

3. Countries without relevant examinations or technical requirements: In Brazil and Uruguay, the absence of a formal mechanism such as examination or rigorous financial requirements reflects more lax institutional frameworks. This can translate into greater flexibility and ease of market entry, but also into greater uncertainty and potentially higher transaction costs for users and authorities, as there is no verifiable minimum standard of competency or solvency.

This overview demonstrates that there is no continental standard. Countries have developed formal institutions tailored to their priorities: some prioritize technical professionalization, others financial solvency, and still others ease of market access.

From North's theory, this confirms that institutions are the result of specific historical and political processes, and that regulatory homogenization at the regional level would be complex without a common strategy that balances technical requirements, economic solvency, and reducing uncertainty in the shipping agent's activity.

The comparative analysis reveals three institutional models in the Americas: the exam-based certification model (Argentina, Mexico); the financial and operational requirements model (Chile, Ecuador, Honduras, Peru); and the low-regulation or regulatory flexibility model (Brazil, Uruguay, Costa Rica). See Table 3.

Regarding the specific circumstances under which a permit or authorization to be a Shipping or Maritime Agent could be revoked, we can observe from the responses analyzed that in America there is no homogeneous standard, but rather different institutional conceptions of the role of the shipping agent: as a regulated professional, as a financial guarantor, or as an actor under customs supervision.

Table 3.

Exam for obtaining or renewing a Shipping Agent license in America

Country	Does it require an exam?	Alternative Requirements	Institutional Approach (Douglas North)
Argentina	Yes, Customs Transport Agent exam before the General Directorate of Customs.	-	Technical certification model. It strengthens professionalism and reduces uncertainty, but raises barriers to entry.
Brazil	No.	Compliance with legal and technical requirements.	Flexible model with basic requirements. Facilitates entry into the market, but with lower risk standardization.
Chili	No exam, but solvency is required. Financial solvency and financial guarantees. Offices with payment guarantees in ports of operation.	minimal infrastructure.	Financial solvency model. Prioritizes economic and operational capacity over individual knowledge.
Ecuador	No exam.	Requirements that guarantee performance.	Performance requirements model. Seek to reduce operational risks without correct require technical certification.
Honduras	No exam.	Warranties and licenses based on volume of operations.	Market-proportional model. Establishes formal financial rules adapted to the size of the company.
Mexico	Yes, knowledge exam to obtain authorization as a Shipping Agent Consignee.	-	Technical certification model. Similar to Argentina, it professionalizes but restricts access.
Peru	No exam.	Validity of the bond banking.	Simple financial model. It minimizes technical barriers, but relies on financial guarantees.
Uruguay	No exam.	-	Lax model. Facilitates entry, but uncertainty increases about quality of service.

Regional conclusions

1. Three major institutional approaches are observed:
- Professionalization and ethical conduct (Argentina, Mexico).
- Financial solvency and payment compliance (Chile, Honduras, Uruguay).
- Customs and security compliance (Brazil, Ecuador).

2. Key differences in institutional logic:
- Some countries see the shipping agent as a technical-professional actor who must demonstrate suitability and conduct (Argentina, Mexico).
- Others conceive it as a financial guarantor of obligations to the State and third parties (Chile, Honduras, Uruguay).
- And in certain cases, as a key element of customs control and security port (Brazil, Ecuador).

3. Possible effects on regional competitiveness:
- Countries with very strict regulations (Argentina, Mexico) raise standards, but increase barriers to entry.
- Countries with rules based on payments or solvency (Chile, Honduras, Uruguay) prioritize collection, but neglect professionalization.
- Countries with customs controls/inspections (Brazil, Ecuador) reinforce state control, but generate additional administrative costs.

II. Port Infrastructure

Port infrastructure in Latin America is highly heterogeneous. While countries like Mexico, Argentina, and Peru have extensive and diversified systems, others like Ecuador and Uruguay have smaller networks focused on international trade. The common trend is toward mixed models, with increasing participation of the private sector and state concessions, reflecting an effort to modernize and make port management more efficient in the region.

Table 4.

How many ports are part of your national port infrastructure?

Country	Number of ports/facilities	Distinctive feature
Argentina	100	High territorial dispersion, strong state presence.
Brazil	37+ TUPs	Mixed model with a large influence from the private sector.
Chili	56	Mixed system, state concessions active.
Costa Rica	8	Balance between the Caribbean and the Pacific.
Ecuador	4	Reduced network, concentration in Guayaquil.
Honduras	6	Distribution between Atlantic and Pacific.
Mexico	102	Largest system in the region, diverse uses.
Peru	89	Balance between public and private ports.
Uruguay	16 (9 public, 3 sports, 4 private)	Focus on commerce and recreation.

The analysis of port concession awarding processes in Latin America reveals fertile ground for observing how institutions structure the interaction between the state and the private sector in a strategic area for foreign trade. From the perspective presented here, institutions do not represent simple legal norms, but rather are frameworks that reduce uncertainty and define economic and political incentives. In the case of ports, the way in which concessions are established, regulated, and supervised determines not only the efficiency of infrastructure but also the capacity of countries to integrate into global value chains.

In this context, the different countries in the region exhibit great institutional diversity, ranging from rigid and heavily regulated models to complex schemes.

More flexible and open to private initiative. This institutional mosaic allows us to identify common patterns, but also differentiated challenges in terms of transparency, contractual stability, and investment attraction.

First, we would have to state that common ground has been found in the region regarding the process of awarding port concessions:

- **Public bidding as a central mechanism:** Most countries (Argentina, Brazil, Chile, Honduras, Mexico, Peru, and Uruguay) use public bidding as the primary means of awarding concessions. This responds to the need for transparency, competition, and attracting private investment.

- **State participation as a governing body:** Although there are different forms of decentralization, in all cases the State retains the governing role, establishing rules, deadlines, and conditions, although it delegates the operation to private entities.
- **Mixed models (public and private initiatives):** Ecuador, Uruguay, and Costa Rica stand out for allowing projects to originate from both the State and private companies, with mechanisms to open competition and ensure improvements in supply.

Table 5.

How is the port concession award process carried out?

Country	Award model	Main feature
Argentina	Public bidding, provincial/national	Differences by jurisdiction
Brazil	Public tender by ANTAQ	Centralized and regulated
Chili	Tenders every 30 years in state ports	Contractual stability
Costa Rica	Constitutional restriction + contracting and concession laws	Complex, limited in investment
Ecuador	Public or private initiative with contest	Flexibility at the origin of the project
Honduras	International Tenders, PPP	Use of public-private partnerships
Mexico	SEMAR call, sealed envelopes, 8-phase public award via	Centralized, formal
Peru	PROINVERSION, supervision OSITRAN/APN	More structured model
Uruguay	Public tender or private initiative with studies	Balance between State and private

What specialty or type of cargo does each of these terminals handle?

By analyzing the types of cargo and the specialization of port terminals in the countries that responded to the questionnaire, we can understand how countries structure their maritime infrastructure to meet the needs of their national economies and foreign trade. Port activity not only responds to the nature of the cargo, but also to historical, geographic, and economic factors, as well as local regulations and public policies.

In this context, significant differences are observed in the level of terminal specialization and the use of multipurpose models. Some countries favor highly specialized terminals to optimize the operational efficiency of specific cargoes, such as agricultural bulk, minerals, or fuels; while others adopt multipurpose models, capable of simultaneously handling different types of cargo, including containers, general cargo, perishable goods, and passengers. This analysis identifies trends, strengths, and opportunities for regional harmonization of port infrastructure. (See Table 6)

The regional overview shows that the Americas have a diverse port model, adapted to the economic and productive characteristics of each country.

Diversification and flexibility: Countries such as Argentina, Mexico, Chile, Ecuador, and Uruguay combine specialized and multipurpose terminals, allowing them to adapt to different types of cargo and respond to the demand for diverse exports and imports.

Strategic specialization: Peru, and certain terminals in Honduras and Ecuador, prioritize specialized terminals, optimizing efficiency in specific cargoes such as bulk, minerals, or fertilizers, although with less flexibility in response to changes in demand.

Commodity export orientation : Brazil stands out for its specialized terminals for agricultural and industrial bulk cargo, reflecting the importance of *commodities* in its economy.

At the regional level, this institutional and operational diversity reflects each country's historical adaptation to its resources and markets, but also highlights asymmetries in cargo handling capacity and operational flexibility. A coordinated approach could foster improved regional standards, enable the transfer of best practices, and optimize logistics integration, strengthening the competitiveness of maritime trade in the Americas.

Table 6.

What specialty or type of cargo does each of these terminals handle?

Country	Main types of cargo	Terminal Specialization	Multipurpose Approach
Argentina	Solid and liquid bulk, containers, general cargo, minerals, fuels, heavy machinery, perishable goods, vehicles, passengers (cruises)	River and maritime terminals specialized cargo according to the and cargo (grains, containers, passengers)	Yes, a combination of type of industrial, agricultural passengers)
Brazil	Bulk (soybeans, corn, iron ore), bulk specialized in liquid	Predominantly exports, containers, vehicles, general cargo commodities	Partial, some ports handle containers and general cargo
Chili	Containers, grains, general cargo, project cargo, fuels, minerals, vehicles, fruit, passengers	Flexible terminals depending on the season and type of cargo	High, allows handling diverse loads simultaneously
Ecuador	Solid and liquid bulk, containers, general cargo, project cargo, RO-RO, fuels, fertilizers	Specialized terminals by operator and type of cargo	Yes, several ports combine general and specialized cargo.
Honduras	Containers, general cargo, solid bulk, sugar, fertilizers, minerals, fuels, cement, vehicles	Segmented terminals: some multipurpose, others specialized	Partial, certain docks combine general and specialized cargo
Mexico	Containers, general cargo, dry and liquid bulk, petrochemicals, vehicles	Multipurpose and flexible terminals according to port	High, most allow handling 2 or more types of load simultaneously
Peru	Varies by terminal: 9 multipurpose, 40 specialized	Predominance of terminals specialized	Yes, limited to 9 multipurpose terminals
Uruguay	Containers, cellulose, solid and liquid bulk, passengers	Specialized and multipurpose terminals	Yes, it combines specialization and flexibility.

III. Authorities

The analysis of the responses shows that, although all countries share a common core of authorities (customs, port authorities, harbor masters, health, and immigration), there are significant differences in the degree of institutional complexity and decentralization. We highlight five aspects that we consider relevant:

1. Institutional diversity and operational complexity

In countries like Brazil and Costa Rica, there is a broad network of authorities that intervene directly and in a coordinated manner in port processes. In Brazil, in addition to customs and maritime authorities, environmental, health, and security agencies, even firefighters, and local authorities are also included. Costa Rica, for its part, has a unique system with distinct national and regional authorities (MOPT, JAPDEVA, and INCOP), reflecting a decentralized model.

In contrast, countries such as Ecuador, Honduras, and Peru present more simplified schemes, with a core of institutional actors (customs, port authorities, health authorities, and harbor masters) that are not as widely dispersed.

2. Weight of maritime authority

In Argentina, Chile, Peru, and Uruguay, the maritime authority or naval prefecture plays a central role in navigation control, security, and coordination with other entities. These countries reinforce the vision of maritime security as a cornerstone of port governance.

3. Focus on customs and immigration control

Customs authorities and immigration control agencies consistently appear in all the countries analyzed, reflecting the regional priority of ensuring both tax collection and the control of people and goods.

4. Sanitary and phytosanitary intervention

Brazil, Chile, Costa Rica, Ecuador, Peru, and Uruguay have specialized sanitary or phytosanitary authorities to handle perishable, agri-food, and animal cargo, reflecting the importance of compliance with international regulations (such as the Codex Alimentarius or the WTO SPS Agreement).

5. Participation of non-port actors

Models with multisectoral intervention are identified. For example, in Brazil, in addition to strictly port authorities, federal police, environmental authorities, and municipal authorities are also involved. In Costa Rica, in addition to port authorities, drug control police, border patrol officers, and the coast guard are also involved. This reveals a tendency to integrate public safety and environmental components into port management.

In summary, two models and a regional trend are identified:

- Broad and coordinated models such as those of Brazil and Costa Rica seek to comprehensively cover fiscal, environmental, health, and safety aspects, although they may face risks of bureaucratization.
- Simplified models like those of Ecuador, Honduras, and Peru are more agile in theory, but could have gaps in environmental or public safety matters.

- Regional trend: The integration of health, environmental, and public safety controls into port processes responds to the increase in international trade, maritime safety, and the protection of human and animal health.

From a regional perspective, there is a movement toward multisectoral port governance, in which ports are no longer just logistics hubs, but also strategic control spaces for the economy and security.

IV. Customs

In Latin America, cargo inspection processes at ports show a wide diversity in terms of tools, methodologies, and levels of technological sophistication. While the basis of any control remains documentary and physical inspection, some countries have developed more robust systems that incorporate non-intrusive technologies, electronic analysis, and risk management systems. These differences reflect both the institutional capacity of customs and port authorities and the level of technological and regulatory integration in each country.

The comparative analysis reveals a map of contrasts: while Mexico and Uruguay stand out for applying a broad spectrum of controls that combine traditional and digital procedures, other countries such as Argentina and Costa Rica maintain more limited schemes, based primarily on physical inspections or electronic procedures.

At the intermediate level are Brazil, Chile, Peru, and Honduras, which, while having mixed controls, do not achieve the same diversification as the regional leaders. This heterogeneity reflects the need to move toward higher regional inspection standards, balancing logistical efficiency with security in international trade. (Table 7.)

As we can see, there are some patterns:

- Regional convergence: all countries apply at least one revision documentary and physical. The difference lies in the degree of use of technological tools.
- Trend toward non-intrusive controls: Brazil, Honduras, Mexico, and Uruguay prioritize scanners and X-rays to speed up processes and reduce logistics costs.
- Use of digital platforms: Mexico and Costa Rica are the ones that have used them the most. advanced in digitalization, which allows greater traceability and risk analysis.
- Discretion and randomness: In countries such as Chile, Mexico, and Uruguay, selection depends on risk algorithms or customs decisions, which introduces flexibility but can also generate perceptions of discretion.
- Regulatory limits: Peru is the only one that explicitly establishes a maximum percentage of physical inspection (15%), which provides certainty to importers/exporters.

Table 7.

What types of cargo inspections are performed in your country and how are they carried out?

Country	Responsible authority	Types of review	Selection methods	Particularities
Argentina	General Directorate of Customs (DGA)	Documentary and physics	According to customs control	Emphasizes smuggling prevention and compliance with standards.
Brazil	Customs authority (unspecified)	Scanning (X-ray), physics, documentary	not specified	Systematic use of X-rays prior to admission.
Chili	Customs	Physics, scanner and documentary	Random	Applied to import and export loads.
Costa Rica	National Service of Customs (Ministry of Tax authorities)	Documentary and electronic	According to digital system	TICA and Easy Customs systems enable electronic procedures and digital risk management.
Honduras	Customs and OPC terminal Puerto Cortés	Documentary, physical (intrusive), X-ray scanner	According to type of bulk cargo and scanning in fuels)	cargo Includes sampling in (containers, bulk, liquids, port terminals.
Mexico	Service of Tax Administration (SAT) – Customs Law	Documentary, physical and non-risk (Intrusive Law), electronic	Random and by analysis (intrusive Customs, Art. 144, IV)	Using VUCEM and SAPED for electronic crossings. Review tax included. More regulatory detail.
Peru	Customs	Documentary and physics	Proportional (max. 15% of load)	Regulations limit the scope of the physical examination.
Uruguay	National Directorate of Customs	Documentary, Random and intrusive), risk intrusive	Analysis Scanner (non-	Selection by channel (documentary, scanner, intrusive).

Policy applicable to transshipment cargo

The transshipment of goods constitutes one of the most sensitive operations in maritime and port trade in Latin America, as it involves not only the efficient transfer of cargo between vessels and terminals, but also safeguarding the security and integrity of international logistics chains. Each country in the region has developed specific regulations and practices that reflect both its institutional capabilities and its vision regarding trade facilitation and customs control.

In this context, a comparative analysis of the policies applicable to transshipment cargo allows us to identify different levels of sophistication and control.

While some countries are moving toward modern approaches with digitalization, risk analysis, and non-intrusive controls, others maintain more traditional procedures based on physical inspections and document processing. This diversity highlights the lack of a regional standard and poses challenges in terms of competitiveness and regulatory harmonization. The findings of the analysis are presented below:

1. Document controls and risk approach

Countries such as Argentina, Mexico, and Uruguay implement transshipment policies based on document review and compliance with deadlines and authorizations. Argentina, in particular, adds a strong drug trafficking control component when the risk matrix requires it, while Mexico maintains a strict regime regarding terminal stays and registration of connecting vessels. Uruguay, in contrast, lacks regulatory differentiation and applies the same regime to transshipment as to other cargo.

2. Simplified systems

Brazil and Chile offer a more pragmatic approach. In Brazil, transshipment is a simplified procedure under customs supervision, while in Chile the key requirement is the prior declaration of the BL, which allows movement between primary customs zones (ports and airports). Both countries offer an agile model focused on maintaining the flow of trade.

3. Non-intrusive technology and control

Costa Rica stands out as the country with the greatest sophistication in border control, using scanners, coordinated border management, and remote inspection centers (RICs) under the National Non-Intrusive Inspection System (SINI). This system combines electronic, documentary, and physical inspection only when justified by risk analysis.

4. Detailed regulation and multiple modalities

Ecuador and Peru have highly structured regulatory frameworks. Ecuador distinguishes three modalities (direct, with entry into warehouse, with transfer), each with defined deadlines (2 to 15 days). It also requires registration in systems such as Ecuapass, reinforcing digital traceability. Peru, for its part, allows various modalities (direct, unloading to land, temporary storage) and accepts applications from carriers, freight forwarders, or customs, with advanced or deferred deadlines, highlighting operational flexibility under SUNAT control.

5. Advance declaration regimes

Honduras focuses on the requirement for advance declarations in the customs system, a policy aligned with trade facilitation practices, although less technologically developed than Costa Rica.

A review of transshipment policies in Latin America allows countries to be classified into three broad groups: those that have reached a high level of modernization (Costa Rica, Ecuador, and Peru); those at an intermediate stage with clear but less digitalized frameworks (Argentina, Mexico, and Brazil); and those with more basic or poorly differentiated schemes (Uruguay and Honduras). This typology shows how the region is progressing unevenly toward implementing controls that meet global safety and efficiency standards.

From a regional perspective, the main challenge lies in achieving greater regulatory convergence that allows Latin American ports to compete on equal terms and strengthen the security of their logistics chains. The integration of non-intrusive technologies, the digitalization of processes, and the use of risk analysis systems are trends that will set the tone in the coming years, and their widespread adoption will be key to consolidating Latin America's position as a competitive bloc in international maritime trade.

Cargo stay policies

Cargo demurrage policies in the region's ports strike a balance between trade facilitation measures and economic pressure mechanisms to promote the rapid removal of merchandise. Some countries establish uniform free periods, while others delegate the definition of conditions to private terminals or shipping lines, which generates a certain dispersion and inequality in costs for importers and consignees.

In Argentina, a free period of between 5 and 7 days is combined with a mandatory destination regime (sale, donation, or destruction) after 15 days, which ensures cargo turnover and prevents congestion. Brazil aims to minimize delays through immediate clearance and the use of bonded warehouses, an approach aimed at operational fluidity. In contrast, Chile and Uruguay leave the setting of rates and times in the hands of private players (terminals or shipping companies), generating flexibility but also uncertainty for users.

Costa Rica is one of the countries with the most detailed framework: it combines customs regulations, port regulations, and private concessionaires with pre-authorized rates, which provides greater certainty for the consignee. Ecuador does not offer fee exemptions and relies on the discretion of temporary warehouses, while Honduras offers short delivery times (3 to 5 days) with tiered charges, which can quickly increase costs.

In Mexico, the policy is more diverse: between 3 and 7 days depending on the regime and type of cargo, with advance notification of arrival to facilitate the importer's logistics.

Peru grants an average of seven days off and a progressive payment system for up to 20 days, but faces risks of congestion that increase operating costs. Finally, Uruguay maintains a system highly dependent on private agreements, with no national uniformity.

In comparative terms, three regional approaches can be distinguished:

1. Regime with clear deadlines and coercive measures: Argentina, Mexico and Peru, that set time limits and direct consequences to avoid load accumulation.

2. Flexibility based on private agreements: Chile and Uruguay delegate the definition of deadlines and costs to terminals or shipping companies, generating heterogeneity.

3. Institutional regulation with greater tariff certainty: Costa Rica and Brazil, where regulations and procedures seek to guarantee fluidity and legal certainty.

At the regional level, there is a trend toward short, free storage periods (3 to 7 days) with increasing fees afterward. However, the lack of homogeneity limits competitiveness compared to other regions of the world that already operate under more integrated standards.

The challenge for Latin America is to move toward harmonized systems, with tariff transparency and widespread use of digital tools that reduce delays and costs, thus strengthening the position of its ports in global logistics chains.

Handling Abandoned Cargo in America

The management of abandoned cargo reflects the degree of institutionalization and operational efficiency of customs in Latin America. Although all countries have legal frameworks defining procedures, there are clear differences in timescales, disposal mechanisms, and administrative efficiency.

In Argentina, the Customs Code establishes a formal process that combines official publication, verification, classification, and auction, a highly formal system. Brazil applies auction or destruction, but faces an average delay of 180 days, which can generate additional logistical costs. Chile sets a clear deadline of 90 days before the presumed abandonment, with auction as the usual destination.

Costa Rica is distinguished by a detailed legal framework (Article 56 of the General Customs Law), which lists multiple causes of abandonment, from lack of destination

Even in situations in free trade zones or duty-free shops, which provides legal scope but also complexity in its application. Ecuador, although it has regulations requiring cargo disposal and container release, faces delays in practice due to a lack of resources, which demonstrates a gap between regulations and implementation.

In Honduras, abandonment is declared after 20 days and the goods are auctioned or destroyed, representing one of the shortest processing times in the region. Mexico has a more technical and stratified regime: differentiated processing times (2 months for import, 3 months for export, 3 days for perishability, 45 days for refrigeration), systematic reporting of abandonment, and transfer of merchandise to the INDEP (National Institute of Customs and Customs of the Dominican Republic), which ensures traceability and fiscal destination. Peru establishes 30 days as the standard processing time, depending on the numbering of the Customs Document (DAM), and in Uruguay, the Customs Code clearly regulates the assumptions and procedures, providing legal certainty.

As a whole, the region shares a common concern: avoiding port congestion and freeing up containers to maintain logistical fluidity. However, the differences in processing times (from three days to several months) and the responsible actors (customs, terminals, shipping companies, or INDEP) reflect a heterogeneous level of institutionalization. A key challenge for Latin America is to move toward regionally harmonized mechanisms that reduce regulatory dispersion and provide greater predictability for foreign trade actors, strengthening port competitiveness compared to other regions.

The disparity in formal rules and, above all, in their application, creates an asymmetrical scenario for the operations of shipping companies and agents on the continent.

- Operational and Financial Risk: A shipping agent operating in Ecuador faces a much greater risk of container immobilization than one operating in Costa Rica or Mexico, where delivery times and destinations are more predictable. This can translate into higher insurance premiums or even a reluctance to serve certain ports.

- Port Resource Efficiency: Terminals in countries with streamlined abandonment processes (such as 90-day subdivision and auction in Chile) can free up storage space more quickly, optimizing their infrastructure. Conversely, slow processes contribute to chronic congestion.

What is the procedure for recovering a container carrying illicit cargo, and what are the implications and consequences associated with such a situation?

1. Comparative Analysis of Formal Rules and Coordination Mechanisms

The responses reveal profound differences in the formalization of procedures and, crucially, in the interaction between customs institutions and other state institutions (police, judicial).

- High Procedural Clarity and Definition of Roles (Institutions Specialized):

  Argentina , Mexico, Peru, and Uruguay present the most structured frameworks. They specify the institutions involved:

  ÿ Argentina: PNA (Argentine Naval Prefecture) and DGA (Argentine Naval Directorate) General of Customs).

  ÿ Mexico: Attorney General's Office (FGR).

  ÿ Peru: DIRANDRO (Anti-drug police).

  ÿ Uruguay: National Customs Directorate.

  o Process Definition: Argentina details the "summary" and the possibility of requesting the "recovery" of the container. Mexico is explicit about the mandatory collaboration of the shipping agent. This creates a clear "rulebook" for the actors, reducing uncertainty at a critical moment.

- Generic Formal Rules with High Discretion (Uncertainty Institutional):

  or Chile ("It is handled case by case") and Brazil (very general answer) are at the other extreme. The lack of a publicized standardized procedure generates a high dependence on the discretionary interpretation of the authority in each event. This increases

  significantly increases transaction costs for operators, who cannot predict actions or deadlines, increasing operational risk.

- Interinstitutional Complexity as a Source of Inefficiency:

- Honduras exemplifies a key challenge: coordination between Formal institutions. When multiple authorities (Customs, Public Prosecutor's Office) intervene with different mandates and timescales, the process becomes inherently "complex" and slow. This lack of an integrated protocol is an institutional failure that hinders efficiency, even when each individual institution has its own rules.

• Clarity in the Delimitation of Responsibilities (A Sign of Strength) Institutional):

Ecuador offers a response that is notable for its clarity.

Conceptual: *"The shipping agency is not responsible for determining whether the cargo is illegal."* This formal rule precisely delineates responsibilities, protecting the logistics operator from assuming an unrelated role (that of investigator) and centralizing authority in Customs. This is an efficient mechanism for reducing conflicts and transaction costs.

2. Institutional Quality Assessment: Predictability, Enforcement and Transaction Costs

• Predictability and Deadlines: Mexico provides the most concrete data and alarming: *"These procedures can take more than 5 years to resolve."*
This indicates a serious inefficiency in judicial and administrative *enforcement .*
For a shipping company or agent, immobilizing an asset (the container) for such an extended period represents an enormous financial cost and great uncertainty, discouraging trade.

• Consequences and Sanctions: Brazil and Mexico explicitly mention fines, administrative sanctions, civil and criminal liabilities.
Uruguay points out that the consequences depend on the type of violation (Art. 199 et seq. of the Customs Code). The existence of predefined sanctions is a necessary formal rule, but their effectiveness depends on their being proportionate and applied promptly.

• Property Rights (Asset Recovery): Argentina is the only country that explicitly mentions a mechanism for container recovery *("you may request the recovery of the container, after deconsolidation of the merchandise")* even during the process. This shows an institutional concern to protect the property rights of actors who are victims of the situation (the shipping company/agency), minimizing the

collateral damage. The absence of this mention in other answers suggests that in many countries the container may be immobilized indefinitely as evidence.

3. Impact on Logistics Operations and Risk Perception

The disparity in procedures creates an uneven risk map for shipping companies and maritime agents.

- Insurance Premiums and Operating Costs: Operating in a country where an illicit cargo incident can lead to the immobilization of the container for up to five years (Mexico) or where the procedure is discretionary (Chile) entails a much higher risk than operating in one with clear rules and recovery mechanisms (Argentina). This risk translates directly into higher insurance and bond costs.
- Investor Appeal: A predictable and efficient institutional framework for crisis management is an indicator of a secure business environment. The complexity and slowness observed in several countries are factors that discourage investment in more sophisticated logistics services.

V. Electronic transmission of cargo manifests

Most of the countries surveyed do implement electronic transmission of cargo manifests, reflecting regional progress toward the digitalization of customs and port processes. This mechanism contributes to logistical agility, cargo traceability, and more efficient customs control. However, the degree of sophistication varies: some countries only confirm that the system is in place, while others detail specific platforms, timeframes, and complementary procedures.

Even so, the region has made significant progress in the digitalization of customs and port processes, albeit at varying levels of sophistication. Some countries have developed comprehensive platforms that allow everything from manifest transmission to payment and dispute management (such as Ecuador), while others maintain partial or basic registration systems (such as Honduras and Uruguay). In all cases, the main goal is to streamline foreign trade, facilitate traceability, and strengthen customs control.

Cases with robust and comprehensive systems

- Argentina (SIM + MERCURIA): combines a data management and electronic notification system with an interface (MERCURIA) for operators, streamlining processes and reducing physical documentation.

- Ecuador (Ecuapass): This is the most comprehensive platform, integrating operators and authorities into a digital platform with modules for procedures, payments, tracking, post-control, and customs litigation, functioning as a true one-stop shop.

- Mexico (AMANAC – SAT): presents an electronically validated flow in several stages (members ÿ AMANAC ÿ SAT), which guarantees reliability and security in the transmitted information.

- Costa Rica (TICA): Based on the General Customs Law, it legally recognizes the validity of electronic documents, consolidating a strong regulatory framework.

Intermediate application cases

- Brazil: establishes the obligation to submit manifests and documents before the vessel's arrival, which strengthens prior control, but focuses more on documentary information than on comprehensive management.

- Chile: uses a customs application for manifest opening, with limited functional scope compared to integrated systems.
- Peru: maintains clear time rules (48 hours before arrival and 24 hours for adjustments), which provides legal certainty, but the system does not cover broader processes.
- Basic or registration cases
- Honduras: requires detailed cargo data (weight, consignee, BL, consignments), but without reference to a comprehensive platform or additional automated processes.

- Uruguay: has a system restricted to registered users, but
  No further functionality is described, suggesting a limited scope compared to other countries.

Table 8.

To which authority is this information provided?

Country	Principal Receiving Authority	Control model	Observations
Argentina	N/C (Not specified)	Indefinite	The response does not specify which entity centralizes the process.
Brazil	All major competent authorities of the Federal Government and the Navy	Multipoint (interinstitutional)	Integrated into the Merchant/Paperless Port system, coordination of several authorities.
Chili	Customs	Centralized	Focused on customs management.
Costa Rica	General Directorate of Customs	Centralized with specific regulation	Robust regulatory framework (General Customs Law Regulations, art. 104 and 164). Requires advance transmission.
Ecuador	National Customs Service (SENAE)	Centralized	The information goes through review, approval and control by the authority customs.
Honduras	Customs, National Company Port (ENP), port terminal and Merchant Marine	Multipoint (mixed)	The information is distributed among several institutions linked to the port operation.
Mexico	Mexican Customs Authority (SAT)	Customs prosecutor	Administration concentrated in the SAT Transmission Server.
Peru	Customs	Centralized	Customs is the authority fundamental in control.
Uruguay	National Customs Directorate (DNA)	Centralized	Direct control of the authority customs.

VI. Electronic transmission of cargo manifests

Comparative analysis of institutional models of cabotage

The responses reveal a spectrum of regimes, from strict protectionism to complete liberalization, reflecting different political priorities and institutional evolutions.

1. Strict Protectionism with Definitive Exception Mechanisms:

Ecuador, Uruguay, and Brazil represent the most restrictive model. Their laws explicitly reserve cabotage for nationally flagged vessels. However, they incorporate institutional safety nets: Uruguay allows exceptional authorizations due to lack of availability; Ecuador establishes a 30-day "Provisional Operating Permit," temporarily equating a foreign vessel with a national one. These clauses are crucial, as they prevent the formal rule from becoming an absolute obstacle to domestic trade when national capacity is insufficient.

• Flexible Protectionism with Complex Regulatory Frameworks:

Argentina is the most sophisticated case. Its legal framework (Decree-Law 19,492 and amendments) is extremely detailed. Not only does it prioritize Argentine-registered vessels, but it also precisely defines alternative conditions (charter, Exception Regime) and establishes specific rules for foreign permits (60-/180-day limits, crew requirements). This creates a system that is highly procedural and predictable, but also administratively complex. The recent regulation (Decree No. 340/25) mentioned above suggests an institutional evolution toward greater flexibility so as "not to affect maritime traffic and trade," demonstrating an adaptation to logistical needs.

• Full Liberalization (Atypical Case):

Peru stands out as the country with the most liberal policy, thanks to Law No. 32049. This law eliminated the national reserve policy, allowing foreign players to participate on an equal footing. From North's perspective, this institutional reform explicitly seeks to reduce transaction costs through competition, presumably to lower domestic freight costs and improve logistical efficiency. It is a key regional experiment.

• Restrictive Definition and Regulation as a Public Service:

o Costa Rica has a unique approach. Its law defines cabotage in a way geographically limited ("between ports... of the same coastline") and treats it as a public service, subject to concession and tariff regulation by

of entities like ARESEP. This creates a highly intervened market, where market incentives are subordinated to state planning. The absence of freight routes suggests that this institutional model has failed to generate a dynamic market.

- Institutional Transition and Debate on Competition:
  - Chile offers the richest perspective in terms of North's analysis. The country has a protectionist regime, but with exceptions, and a bill to liberalize it is under discussion. The answer captures the conflict inherent in institutional change: on the one hand, the goal is to "generate more competition" (reduction of transaction costs); on the other, there is fear that the new rules will lead to an "exit of Chilean companies" (destruction of local institutional and human capital) and a change of flag ("flag of convenience"). This is the central dilemma: how to design formal rules that promote efficiency without eroding national policy objectives.

- Technical Regulation as a Barrier:
  - o Honduras introduces a less common element: a technical restriction ("6-meter draft"). This acts as a formal rule that de facto limits the type of vessels that can operate in cabotage, likely protecting a specific segment of the local shallower-draft merchant marine.

The fragmentation of cabotage regimes hampers the creation of integrated maritime services in the region. Regional vessels cannot optimize their voyages by collecting coastal cargo between countries, which reduces the overall efficiency of fleets.

VII. Statistical Movement of Different Loads

Information is a crucial resource for reducing uncertainty in economic systems. Transparency in official statistics is a key formal institution that enables actors to make informed decisions, reduce information costs, and monitor market performance. Lack of access to public data reinforces information asymmetries that distort competition.

The responses reveal an extremely heterogeneous landscape, where access to statistical information on cargo serves as an indicator of each country's institutional maturity.

- High Transparency and Accessibility (Market Facilitating Institutions):
  - Costa Rica stands out as a best-practice example. Not only does it respond affirmatively, but it also details multiple official sources (PROCOMER, COMEX) and even includes a regional source (COCATRAM). This multiplicity of access, centralized on web portals, indicates a state policy conscious of the idea that public information is an asset that improves competitiveness. It drastically reduces transaction costs for researchers, businesses, and policymakers.
  - or Argentina, Brazil, Ecuador and Mexico confirm public availability, which This suggests the existence of a basic formal institution of transparency. However, the lack of details regarding the depth, granularity, and ease of access leaves open the question of the quality of such data.
- Limited Transparency and Commodification of Information (Institutional Failure):
  - o Chile presents a paradigmatic case of institutional failure from the North's perspective. The response indicates that, although Customs has public information, "private companies generally process the data and sell these statistics." This creates a critical information asymmetry:

    Those who can pay access valuable, processed data, while the public receives only "very general" information from the Maritime Bulletin. This commodification of official data generates additional transaction costs and consolidates competitive disadvantages for SMEs compared to large corporations. It is a formal rule that, in practice, operates unfairly.

- Total Opacity (Absence of a Fundamental Institution):
  - or Honduras responds emphatically: "No." The lack of access to Public statistics represent a serious institutional deficiency. It impedes logistics planning, market analysis, and policy evaluation.

public and accountability. This is a major source of uncertainty for economic agents.

- Transparency Conditioned by the Management Model:
  Uruguay offers a nuanced response: information is public only for facilities managed by the National Port Administration (ANP). This reflects a mixed (public-private) port governance model where transparency is not a universal state policy but rather depends on the individual actor. This creates a fragmented statistical landscape, making it difficult to obtain a comprehensive view of cargo movement in the country.

Institutional quality assessment: access, granularity, and cost

- Universal and Free Access: Costa Rica is the only country that explicitly complies with this principle by providing direct links to open access portals. This democratizes information.

- Data Granularity: The implicit complaint in Chile's response is about the limited usefulness of public data because it is "very general." Truly reducing uncertainty requires disaggregated data (by port, cargo type, origin/destination, etc.), which appear to be available only for a fee.

- Transaction Costs: In Chile, the cost is financial (hiring a company). In Honduras, the cost is the complete inability to plan efficiently. In Uruguay, the cost is the effort of collecting fragmented data. In Costa Rica, the cost of accessing information is minimal.

The diagnosis shows that statistical transparency is one of the most underdeveloped formal institutions in the region, with notable exceptions. The lack of access to quality data is an invisible burden on logistics competitiveness.

An analysis of the responses regarding the frequency of issuing statistical movements for different cargoes shows a clear regional trend toward preparing monthly and annual reports, with some variations by country.
Brazil, Honduras, Mexico, Peru, and Uruguay stand out for issuing statistics monthly, which allows for better monitoring and constant updates of cargo flows. Furthermore, Brazil and Honduras supplement this with annual or cumulative reports, which strengthens the long-term vision. This type of monthly reporting reflects an effort to maintain up-to-date logistics control and facilitate real-time decision-making, especially in countries with a higher volume of port and commercial operations.

On the other hand, Argentina, Chile, and Ecuador only generate annual reports, which limits the availability of updated information throughout the year and can represent a challenge in contexts where trade dynamism demands more immediate data. In summary, the comparison reveals two predominant models: those of countries that seek constant and timely monitoring (monthly) and those that opt for an annual assessment, with direct implications for the efficiency of port management and the capacity to respond to changes in international trade.

Statistical Movement of Different Loads

Country	Periodicity declared	Shareability	Responsible authority
Argentina Annual		Yeah	National Institute of Statistics and Census -INDEC-
Brazil	Monthly and annual	Yeah	Published by ANTAQ and Port Authorities.
Chili	Annual	Yeah	DIRECTEMAR (www.directemar.cl)
Ecuador	Annual	Yeah	Undersecretary of Ports, Maritime and River Transport (MTOP)
Honduras	Monthly, quarterly and annual (cumulative)	Yes (limited)	By the National Port Company (ENP)
Mexico	Monthly	Partial (lag)	General Directorate of Ports, of the Navy Secretariat.
Peru	Monthly	Partial (dual)	National Port Authority and Customs.
Uruguay	Monthly	Ambiguous	National Port Administration (ANP)

VIII. Education

Training in the maritime and port sector is an essential component for the development of efficient, safe, and competitive logistics in the Americas. In a context of increasing operational and regulatory complexity, having institutions that promote the technical and professional training of shipping agents is key to ensuring compliance with international standards such as those established by the IMO, the WCO, and UNCTAD. This comparative analysis, based on responses to the CIANAM questionnaire, identifies the actors responsible for training in nine countries in the region, as well as the institutional configurations that support such training.

From Douglas North's theoretical perspective, training institutions can be understood as formal rules that structure the sector's incentives and behaviors. The diversity of models—state, private, union, or mixed—reflects different levels of institutional development, which directly impact the quality, coverage, and international alignment of training programs. This diagnosis makes it possible to identify strengths and weaknesses in each country's institutional architecture, as well as opportunities to improve the professionalization of shipping agents in Latin America.

Is training in the sector provided by associations, government entities, or private educational institutions?

Country	Training providers	Institutional observations
Argentina	Public and private	Mixed institutionality, without sectoral specification
Brazil	Exclusively private and trade associations (FENAMAR)	Consolidated private formal institution, but without state participation
Chili	Mainly private, occasionally government	Predominance of the educational market, low state intervention
Costa Rica	Public (INA, UCR), private (universities), regional cooperation (RECAF)	Robust, multi-sectoral institutional model aligned with international standards (STCW)
Ecuador	Public and private	Mixed institutionality, without details on specialization
Honduras	ENP, terminals, shipping companies, private institutions	Fragmented institutionality, with a strong operational role of companies
Mexico	Associations, government entities, specialized private entities	Tripartite model, with technical and logistical institutionality

Peru	Public and private	Open institutionality, without centralized regulation
Uruguay	UTU (public), Navigation Center (private), National Logistics Institute	Mixed institutionality, with official recognition and international cooperation (UNCTAD)

The results show that countries such as Costa Rica, Mexico, and Uruguay have developed robust institutional models, where training is promoted by public, private, and professional entities, with official recognition and international cooperation. These schemes allow for more comprehensive, standardized training aligned with the global requirements of maritime trade. In contrast, countries such as Brazil and Chile are heavily dependent on the private sector, which can limit universal access and the standardization of skills at the regional level.

From North's perspective, strengthening formal training institutions means reducing operational uncertainty, improving logistical efficiency, and increasing the sector's competitiveness. To advance toward stronger maritime-port integration in Latin America, it is necessary to promote regulatory frameworks that articulate the various educational, state, and trade associations and guarantee ongoing, accessible, and internationally recognized training for all shipping agents.

1. Diversity of educational levels

The responses show a wide range of educational levels in the sector:

- University and tertiary education: Argentina, Costa Rica, Mexico, Uruguay, and Brazil offer undergraduate, graduate, or technical programs recognized by educational authorities. This reflects solid formal institutionalization, where training is integrated into the national education system.

- Technical-operational training: Ecuador, Honduras, Chile and Peru focus on Operational, technical, or regulatory courses, primarily aimed at current personnel. In these cases, the training responds to immediate labor market needs, but may lack academic standardization or formal recognition.

2. Sectoral orientation and specialization

- Mexico and Brazil stand out for offering specialized training in logistics, customs, and shipping agency, although Brazil limits shipping training to the basic technical level. Mexico, on the other hand, offers intermediate and advanced programs.

for middle and senior management, which indicates a mature and strategic formal institution.

- Costa Rica and Uruguay present integrated models with official recognition and specific careers, which strengthens the professionalization of the sector.
- Honduras and Chile focus on regulatory and operational aspects (ISPS, ISPS, husbanding), which suggests a functional institutional framework but limited in academic scope.

Most countries (Argentina, Brazil, Chile, Ecuador, Honduras, Mexico, Peru, and Uruguay) indicate that training has a cost, suggesting that access to training is regulated by market mechanisms. From North's perspective, this reflects formal institutions where specialized knowledge is traded as an economic good, subject to prices, competition, and quality differentiation.

- Mexico and Brazil detail that the cost varies according to the level of specialization, duration and modality, which indicates a more sophisticated institutional structure, with segmented offerings for different professional profiles.
- Chile introduces a tax incentive that allows companies to reduce training costs, which represents a complementary institution that modifies economic incentives and promotes investment in human capital.

- Peru and Brazil mention exceptions: free courses offered by entities public (such as Customs) or unions, which reflects a mixed institutionality, where the State or associations intervene to expand access.
- Uruguay distinguishes between private (paid) and public (free) courses, which demonstrates an institutional duality that allows for differentiated access depending on the provider.

- Costa Rica does not provide information (N/A), which makes it impossible to assess the existence of formal cost rules. This omission may reflect a lack of clear institutionalization or a diversity of schemes that have not been systematized.

The cost of training in the maritime and port sector is primarily regulated by market institutions, with specific exceptions for free training promoted by the public or union sectors.

There is a wide range of certificates, from university and tertiary degrees (Argentina, Uruguay) to certificates of participation with curricular value (Mexico) and operational or institutional certificates (Honduras, Ecuador, Chile). This diversity reflects different levels of institutional formalization:

- High institutionalization: Argentina and Uruguay offer degrees recognized by the formal education system, allowing for structured career paths and job mobility. Uruguay also stands out for issuing international certifications (UNCTAD) and official accreditations for OMI courses, indicating a formal institution with global recognition.
- Intermediate: Mexico and Peru award certificates with curricular value or diplomas on academic hours, which suggests a technical educational structure, useful for professional development but with less academic weight.
- Low institutionalization: Ecuador, Chile, and Brazil mention participation certificates or documents issued by institution, reflecting more flexible but less standardized institutions, where the value of the certificate depends on the prestige of the issuer.
- Mixed institutionality: Honduras combines certificates issued by the government and private institutions, indicating a coexistence of formal state and union rules, although without mention of academic recognition.

VIII. Port Security and Logistics

Compliance with international standards (ISPS/MARPOL)

All the countries analyzed report implementation of the ISPS Code, indicating a solid and consistent formal institutionalization of port security. Argentina, Mexico, Costa Rica, Brazil, and Uruguay stand out for having certified security plans, periodic inspections, and designated authorities to verify compliance.

- Argentina and Mexico complement the PBIP with specific protocols for dangerous goods, aligned with the MARPOL Convention and the IMDG Code, which strengthens the response capacity to environmental emergencies.
- Uruguay coordinates its measures with the National Emergency System (SINAE), which reflects an intersectoral institution that coordinates public and private efforts.

Physical and technological controls

Brazil, Mexico, and Honduras detail surveillance systems such as CCTV, customs scanning, access control, biometric identification, and perimeter monitoring, demonstrating an advanced technological infrastructure comparable to high-standard international ports.

- Honduras and Ecuador mention specific controls for merchandise dangerous, such as segregation by IMO number and direct dispatch, which indicates a functional operational institutionality, although less integrated than in countries with national contingency systems.

Interinstitutional and emergency response

Costa Rica presents a robust institutional model, with Local Protection Committees, the participation of multiple security agencies, and protocols audited by the Designated Authority. Furthermore, it articulates its measures with logistics platforms (SILOGISTICA, VUM) and international agreements (FAL 65, AFC), reflecting a formal, multisectoral, and digitalized institution.

- Uruguay and Argentina also stand out for having national plans for contingency, which allows for a rapid and coordinated reaction to spills or incidents involving hazardous substances.

The responses show that countries in the American continent have widely adopted international port security standards, especially the ISPS Code, which constitutes a shared formal institution.

which reduces risks and facilitates maritime trade. However, there are differences in the degree of technological integration, inter-institutional coordination, and emergency response capacity.

From Douglas North's perspective, countries that have developed complex and coordinated formal institutions—such as Mexico, Costa Rica, Argentina, and Uruguay—Ports offer a more predictable and secure environment for shipping agents. In contrast, those with more operational or fragmented measures face greater challenges in ensuring comprehensive security and regional interoperability. Strengthening port governance, digitizing control systems, and consolidating emergency protocols are key steps to improve the efficiency and resilience of the maritime-port system in Latin America.

General conclusions

A comparative analysis of shipping agent activity in the Americas reveals a highly heterogeneous institutional landscape, marked by distinct regulatory approaches that reflect historical trajectories, state capabilities, and national priorities. The absence of a uniform regional standard generates significant asymmetries in competitiveness, as well as additional costs for maritime trade players.

The findings identify three major institutional models:

1. **Technical and ethical professionalization** (Argentina, Mexico), where the accreditation of individual competencies through strict exams and regulations is prioritized.

2. **Financial solvency and economic compliance** (Chile, Honduras, Uruguay), which emphasize the financial support capacity of shipping agencies.

3. **Customs control and port security** (Brazil, Ecuador), which view the agent as a central link in trade oversight and the prevention of illicit activities.

These models reflect the relevance of Douglass North's approach to "path dependence" : current regulatory frameworks respond not only to technical needs but also to historical configurations of political, economic, and social power. At the same time, they demonstrate that formal rules (laws, regulations) lack full effectiveness unless accompanied by solid informal norms and institutional consensus that guarantee their compliance.

The diversity of institutional arrangements regarding port infrastructure, competent authorities, customs, and abandoned cargo regimes also shows that, while the region has made progress in transparency and modernization—for example, through public tenders and the use of non-intrusive technologies—fragments persist that hinder the development of an integrated regional policy.

In short, the lack of regulatory harmonization not only generates operational inefficiencies but also limits Latin America's competitiveness compared to other regions of the world that are more cohesive in terms of regulations and logistics.

A diagnosis of the shipping agent's activity in the American continent shows the existence of three main institutional models, linked to technical professionalization, financial solvency, and customs control.

Regulatory heterogeneity between countries generates asymmetries in competitiveness and increases transaction costs.

From Douglass North's institutional perspective, these regulatory frameworks reflect specific historical trajectories and informal constraints that restrict regional convergence. Moving toward greater integration requires harmonizing standards for customs professionalization, solvency, and efficiency, which will strengthen logistical security, regulatory transparency, and the competitiveness of maritime trade in the Americas.

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