The importance of public policy for Blue Amazon marine spatial planning

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The establishment of policies relevant to the oceanic area in Brazil aims to guide the rational planning of resources of marine space (Blue Amazon), ensuring the quality of coastal population life and the effective protection of ecosystems and resources within it. Therefore, it appears as a major factor in the formalization of coastal and marine policies and, especially, in the training of human resources to work in the area. The concern of political regulation of the Brazilian government with the use of marine resources and coastal areas emerged in the 1970s, parallel to the emergence of an environmental viewpoint in state planning held in the country. The Special Department of Environment of the Presidency was created in 1973, which was a significant milestone in its institutional history. A year later, the Inter-Ministerial Commission of Sea Resources was created, aimed at coordinating issues that would lead to a national policy for the coastal region of Brazil. However, only with the Constitution of the Federative Republic of Brazil ratified in 1988, and with the ratification of the country to the United Nations Convention on the Law of the Sea in 1994, did the legal issues related to marine environment areas take form and effect.

Keywords: marine spatial planning; public policy; international policy; ocean management; Blue Amazon

1. Introduction

Investigating the processes of public policy for oceans and seas in Brazil, linked to an international context as well as the marine spatial planning, makes the theoretical basis of this study a mixture between agendas, laws, projects, plans and government programs. However, the study of marine spatial planning and public policy for the seas in Brazil is still considered embryonic, because it has few universities and research agencies that are directly engaged with strategic issues for the ocean, taking into consideration the internal and external interests of the country, under the scope of the sea.

Since the early days of human civilization, the ocean has been the subject of disputes and armed conflicts between different nations. From the moment international trade of goods through ocean navigation started, there was a need for regulations that prioritized the use of resources from the sea. It is noteworthy that ocean management is closely linked to national prosperity, international diplomacy and national security.

When talking about the ‘Blue Amazon’, a term coined by the Brazilian Navy (2011), it is said that it is an extraordinary repository of natural resources that Brazil has in its immense coastline of 8200 kilometers and over 4 million square kilometers in its exclusive economic zone (EEZ). However, in the twenty-first century, it is not possible to discuss funding sources without first considering the environmental issue, which is related to the exploitation of wealth distributed through the vast coastline of Brazil. The Brazilian state is experiencing a period of good economic growth, which is reflected by economic and social development, which, in turn, demands various initiatives from the government and society to maintain, in a sustainable manner, the generation of jobs, income and social welfare.

As the state grew, so did the possibilities for new investments in several sectors of the Brazilian economy. One of these sectors involved a whole set of businesses and professionals focused on the sea. Although Brazil, throughout history, has had a coastline with great possibilities for navigation, a great source of fishery resources and other natural sources, relevant to the development of the country, it was only through oil-prospecting activities in the legal Brazilian continental shelf that the Brazilian sea became the target of various types of investors, domestic or foreign.

Thus, the aim of this article is to demonstrate the importance of public policy for marine spatial planning in order to optimize the management of actions in the Brazilian maritime space, called ‘Blue Amazon’. Therefore, the principles of ocean governance were used and the precepts...
established in 1982 by the United Nations Convention on the Law of the Sea (UNCLOS) were considered.

The methodology, set on a qualitative research based on the analysis of historical, geopolitical and institutional contents, justified in official documents and secondary data, related to the context of the study. The content analysis, according to the perspective of Bardin (1977), has been one of the most used techniques for coding and analysis of documents, and a necessary support to qualitative research. Data were divided and investigated simultaneously. Godoy (1995) reports that the interpretation should go beyond the manifest content of the documents. However, interpretation involves a holistic view of the analyzed phenomena, demonstrating that historical, geopolitical and institutional facts are complex, structural and dynamic.

2. Global governance and national public policy

Global governance (in the sense of global society) allows us to visualize the most effective solutions to possible external conflicts that can arise. Such conflicts may arise from territorial, socio-political, marine or cultural factors, among others. Thus, regarding ocean global management, an extremely significant organization milestone of coastal states is the UNCLOS. It is also important to emphasize that it was highlighted during Rio+20 that ocean governance remains fragmented along sectoral and geographical lines that ignore the scale and interconnectedness of issues relating to the ocean.

The term ‘governance’ refers to recognition of the principles, norms and rules that provide standards of acceptable public behavior in the international system, according to a study by Keohane and Nye (2000). From this perspective, governance is not necessarily exercised only by governments – it is also exercised by international organizations, private companies, non-profit organizations – but all of them practice it. In addition, global governance allows us to visualize the most effective solutions to possible external conflicts that can arise. Such conflicts may arise from territorial, marine, socio-political or cultural issues, among others.

When contextualizing governance into marine spatial planning, it is noticed that concepts about geographic boundaries are focused on land borders. This is nothing new if we consider that, throughout history, territorial disputes between states occurred mainly on land. However, years after World War II, a considerable part of global territorial fluctuations occurred more often in the ocean than on the continent, as a result of increasing claims to territorial waters, where continental shelves and EEZ of the coastal States can be found. The competition for exclusive control of oceanic areas in the current period has been compared to the dispute for colonies by European countries in the eighteenth and nineteenth centuries (Sanger 1987).

Undoubtedly, this phenomenon led to important initiatives, such as the significant interest in the study of the ocean in relation to economics and geopolitics in the international context.

Most global coastal states ratified the UNCLOS, in order to regulate their ‘maritime’ spaces in the face of ‘greed’ for natural resources, or simply to protect their oceanic territory. It is important not to ignore that the UNCLOS establishes a comprehensive legal framework and basic obligations to protect the marine and oceanic environment from all sources of pollution and commercial exploitation. This framework allocates regulatory and enforcement authority, in a way that balances the interests of the coastal state protecting the marine environment and its natural resources with the right and freedom of navigation of all states.

It is true that the Brazilian State is one of the few in the world to feature a significant government policy of protecting its environment; if it is being used rationally is another story. However, the fact remains that Brazil respects all Environment International Conventions, being one of the first countries in the world, after the Stockholm Conference of 1972, to create a Special Department of Environment (in 1973) linked at that time to the presidency. The establishment of this department became a significant milestone in the environmental institutional history of the country. A year after, the Inter-Ministerial Committee for Marine Resources was created, with the purpose of coordinating themes that would lead to a national policy for the coastal region of Brazil, through Decree 74.577 of 12 September 1974.

The study of public policy in the ‘area’ of Political Science is important for the achievement of ‘a set of inter-related decisions taken by a political group of actor or actors, which refers to the selection of goals and means necessary to achieve them’ (Howlett and Ramesh 2003, 6). However, for further study of public policy and its mechanisms of action, it is necessary to clearly understand its formation and execution processes.

According to the regulation of the National Policy for Sea Resources (2005), biodiversity studies, concerning resources from oceans, seas and adjacent regions, must be ordered through specific plans and programs, aiming at the ‘sustainable’ development of this ecosystem. Interest in detailed knowledge of a public policy oriented toward this objective is the way to a more active participation of government officials, technicians and riverine communities. Thus, this policy remains open to pluralism of ideas and proposals, to contribute information of its own, some of which is controversial.

Thereby, it is possible to realize that Brazil needs to protect its immense Blue Amazon. Therefore, there is a need for valuable public policies that both achieve the goal of protecting the natural resources that exist in it and guarantee these resources as a benefit for Brazilian society.
The study, design or analysis of a public policy goes through a system of exchange of experiences or data search for the process of political construction. Therefore, it requires a ‘scientific theory’ basis. Any ‘scientific theory’ that is known and put into practice is a result of studies and research of various lines of human thought. The analysis of a theory or a policy is always a ‘processor’ element of information. ‘The political context is characterized by a very complex systemic environment, and, therefore, it is difficult to measure’ (Almeida and Rebelatto 2009, 2).

Theories tend to be seen as provisional truths. Existent contradictions, especially in academia, become the ‘triggering events’ of scientific evolution. Recognizing a theory as definitive, whether environmental or not, leads us to a stagnant situation, in terms of both knowledge and human evolution.

As there is no ‘single’ truth, one should have the freedom to accept (or not) the most varied aspects of knowledge produced throughout the history of mankind, which is true also for the study of public policy.

We live in a time of significant additions to reconstruct environment public policies. However, at all times, we could count on valuable contributions, which served as the foundation of their theoretical base. Learning the theory and/or the public policy does not always mean go through an exhaustive literature review work. Learning is often a process resulting from our involvement with everyday situations that calls us to research relevant information to a study of a scientific fact.

For these reasons, the process of studying public policy focused on the seas and oceans, becomes an object of learning, built informally, when in situations that require immediate solutions. The casual confrontation between different concepts and practices provides conditions for understanding issues on the agenda, as in the current case of the major hydrocarbon discoveries in the Brazilian continental shelf.

Thus, it is necessary a critical study of public policy bound and subsidized by daily multidisciplinary. In this case, in order to understand the public policy for the seas and oceans, it is necessary to rely on professionals from different areas of knowledge. In fact, a void is noticed within the normative and legal systems, birthplace of planning and government management initiatives. According to Wildavsky (1979) ‘studies of public policy rely on contributions from a number of different areas in order to interpret causes and consequences of government action’.

Souza (2006) comments that the study of public policy has four major precursors: Lasswell, Simon, Lindblom and Easton. Each one of them, in their specifications, proposed a systematic approach to understanding the effectiveness of implementation of public policies within a democratic state. Lasswell worked with policy analysis to build a scientific/academic knowledge, directed at the empirical production of government; Simon devoted himself to policy-makers, emphasizing the decision-makers’ limitation of rationality, and they do not always have complete or perfect information data, time for decision-making or interest in solving problems; Lindblom incorporated new concepts to the theories of Lasswell and Simon, explaining, in a better way, the power relationship and the integration of different faces of the decision-making process; Easton defined public policy as a system in which there is a relationship between formulation, results and environment.

However, it is important to remember that public policy can be viewed under different approaches coupled with different philosophies and targets. For this reason, separate currents are created, different from each other, but with a single objective: the democratic targeting of strategies and actions for the planning of a particular space or number of people. Dahl and Lindblom (1971) argued that democratic targeting is twofold; it consists of a condition to be achieved and a principle that guides a procedure to be achieved. This way, the ‘ideal current’ is the support or structure of an interrelationship between practical and scientific knowledge.

Political Science will be able to humanize referrals proposed by policy-makers and, later, by decision-makers. This implies a better relationship between government and society in general. Therefore, public policy, according to Bardach (1998), can be understood as a set of knowledge provided by various subjects in the humanities, used in seeking to solve concrete problems in public policy.

Ham and Hill (1993) warn that a survey or study should not be solely directed or based on an overall design of a systemic model. This happens because this approach sometimes tends to the extreme reductionism of questions relevant to the whole and to the overall understanding of system logic under study.

Returning to the specific study of public policy, the National Policy for Sea Resources emphasizes that it is necessary to develop activities that aim at an effective use, exploration and exploitation of the sea’s living things, minerals and energy resources, from the EEZ and the continental shelf, according to national interests, in rational and sustainable manners, for the socioeconomic development of the country, generating jobs and income, and contributing to social inclusion.3

Therefore, it is understood that a study integrating other areas of knowledge provides a better understanding of the scope of power of public policy for the seas and oceans in Brazil. To delimit the study, the National Policy for Sea Resources was chosen, an instrument of vital importance for marine spatial planning in Brazil, and a support and an example of an analytical, integrated and multidisciplinary study.

The justification for the choice of this policy is specifically based on the fact that, today, at least 40% of the Brazilian population lives not less than 200 kilometers
from the coastline. Problems of all kinds have been encountered in coastal ecosystems, so it is important to know if the policy, plans and programs designed to assist or protect these large areas, are really reaching their goals and fulfilling their purpose. It is not only a matter of defending the natural environment, but also ensuring the well-being of people who have settled there and depend on a balanced environment (Marroni and Asmus 2005).

The decentralization of public policy is a subject debated since the 1980s in a number of countries (see Arretche 1996). Arretche states that, until recently, distinct currents of political orientation have efficiently articulated decentralized proposals for various expectations of overcoming problems identified in the state.

Public policy, as a normative instrument of great expression for the organization of territorial and human spaces, functions as a set of interdisciplinary theories that are interrelated and aggregate final values, contributing to the selection of specific targets for a particular area or number of people. It is known that the current dynamism, caused by avalanches of technological, environmental or human information, leads us to constantly reassess the policies, theories and values inherent in the population’s welfare and the balance of an integrated system. It is emphasized that the most important element in the establishment of a public policy is not its planning, but its subsequent implementation.

Political Science provides us with a series of theoretical mechanisms and propositions for the understanding of the relationship between an individual and government. However, policy itself is not established only in the context of individual and government relationships. Politics is present at all times in all our lives. Political theory cannot be restricted to the academy. It is academic, but it is also public. Therefore, it has to be apprehended by those who need it and benefit from it. In fact, we are all theoreticians on duty, and we are not always aware of that.

According to Dupuy (1980), men want to be members of a society; a positive fact that escapes all control: power and its coercion. On one side, it is seen as a contract of association, and on the other, a submission pact. This second one is, of course, the most comfortable to conceive because it resolves the policy issue that arises from the plurality of men in the most spontaneous way.

Popularizing public policies, creating efficient mechanisms for managing and controlling the means of their implementation, and respecting the plurality of ideas and structures can be a direction to be followed. We should not passively and naively accept propositions for public policy development, such as a simple operation of a set of rules or procedures. We also cannot expect that all politics are clear and objective, even within a pattern of subjectivity. All politics take a while to be consolidated, but it is worth remembering that they also have expiration dates.

Therefore, it is important to be always aware of public policy, its relation with the environment and the number of people it wants to reach. Thus, from a conscious and participative community may arise effects of a well-targeted public policy. For this to occur, it is necessary to believe that public and private institutions are part of the same ‘community’ context, and that they should be incorporated, as common individuals try to somehow integrate themselves, into their community of origin.

According to Dye (1976), doing an analysis of public policy is to discover what governments do, why they do it and what difference it makes. Assuming that communities seek guidance and are committed to changing the patterns (sometimes erroneous) established by society, the organization and subsequent knowledge of specific policies would be clarified if an organized group is questioned about them.

Ham and Hill (1993) claim that what distinguishes policy analysis from what is produced in Political Science is concern with what the government does. And, this is the main argument or plea that binds and guides the interest for public policy research focused on seas and oceans.

The importance of public policy analysis, more specifically public policy directed at marine spatial planning, is much more than a simple state decision. This is because most public policies have a direct influence on the lives of communities when there are significant changes in its structure. Therefore, it is necessary that policy-makers – government officials, representatives of public and private institutions, non-governmental organizations and society in general – are represented in all spheres of political action. Since its creation or formulation until further planning and management, representativeness of organizations and civil elements interested in participating in a development process of an integrated region is necessary. It has become clear that discussing and planning a public policy becomes a simple task, compared to its management and, subsequent, execution.

Troubleshooting is also a relevant aspect of the policy analysis process, because policies exist precisely to discipline the behaviors and actions of communities in the environment. However, discipline achieved through normative acts does not fit into any initiative or action that intends to develop a democratic context. For this reason, it is desirable to integrate education with public policy. It has been often confirmed that education has provided information to support or enhance projects and ventures that involve government and segments of society.

It is known that almost nothing is done if there is no level of expectation or requirement that obligates us to grow. Real and concrete causes and stimuli can awaken our motivation and drive us forward, with arguments capable of breaking down barriers. We perform the best when there is interaction with people who are, mobilized toward common goals.
Therefore, the study of specific policies for marine spatial planning in Brazil, as well as the support of Brazilian sovereignty in the surrounding ocean, appears to be a contribution to this reality. The coastal zone is a system of multiple uses, characterized as an excellent field site of political–educational–environmental practices, by absorbing more than 40% of the Brazilian population in its areas. This settlement, sometimes excessive in certain areas of the Brazilian coast, has historical, economic and geographical roots. It is historical because early navigators swept the Brazilian coast in search of new conquests. It is economic because the coast has always been characterized as a source of aquatic, mineral and tourist resources. And it is geographic because currently the largest conurbations are not less than 200 kilometers from the coast line.

In contrast to the numerous attractions offered by pleasant places along the Brazilian coast, the misery of some of the major coastal cities can be seen, resulting in unsustainable conditions for many residents, such as unemployment, poor housing conditions, inadequate nutrition and low level of education. These are just a few of the many problems in large urban-coastal conglomerates.

In view of these inordinate circumstances, a complete study of specific information about these areas is urged. There is a public policy focused on marine spatial planning, but it should be available and easily accessible to the public.

3. National policy for sea resources: the beginning of marine spatial planning for Blue Amazon, Brazil

In many countries, actions on the marine and coastal environment are characterized as initiatives aimed at sustainable use of its natural resources, usually provided by a governmental public policy, specific for these ecosystems. Differently, several states have established national ocean policies, which appear alongside the planning and management of ocean, maritime and coastal resources.

The National Policy for Sea Resources (2005) is constituted as a major advance in terms of standardization of multiple uses of the coastal and marine zone of Brazil. Established in the 1980s, it has been undergoing bi-annual revisions (Sector Plans), justified by the population dynamics and the environment itself. Although it was conceived in the time of the Brazilian military regime, this instrument has become, with reformulations and adaptations to the current historical period, a strong protection mechanism of the coastal area. The Presidential Decree 5.382 of 3 March 2005 reformulated this policy, through the VI Sectoral Plan for Sea Resources.

To ensure the success of this policy, the president shall request advisory services from the Inter-Ministerial Commission for Sea Resources, and the Commander of the Navy chairs it. This Commission will have the assistance of representatives of the Presidency Civil House and the following departments: Defense, Foreign Affairs, Transportation, Agriculture, Livestock and Supplies, Education, Health, Development, Industry and Foreign Trade, Mines and Energy, Planning, Budget and Management, Science, Technology and Innovation, Environment, Sport, Tourism, National Integration, Fisheries and Aquaculture, besides the Ports Secretariat of the Presidency, Secretariat of Inter-Ministerial Commission for Sea Resources, Subcommittees, Executive Committees and Working Groups.

The strategies of the National Policy for Sea Resources have conditions for their implementation, arranged as a series of items. First, it is seen that the National Policy for Sea Resources will be consolidated through emerging multiannual and annual plans and programs. Next, the Inter-Ministerial Commission for Sea Resources, in line with the Planning Secretariat of the Presidency, would aim at coordinating programs and at better using the resources and efforts. Also, the Inter-Ministerial Commission for Sea Resources multiannual plans must contain: objectives, strategies, emerging programs, estimates of necessary financial resources and deployment of sectoral programs on specific projects (basic working documents).

Aiming to establish strategies of action, planning will consist of the following related aspects: human resources training; research, science and marine technology; exploitation and sustainable use of marine resources.

For these reasons, it is extremely important to constantly review action strategies, always aiming to maximize the processes of implementation and management of existent plans and programs emerging from the greater politics.

Thus, the Sector Plan for Sea Resources is an update of the National Policy for Sea Resources, and it has a multiannual duration. Thus, marine spatial planning in the various agencies involved in this area should be in accordance with the guidelines of the Sector Plan for Sea Resources. Besides updating the National Policy for Sea Resources on several aspects, the Sector Plan for Sea Resources is subject to and in accordance with the basic instruments of International Law to which Brazil is a signatory and defines the overall legal framework or outlines the actions that each country should perform so that the common goal of sustainable use of marine resources is achieved.

Therefore, in accordance with Decree 5.377 of 23 February 2005, Brazil started having a different public policy related to sea issues, remembering that the first version of the National Policy for Sea Resources was created in 1981. After more than 14 years since its first version, with constant revisions of the Sectoral Plans for Sea Resources, there were significant changes in the national and international scenarios related to seas, oceans and coastal areas, as described by Krug (2012). It is noticed that oceanic areas of the globe have experienced
notable changes with respect to the global legal framework, mainly due to the UNCLOS, in November 1994.

It is important to note that the Sectoral Plans for Sea Resources is guided by a precautionary principle in the exploration and use of marine resources. The absence of complete scientific information and/or the lack of certainty should not be used as a reason for postponing adoption of decisions and effective measures to prevent environmental degradation, when there is a risk of serious or irreversible environmental damage. The Sectoral Plans for Sea Resources is also linked to other mechanisms for integrated management of coastal, marine and oceanic environments. Therefore, it incorporates current sustainability concepts (spatial, ecological, economical and social) and the need for decentralized and participatory spatial planning as a form of integrating all involved parties, ensuring the effective performance of its proposals.

It should be added that a policy for the seas and oceans is much more than the formulation and selection of goals in a purely political process. And, if we consider planning and management of ocean spaces as spatial ordering, they will be additional technical and administrative tools for the allocation of space usage. Since ocean policy is supported by land ordering, it is assumed that the study of all concepts together may avoid incompatibilities, and rationally organize maritime spaces. The policy for spatial planning, of course, is subject to approaches and more specific studies. However, its concepts are considered as fundamental tools for understanding the management of ocean spaces.

Final remarks

Analysis of the Brazilian policy for oceans and seas must be considered within the historical and political contexts of the country. The establishment of the National Policy for Sea Resources, in 1980, occurred at the end of a period of military government, which showed strong nationalist tendencies. This characteristic, combined with the concern of the Brazilian government in participating in the Convention on the Law of the Sea, gave to the ocean policy a setting focused on geopolitical and national security interests. At that time, there was a strong concern in the country to evaluate and ensure the right of exploitation and possession of its marine resources and to establish internationally accepted limits in its territorial sea. It is not clear whether, in that context, a national consciousness or a real concern in exploring, sustainably, marine resources, even less clear is the community involvement in the processes of management of such resources. Therefore, the first Brazilian policy for oceans can be considered as a national landmark, which set its marine territory in the context of the International Conference.

The historical and evolutionary aspects of the National Policy for Sea Resources were well characterized when it was revised and implemented, not continuously, but through successive Sectoral Plans for Sea Resources, currently in its eighth version. This evolution reflected the modification of Brazil in its political aspects and its priorities, from the early 1980s until today. New principles, initially absent, were gradually incorporated into marine spatial planning. An example of this is the integrated study, which is concerned with sustainability in setting goals of exploitation of marine resources and a growing national concern to preserve marine and coastal biodiversity.

Another example of the evolution of the basic principles of the Brazilian policy for seas and oceans is the involvement of institutions that establish, implement and oversee them. Thus, the work of the Inter-Ministerial Commission for Sea Resources was remarkable in the coordination and implementation of this policy. The Commission, besides representing the various departments that form it, is chaired by the Brazilian Navy through its Secretariat of the Inter-Ministerial Commission for Sea Resources, with a commission traditionally linked with issues related to integration of the Brazilian territory and with aspects of the sustainable use of oceans. This decision to expand the participation of several institutions in marine spatial planning showed that the Brazilian Government adopted a more geopolitical option than a conservationist one in the establishment of the national policy for oceans.

However, the Inter-Ministerial Commission for Sea Resources, in subsequent years, played an important role as a coordinating agency of various marine policies and plans related to it. The Sectoral Plans, which are policy implementers, covered an expanding variety of institutions with predominantly research environmental management activities, such as federal and state environmental control agencies, universities and research institutes and other agencies representing the organized civil society. At this later stage, aspects related to community participation and sustainable development were gradually incorporated. Therefore, it can be said that this particular public policy, conceived in 1980 and reformed in 2005, needs to be adjusted to the new political interests, conditioned by the marine spatial planning organization and aimed at economic and social aspects of Brazil, especially after the discovery of oil in the pre-salt layer.

Thus, the growing importance of public policy and marine spatial planning on the national agenda is justified because of the more intensive exploitation of marine resources, putting Brazil in a prominent position in the international system by its visible technological, economical and political changes. Remembering Celso Furtado (2000), a leading Brazilian economist who said, ‘the challenges faced by Brazil are specific to a country-continent’, the new possibilities of resource extraction in the pre-salt layer are a clear example of that. The larger the energy resources obtained from the ocean were, the more
complex and challenging would be the power relationship involving this space and, with globalization, the demand for a new ocean governance has become urgent and necessary. Prior to the Convention, the developed states enjoyed the main benefits of the old international order of the ocean. Today, they face the effects caused by changes in traditional policies.

Notes

1. UNESCO (2013).
2. Inter-Ministerial Commission for Sea Resources. 2011. Decree 74.577 of 12 September 1974. http://www.mar.mil.br/secirm/.
3. National Policy for Sea Resources (2005).
4. These are the competences and tasks of the Inter-ministerial Commission for Sea Resources: to directly assist the President in achieving the National Policy for Sea Resources, offering her/him the general guidelines of this policy; to monitor the results and, if appropriate, suggest to the President possible changes; to deliver opinions and suggestions; to establish linkages with other departments, state governments and private-sector agencies, seeking necessary support for the execution of plans and programs from the National Policy for Sea Resources, whose objectives are the same.
5. Inter-ministerial Commission for Sea Resources (2005).
6. La Política Marítima y La Planificación Espacial (2007).

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