

Article

# Non-compliance with regulations on urban wildlife management in Ecuador: A systematic review

## *Inobservancia de la normativa sobre manejo de fauna urbana en Ecuador. Revisión sistemática*

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**Abstract:** The objective of this study was to identify non-compliance with regulations governing the management of urban wildlife in Ecuador. Using an exploratory literature review methodology that followed the PRISMA guidelines, articles and regulatory documents covering the period (2015-2025) on the regulation of urban wildlife in Ecuador and the extent of non-compliance were sought. Databases such as Scopus, Web of Science, and Latindex were used, along with specific keywords. Documents were selected first by title/abstract and then by full text to analyze the lack of adherence to current regulations. The results indicate that, internationally, there is a growing recognition of animals as sentient beings, a new ethical and legal paradigm adopted in Latin America. Ecuador has a robust legal framework protecting urban wildlife, based on the constitutional recognition of the rights of nature, the Comprehensive Organic Criminal Code (COIP), and local regulations (GADs). However, the effectiveness of this framework is undermined by citizen and institutional non-compliance. Abuse, abandonment, and lack of reproductive control persist due to bureaucracy, insufficient state budgets, a backlog of complaints, and uneven implementation and dissemination of ordinances at the local level. A comprehensive strategy is needed as a solution, including rigorous enforcement of sanctions, prioritization of mass sterilization, and ongoing education to ensure animal welfare and the fulfillment of the principles of Good Living.

**Keywords:** Contempt; violation; non-compliance; law; pets.

**Resumen:** El objetivo del estudio consistió en identificar el incumplimiento de la normativa del manejo de fauna urbana en Ecuador, bajo la metodología de revisión bibliográfica exploratoria que siguió las pautas PRISMA, se buscaron artículos y documentos normativos durante el periodo (2015-2025) sobre la regulación de fauna urbana en Ecuador y su incumplimiento, utilizando bases de datos como Scopus, WOS, Latindex y palabras clave

específicas, la selección de documentos se hizo por título/resumen y luego por texto completo para analizar la falta de adherencia a la normativa vigente. Los resultados indican que, a nivel internacional, existe un reconocimiento de los animales como seres sintientes, un nuevo paradigma ético y legal adoptado en América Latina, siendo así, Ecuador cuenta con un marco legal robusto que protege a la fauna urbana, basado en el reconocimiento constitucional de los derechos de la naturaleza, el Código Orgánico Integral Penal (COIP) y normativas locales (GADs). Sin embargo, la efectividad de este marco se ve mermada por la inobservancia ciudadana e institucional. Persisten el maltrato, el abandono y la falta de control reproductivo debido a la burocracia, falta de recursos económicos dentro del presupuesto estatales, la saturación de denuncias y la desigual implementación y socialización de las ordenanzas a nivel local. Como solución, se requiere una estrategia integral con aplicación rigurosa de sanciones, priorización de la esterilización masiva y educación continua para asegurar el bienestar animal y el cumplimiento del Buen Vivir.

**Palabras clave:** Desacato; infracción; inobservancia; ley; mascotas.

## 1. Introduction

Worldwide, cities have experienced accelerated growth, and Ecuador is no exception. This has led to an inevitable and complex coexistence between natural ecosystems and urban environments (Panchana et al., 2025). In this context, urban fauna includes domestic animals such as dogs and cats, as well as wild species that have adapted their ecological niche to the city. These species become a crucial component of local biodiversity (Jansen & Hobohm, 2021), but also a significant source of challenges for public health, citizen safety, and, fundamentally, for animal welfare and conservation (Kmetiuk et al., 2025).

The management of this cohabiting fauna is subject to a legal and regulatory framework that, in the Ecuadorian case, seeks to regulate aspects such as responsible pet ownership, population control, the management of wildlife in urban areas, and the prevention of animal abuse (Pozo-Pérez et al., 2024). However, the mere existence of regulations, no matter how well-intentioned, does not guarantee their effective implementation (Paucar-Tene et al., 2024). The reality in municipalities and cities across the country often reveals a considerable gap between what is stipulated by law and everyday management practices, which manifests in persistent problems such as the overpopulation of stray animals and the illegal trafficking of species (Samaniego-Braganza & Centeno-Maldonado, 2024).

The issue lies in regulatory non-compliance, a multifactorial phenomenon that goes beyond mere citizen disobedience (Guaya, 2025). Frequently, this non-compliance is rooted in structural weaknesses within the very entities responsible, such as local governments, environmental control agencies, and police forces (Álvarez & Morejon, 2022). The lack of financial resources, trained personnel, effective interinstitutional coordination, and insufficient political will are key factors that undermine the capacity of these entities to implement the plans and programs required for sustainable and ethical fauna management (Andrade Muñoz & Moncada Rangel, 2022).

This panorama of regulatory inaction acquires a critical dimension when analyzed from the perspective of Bioethics (Mendoza Escalante & Subía Cabrera, 2023). Bioethics, as a discipline that examines moral issues arising in the fields of life sciences and health,

provides the necessary framework to evaluate the actions and omissions of society and the State toward urban fauna (Henriquez Ramírez, 2023). The principle of Non-Maleficence and the concept of Animal Welfare become ethical pillars that demand respectful treatment and the mitigation of suffering, directly confronting negligent or cruel practices resulting from noncompliance (Hasim et al., 2025).

Management by responsible entities is, in essence, either the driving force or the obstacle to solutions. Analyzing how efforts are or are not coordinated among the Ministry of Environment, municipal fauna departments, rescue centers, and civil society is fundamental. Deficient management not only perpetuates the problem of stray animals but also generates a vacuum of authority that is sometimes filled by informal initiatives or, worse, by harmful practices that contravene principles of conservation and public health (Abdulkarim et al., 2021).

Proper management of urban fauna is not merely a matter of aesthetics or health, but a fundamental test of a society's maturity in its relationship with the natural world and its commitment to the ethics of life (Munir et al., 2023). This study seeks to determine the extent to which deficits in management by competent entities negatively impact animal welfare and the ecosystemic health of cities, establishing a clear causal link between administrative inefficiency and ethical deterioration.

The present research focuses on elucidating the root causes and tangible consequences of noncompliance with Ecuadorian regulations for urban fauna management, using Bioethics as an analytical lens. Ultimately, the objective of the study is to contribute to the development of stronger, ethical, and enforceable public policies in Ecuador, ensuring that coexistence between humans and urban fauna unfolds under standards of sustainability and compassion.

## **2. Methodology**

This exploratory study was based on a bibliographic review methodology to evaluate current literature and determine the lack of adherence to existing regulations on fauna management in urban environments in Ecuador. The systematic review was conducted following the guidelines of the PRISMA method (Preferred Reporting Items for Systematic Reviews and Meta-Analyses).

### **2.1 Eligibility Criteria**

**Inclusion:** Original research articles, systematic reviews, meta-analyses, and regulatory documents were accepted. The timeframe was restricted to the last ten years (2015–2025). Priority was given to works focused on Ecuadorian urban fauna regulations and violations of this law.

**Exclusion:** All studies outside the aforementioned documentary categories and those published outside the 2015–2025 period were excluded.

### **2.2 Search and Selection Process**

**Application of Criteria:** The following keywords were used during the search to obtain publications: “urban fauna”; “animal welfare regulations”; “bioethics”; “animal protection”; “animals as subjects of rights”; “urban fauna management.” The use of these keywords

allowed the selection of articles addressing the main topics related to regulations on urban fauna management in Ecuador and their noncompliance.

The information search was conducted in the electronic databases Scopus, WOS, SciELO, Latindex, and the academic literature search engine Google Scholar. Keywords and their combinations were applied using Boolean operators (AND, OR, NOT). The search was carried out in both English and Spanish, supported by the UNESCO Thesaurus (United Nations Educational, Scientific and Cultural Organization).

### **2.3 Study Selection**

First, documents were filtered by reviewing their titles and abstracts to verify compliance with the inclusion criteria. Finally, the studies that passed the first phase were analyzed in full text to confirm their suitability for the review.

### **2.4 Structure of the Synthesis**

The information obtained was organized into two main components:

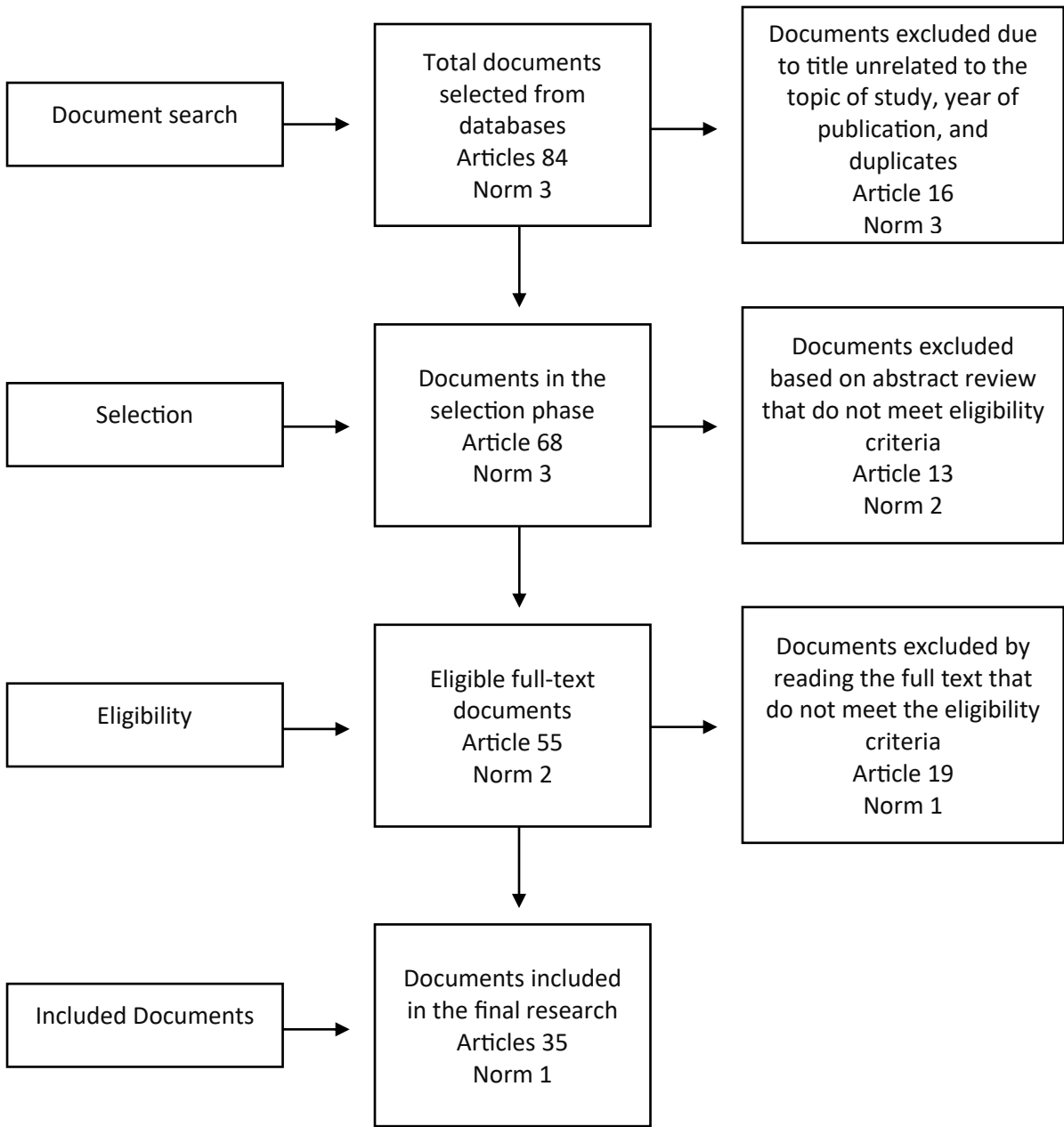
1. Identification of studies related to the regulation of urban fauna management in Ecuador.
2. Detailed analysis of the nonobservance or noncompliance with such regulations in the Ecuadorian context.

### **2.5 Review Flow**

Figure 1 represents the PRISMA Flow Diagram, which illustrates the sequential process of study selection. This scheme covers the essential phases of the PRISMA methodology: search, selection, eligibility assessment, and final inclusion.

#### **Figure 1.**

PRISMA flow diagram for document selection.



### 3. Results and Discussion

#### 3.1 International Legal Framework for Urban Fauna Management

The World Organization for Animal Health (WOAH) recognizes animals as sentient beings (Thompson et al., 2024), prompting other global organizations to adopt a new paradigm of ethical and legal obligations. This paradigm is being progressively incorporated in Latin America through the inclusion of criminal regulations in different countries (Lozada & López, 2024), underscoring the need for Ecuador to strengthen its own legal measures for animal protection.

The fundamental purpose of international regulations is to safeguard the essential needs of animals, consolidated with the inclusion of Article 13 in the Treaty on the Functioning of the European Union (2009), which established an explicit state obligation to guarantee animal welfare by formally recognizing animals as beings capable of feeling (European

Union, 2010).

### **3.2 Ecuadorian Legal Framework for urban fauna management**

Ecuadorian legislation establishes animal protection based on the constitutional recognition of nature as a subject of rights (Torres, 2024; Salvador & Orozco, 2024), complemented by the administrative efficiency of the Organic Administrative Code (COA, according its acronyms in Spanish) (Alvarado-Vélez, 2024), animal welfare regulations (Bustos & Terán, 2018), and the local jurisdiction of the Organic Environmental Code (COAM, according its acronyms in Spanish) (Moscoso, 2019). This structure has translated into the effective implementation of public policies for urban fauna care (Andrade Muñoz & Moncada Rangel, 2022), with key ordinances particularly in leading Ecuadorian cities (Gaspar-Santos et al., 2022; Verdy Martinez et al., 2022; Caicedo et al., 2023; Echeverría-Galindo & Moncada-Rangel, 2024; Ula-Quinchuela & Falconi-Herrera, 2024; Lucio & Díaz-Cruces, 2025).

Despite having a robust regulatory framework, its true effectiveness depends on the commitment of institutions to ensure diligent and transparent enforcement, with agile and clear responses to citizen complaints being crucial.

### **3.3 Non-compliance with Urban Fauna Management Regulations in Ecuador**

Non-compliance with urban fauna management regulations in Ecuador is evident in the persistence of mistreatment, abandonment, and lack of reproductive control of companion animals, despite the existence of a legal framework intended to protect them.

At the criminal level, the Comprehensive Organic Criminal Code (COIP, according its acronyms in Spanish) penalizes injuries and the killing of urban fauna with prison sentences, highlighting the seriousness with which violence against animals is addressed (Erazo & Fuertes, 2023; León et al., 2022). However, the effectiveness of this legislation is undermined by the absence of an agile administrative system, the saturation of complaints, and the shortage of personnel or resources for effective enforcement and sanctioning of violations.

A crucial challenge lies in the unequal implementation and dissemination of regulations at the local level. Although responsibility for urban fauna management falls to Decentralized Autonomous Municipal or Metropolitan Governments (GADs, according its acronyms in Spanish) (Vallejo & Carvajal, 2020), as established in the Organic Code of Territorial Organization, Autonomy and Decentralization (COOTAD, according its acronyms in Spanish) and reinforced in the Organic Health Law under its Health Code (COS), not all cantons have specific ordinances regulating responsible ownership, registration, mass sterilization, and ethical animal control. Existing ordinances, such as those in Cuenca or Metropolitan Quito, explicitly prohibit street animal sales, permanent chaining, and non-therapeutic mutilations (Paucar-Tene et al., 2024). Nevertheless, inadequate dissemination of these regulations and limited investment in citizen education programs on animal welfare and responsible ownership contribute to noncompliance, maintaining high rates of stray animals exposed to disease and traffic accidents.

Citizen responsibility in noncompliance is a determining factor. Most local regulations require owners to register their pets, provide adequate hygienic and sanitary conditions, and prevent them from roaming unsupervised in public spaces (Atiencia & Choco, 2022; Andrade & Rangel, 2022; Erazo & Fuertes, 2023). Failure to comply with these basic



duties results in abandonment, one of the most common prohibitions across ordinances which generates large-scale public health and animal welfare problems.

The effectiveness of Ecuador's legal framework requires not only rigorous enforcement of stipulated sanctions, which may range from fines to animal removal depending on severity (Jiménez-Quito & Durán-Ramírez, 2024; Villarreal-Lugmaña et al., 2025; Montoya, 2024), but also a comprehensive management strategy prioritizing mass sterilization, ethical rescue, and continuous education. Such measures foster harmonious coexistence and compliance with the principle of Buen Vivir ('Good Living'), which in the Ecuadorian context encompasses the protection of nature's rights and animal welfare.

#### 4. Conclusion

The Ecuadorian legal framework for urban fauna management is firmly anchored in an international paradigm that recognizes animals as sentient beings, as promoted by the World Organization for Animal Health (WOAH). At the national level, this ethical obligation is translated into a robust legal framework that constitutionally recognizes nature as a subject of rights and is complemented by codes such as the COA, COAM, and COIP. This system has enabled the creation of effective public policies and local ordinances in leading cities, demonstrating the State's willingness to comply with the principles of animal welfare. Nevertheless, the true strength of this regime lies not only in its existence but in its diligent and transparent application by competent institutions.

Despite the solidity of the regulations, the effectiveness of the system is undermined by noncompliance, manifested in the persistence of mistreatment, abandonment, and lack of reproductive control. The main challenge lies in the unequal implementation at the level of the Decentralized Autonomous Governments (GADs), many of which lack specific ordinances and suffer from a critical shortage of resources and personnel.

The lack of dissemination and citizen education on responsible ownership is a crucial factor that perpetuates the neglect of basic duties, such as pet registration or preventing unsupervised roaming. Therefore, the path toward harmonious coexistence and compliance with the principle of Buen Vivir ('Good Living') requires a comprehensive strategy that prioritizes mass sterilization, ethical rescue, and continuous education, beyond the mere enforcement of sanctions

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