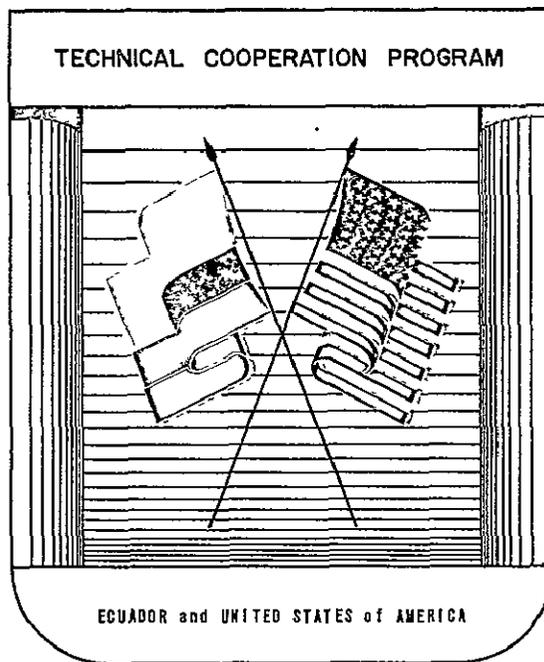


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REPORT AND RECOMMENDATIONS
NATIONAL CUSTOMS BORDER GUARD
STATE MONOPOLIES
IMMIGRATION AND ALIEN AFFAIRS
REPUBLIC OF ECUADOR



REVIEWED AND DECONTROLLED BY Lauren J.
Goin, Director, OPS, January, 1975

PUBLIC SAFETY DIVISION
USOM / ECUADOR
March 1960

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SURVEY REPORT AND RECOMMENDATIONS -
NATIONAL CUSTOMS BORDER GUARD
STATE MONOPOLIES
IMMIGRATION AND ALIEN AFFAIRS
REPUBLIC OF ECUADOR

* * * * *

GLENN L. WEATHERMAN, CONSULTANT

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INTRODUCTION

During the 1959 session of the Ecuadorian Congress, the problem of contraband merchandise was brought before Congress by the Citizens Committee. This Committee reported that it was increasingly difficult for a merchant selling legally imported products to compete with those selling contraband merchandise. At the conclusion of the hearing, Congress appointed a committee to make a study of the situation. This committee requested that a technical advisor be furnished by the International Cooperation Administration. When Congress adjourned in 1959, the committee had not yet finished its study and was instructed by Congress to turn over all information and recommendations to the Minister of Government for appropriate action. On January 1, 1960, the President of Ecuador issued a decree which stated, in part:

"CAMILO PONCE ENRIQUEZ

"CONSTITUTIONAL PRESIDENT OF THE REPUBLIC

"C o n s i d e r i n g s:

.

"In that at the present time there exists several independent corps under different commands such as the National Civil Police, National Customs Border Guard, State Monopolies, the Director General of National Security and Continental Defense, Provincial Chiefs of Security, Identification and Dactyloscopy, all entrusted with guarding public order and security;

"In that the defense of property and revenues of the Nation demand the maintenance of an efficient police service, that can only subsist when equipped with sufficient means for the complete fulfillment of its mission;

"In that the National Customs Border Guard and the Vigilance Service of the State Monopolies find serious difficulties in stopping the multiple forms of defrauding the Government, especially due to its lack of coordination;

"In that the unifying of all these organizations will undoubtedly contribute to solution in the best possible manner, the problems at present confronted by these services; the following articles are proposed:

"Article 12. The Inspection and Vigilance Services of the State Monopolies, also those of the National Customs Border Guard, which at the present time are operating in the different provinces of the Republic under

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the Ministry of Treasury, through the Director General of "Estancos" and the Director General of Customs, will become part of the National Police, etc."

.

An attempt was made at combining the services of the National Customs Border Guard, State Monopolies, General Directorate of Securities, and Immigration and Alien Affairs under the National Police as was outlined in the Presidential Decree. On February 15, the Minister of Treasury advised that the President had decided to withdraw the above decree and that his office was attempting the unification of the State Monopolies and the National Customs Border Guard into one organization under another decree from the President. This last decree reads, in part, as follows:

"CAMILO PONCE ENRIQUEZ

"CONSTITUTIONAL PRESIDENT OF THE REPUBLIC

"C o n s i d e r i n g s

"The project of total unification of all law enforcement agencies under the Police requires technical preparation and adaptation of personnel not accustomed to police discipline.

"Taking into consideration this idea, the formation of a combined Border Patrol has been tried, in the North Customs District, the main purpose of which is to experiment on the existing needs and the problems which may arise with the unification. Because of salary and other differences between the members of the Police, Monopolies and Customs, it has not been possible to have immediate function.

"Under the same criteria, an Instruction School on Border Control was inaugurated for the Police, Customs and Monopolies. The results determined the necessity of continuing this intensive training for the Chiefs of these organizations and divisions.

"With the above in mind the following is issued:

"To unite, under one command, and under the orders of the Ministry of Treasury, the law enforcement personnel of Customs and Monopolies, establishing for this agency the same disciplinary method used for the National Police.

"As to the Border Control, it would be necessary to maintain good relations and collaboration with the National Police.

"The preparation and revision of Laws and Regulations can be done by a commission of members of the Law Departments of the Ministry of

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Treasury, the Director General of Monopolies and the National Customs Border Guard, requesting technical advice from the Division of Public Safety which may loan their assistance."

.

Whether or not Congress will approve this last decree will not be determined until it convenes under a new president. The decree will, however, be in effect until that time. The recommendations in this report were made with this unification in mind.

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CHAPTER I

BACKGROUND FACTORS

A. GEOGRAPHY

The Republic of Ecuador, the capital of which is Quito, is situated in the northwest of South America, with about one-fifth of its area lying north of the equator. It is bounded on the north by Colombia with 434 miles of border, on the south and east by Peru with 1,062 miles of border and on the west by the Pacific Ocean with a coastline of 1,045 miles. The Galapagos Islands, officially known as the Archipiélago de Colón, are a part of the Republic and are situated 625 miles from the west coast in the Pacific Ocean.

Ecuador has 272,576 square miles of territory divided into 19 provinces - nine in the highlands, five in the coastal area, four in the Oriente and the Galapagos Islands which are considered insular territory.

Ecuador has four clearly defined geographical regions: The Pacific coastal area; the Sierra, consisting of the Andean mountains; the "Oriente," consisting of the eastern slopes of the Andes and the Amazonian Basin; and the Galapagos Islands.

1. Pacific Coastal Area.

The Pacific coastal area comprises a little over a quarter of the country's total land area. It is primarily an alluvial plain on the western slope of the Andes, varying in width from seven to 130 miles. This Pacific coastal plain stretches approximately 350 miles, from the Colombian border at the north to the Peruvian frontier at the south. The area has a hot, humid climate and the vegetation is essentially tropical.

2. Sierra.

The Sierra may be regarded, from several points of view, as the most important region of Ecuador. Two Andean chains, the Western and the Eastern Cordilleras, run more or less parallel to the coast. Together with the inter-Andean valleys, they comprise approximately a quarter of Ecuadorian territory. Some of these Andes mountains rise to 20,700 feet above sea level. Altogether, there are more than a dozen peaks above 16,000 feet, most of them covered by snow the entire year. The climate in the Sierra is temperate and varies little during the year. The rainy or "winter" season is from November to May with the remaining months being dry.

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3. Oriente.

The Oriente, lying east of the Andes, is mostly jungle which is low in altitude, hot, humid and traversed by many powerful rivers which flow into the Amazon. Because of the difficulties of access and the lack of roads, the Oriente is as yet largely undeveloped and contributes little to the national economy.

4. The Galapagos Islands.

The Archipelago de Colon is a group of some 60 Pacific rock strawn islands. The entire group comprises about 6,000 square miles. San Cristobal is the principal island and main seaport of the Archipelago.

From the scientific and political points of view, these islands are considered most important. During World War II, the United States maintained a strategic military base at Seymour Island.

The main means of livelihood for the people of these islands is fishing.

B. HISTORICAL AND POLITICAL

Little is known of the origin of the Quito Indians, apparently the first inhabitants of the area. In 1487, they were conquered by the Inca Indians of Peru, who in turn were conquered in 1530 by invading Spaniards under Francisco Pizarro. In 1534, Sebastian de Benalcazar, one of Pizarro's lieutenants, founded the city of Quito and proclaimed the area a possession of the Spanish Crown.

The territory, now called the Republic of Ecuador, fluctuated between forming part of the Viceroyalties of Peru and of New Granada, until the power of the Spanish Crown was broken by the decisive Battle of Pichincha on May 24, 1824. Ecuador became a republic in 1830. Since that time, Ecuador has been governed under 16 written constitutions, the last one being written in 1946. The Constitution provides for the president to be elected by a majority of free votes for a period of four years. A president cannot have two successive terms, but can again become a candidate for the presidency after a four year intervening period.

1. Administrative.

There are nine ministries, the heads of each being appointed by the president, as follows: Government, Foreign Affairs, Development, Treasury, National Defense, Economy, Public Works, Education and Social Welfare, and Labor. These, together with the vice-president, form the cabinet.

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2. Legislative.

The legislative body is composed of three functions: Executive, Congress and Judicial.

The Executive Branch consists of the president and his cabinet. Congress is composed of a Chamber of Senators, which is elected for a four year term, and a Chamber of Deputies which is elected for a two year term.

The Judicial Branch consists of the Supreme Court, the Superior Court, 15 Provincial Courts and 77 Cantonal Courts.

C. DEMOGRAPHIC

Ecuador's first population census was taken November 29, 1950, and it showed a total of 3,202,757 persons (1,594,803 males and 1,607,954 females). As of December 1959, the estimated population was 4,254,175, divided in the following manner: Highlands - 2,373,610; Coastal area - 1,822,471; "Oriente" - 57,223 and Galapagos Islands - 1,871. It should be borne in mind that because vast sections of the jungle area of the Oriente are unexplored, a census of the tribes of indians in this area would be extremely difficult and has not been made. The racial composition of the population is estimated to be 35% indian, 50% mixed blood, 10% whites and the remaining 5% being divided between negroes, mulattoes, and asiatics.

It is estimated that 60% of the population is illiterate.

D. ECONOMY

Ecuador's economy is based principally on agricultural products. The coastal area and lower river valleys produce bananas, cocoa, vegetables and sugar cane. The highlands and the mountain valleys are suitable for dairying and the production of beef cattle. Almost 60% of the population live from proceeds of agriculture. The per capita income of the republic is \$105.00 per year. This is extremely low but is due largely to the fact that indians who own small farms live from the proceeds of the farm and receive very little income.

E. TRANSPORTATION

1. Shipping.

Ecuador has 10 seaports of which Guayaquil is the largest. Approximately 100 ships per month arrive in this port. The Guayaquil port authority is presently constructing a new port with larger and more adequate

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loading and unloading facilities. The merchant marine service of Ecuador consists of over 100,000 tons of seagoing and 1,000 tons of river craft.

2. Roads.

There are now 1,870 miles of main trunk roads, 1,225 miles of branch roads plus over 2,000 miles of smaller paths which can be travelled only on horse or mule back. The main trunk roads are for the most part paved with stones and maintenance is a definite problem. The use of asphalt for paving of roads is just beginning in the republic. There is one highway entering the country from Colombia and two from Peru. The Oriente section of the republic has no paved roads.

3. Railway.

There are several short railways in the republic. The longest and most recently constructed begins at San Lorenzo and ends in Quito with a connecting line to Guayaquil. This was officially opened in August 1957. The railway from Guayaquil to Quito is some 288 miles in length. Very little passenger service is maintained by these railways and they are used almost exclusively for hauling freight. This freight consists mainly of agricultural produce.

4. Aviation.

Ecuador is served by the following major airlines: Avianca, Braniff, KLM, Panagra and Air France. All of the leading towns are connected by daily or every-other-day flights by some type of commercial aircraft. Most of the smaller towns have air strips which will only accommodate single engine airplanes.

F. COMMUNICATIONS

The principal cities of the republic are connected by telephone and telegraph service. The cities of Quito, Guayaquil and Guenca have international radio telephone service with the United States and other parts of the world. Short wave radio is used extensively for communication between the smaller towns and villages where telephones are not available. Many of the isolated mountain areas have no communication facilities at all, however.

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CHAPTER II

STATE MONOPOLIES (ESTANCOS)

The State Monopolies organization prior to 1929 functioned along the lines introduced by the Spanish Colonies in the early 15th Century. This method was for the republic to purchase all taxable items and then resell them to the public.

In 1929, the Ecuadorian National Assembly requested a committee be employed to make a study of the system. This study was made by the "Kenmerer Mission" which recommended the reorganization of the system and that the name be changed to "Estancos of the Republic."

On October 19, 1935, Federico Paez, President of the Republic of Ecuador, issued the first "General Law of Estancos" which incorporated all laws previously issued and added many new ones. One of the new laws defined the jurisdiction of the organization and divided it into two sections, the administration and law enforcement. Although many laws have been added since that time, this "General Law of Estancos" issued in 1935 is the basic operating law of the organization.

There have been several decrees issued pertaining to the production, sale, importation and amount of tax to be imposed on tobacco, salt, matches, alcohol and cigarettes, the latest being issued in 1957.

Decree No. 117 of September 27, 1957, issued by Dr. Camilo Ponce, was aimed at removing certain products from the control of the Monopolies and allowing private business to sell these products. These private establishments would post a bond to assure the Republic of payment of tax on items sold. This system has reduced the number of administrative personnel needed by the organization. This method is well received by a majority of the people of the Republic, however, the State Monopolies administrative section opposes this system.

A. RESPONSIBILITY OF LAW ENFORCEMENT

1. Department in Which Vested.

The State Monopolies operate under the Ministry of Treasury and are responsible for the control and distribution of alcohol, salt, tobacco and other taxable items listed in the General Law of Estancos issued October 29, 1935.

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2. Legal Authority.

The legal authority of the State Monopolies is stated in the General Law of the Estancos Supreme Decree No. 483, Official Registrar No. 26 of October 29, 1935. Article 154 of the Organic Law of Estancos reads, in part, as follows: "Following the order of Monopolies Managers or in common agreement when the needs of the control require it, supervisory officers can visit and inspect even up to the minutest details the production, sale and re-sale of the articles within the branch of alcohols, including beer, factories, warehouses, agencies or establishments; and the owners of their representatives will give all aid, data and receipts requested of them. Resistance to these inspections will be sanctioned according to the law and in accordance with this law and this regulation.

3. Jurisdiction of Departments.

Article 48 of the Organic Law of Estancos reads in part: "The Direction will organize its administration as believed convenient, increasing or decreasing personnel and salaries, without going over the amount estimated in the annual budget. It is also the Director's duty to appoint or dismiss employees, with the exception of the Managers or Provincial Administrators, who will be appointed or cancelled by the Executive."

4. Line of Political Control.

The line of political control is shown in Chart No. 1 on Page 11.

5. Authorized Strength.

The present total authorized personnel strength of State Monopolies is 1,601 employees.

6. Inter-Departmental Relationships.

The State Monopolies personnel operate closely with the National Customs Border Guard to enforce tariff laws of the Republic. This organization is considerably more independent than other departments of the Government.

B. ORGANIZATION

1. Structure.

Chart No. 1 on Page 11 shows the organizational structure of the State Monopolies organization.

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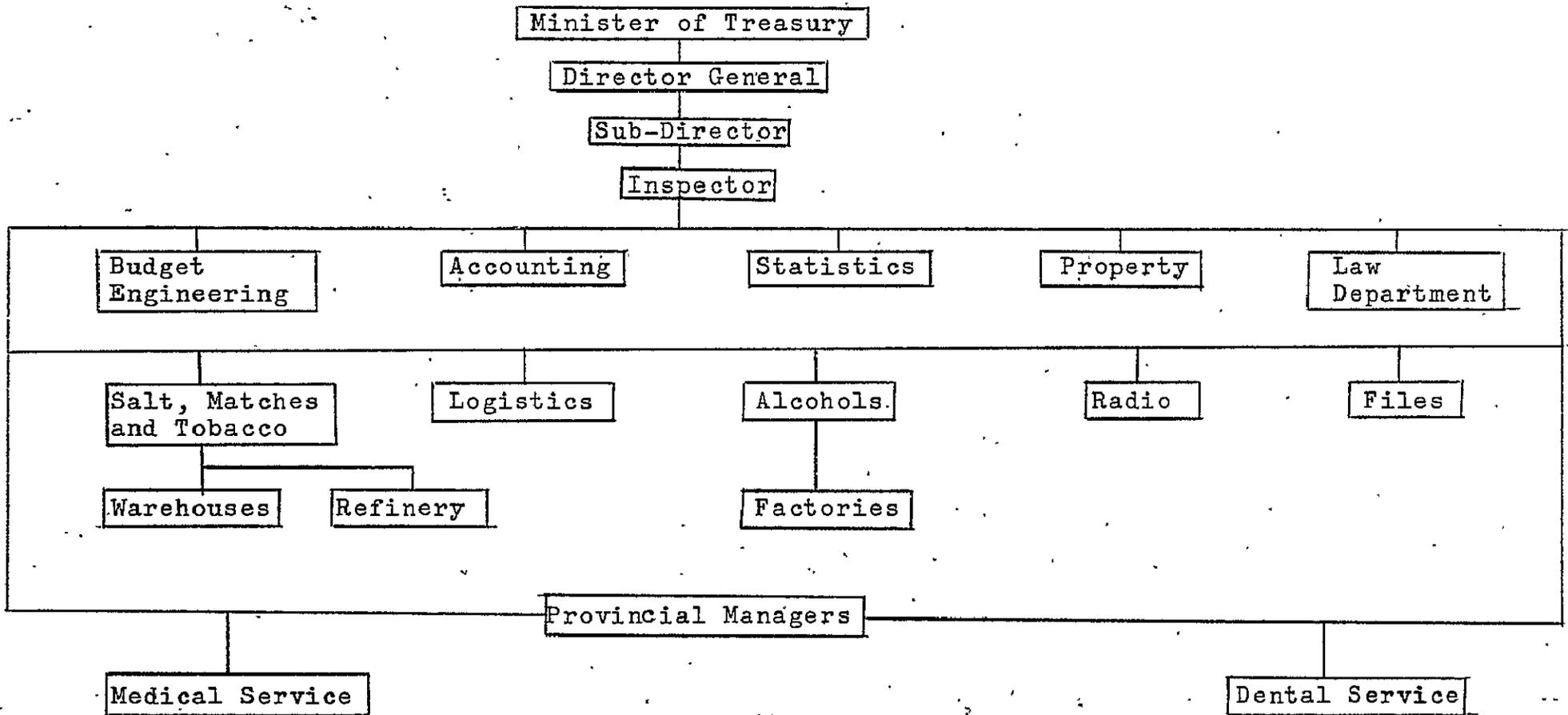
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CHART No. 1

ORGANIZATION AND LINE

OF COMMAND

STATE MONOPOLIES



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2. Functions.

The main function of this organization is to supervise the fulfillment of the requirements set forth in Articles 47 to 53 in the laws and regulations of State Monopolies. The State Monopolies is divided into two sections to accomplish the above functions: (a) the administrative, which manages offices and receives tax money for legally produced taxable items; and (b) the Estancos, which is the law enforcement section.

3. Command Structure.

The laws and regulations of State Monopolies, Articles 149 to 163, establish the command structure as follows:

a. Superior employees:

Director General
Sub-Director
Comptroller
Inspector
Managers

b. Subordinate employees:

Auditors
Adjutants
Secretaries
Provincial Inspectors
Canton Inspectors
Sub-Inspectors
Guards
Chauffeurs
Janitors

C. ADMINISTRATION

1. Authority of Command Officers.

The Director General of State Monopolies is charged with the enforcement of the tax laws of the Republic. He is responsible directly to the Ministry of Treasury. The Sub-Director is responsible to the Director and acts in his capacity when the Director General is absent. Managers are located in all provinces where they act as judges in cases of contraband and merchandise seized for violation of tax or tariff duties. They have authority to levy fines and pass sentences in the above cases. Their decisions can be appealed to the Director General of the State Monopolies and then to the Minister of Treasury, respectively.

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Directors Office State Monopolies

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Article 149 of the Organic Law of Estancos reads, in part, as follows:

"The Director, as Chief of the Estancos' Administration will:

"a. Determine the number of employees and determine their salary, also the percentage that the agents will earn when these do not receive a fixed salary.

"b. Appoint and dismiss employees, direct their functions and activities.

"c. Delegate to Managers the authority to appoint the sub-inspectors, guards, stablemen, porters, chauffeurs and any other employees within these categories.

"d. Designate the employee who will substitute when the Secretary is not present.

"e. Authorize the purchase of alcohols, syrups and other raw materials for manufacture or refinement."

2. Delegation of Authority.

Article 50 of the Organic Law of Estancos reads, in part, as follows:

"The Director will be substituted by his Secretary in his absence or by any employee appointed by him. The Managers and Administrators will be substituted by the higher echelon employees appointed by them."

3. Division of Work.

The work of this organization is divided into the following sections, all under the supervision of the Sub-Director:

- a. General or administration
- b. Supervision
- c. Legal
- d. Accounting
- e. Salts
- f. Statistics
- g. Alcohol
- h. Property
- i. Supplies
- j. Finances
- k. Communications

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- l. Inspector's Office
- m. Records
- n. Medical Service

D. PERSONNEL

1. Authorized Strength.

Director General-----	1
Sub-Director-----	1
Managers-----	18
Provincial Inspectors-----	16
Cantonal Inspectors-----	86
Administrative employees and factory managers-----	395
Sub-Inspectors-----	89
Guards-----	995
TOTAL-----	<u>1,601</u>

2. Recruitment.

No special policies exist for the recruitment of personnel. Candidates must fulfill the following:

- a. Must be Ecuadorean by birth and have all citizenship rights.
- b. Must have completed the sixth grade of primary instruction to hold the rank of Sub-Inspector and Guard. He must have two additional years of secondary instruction for the position of Sub-Inspector and above.
- c. Must have no criminal record.

3. Assignments and Transfers.

Article 83 of the Law of State Monopolies specifies that personnel are subject to transfer from one station to another on the basis of the needs of the service.

4. Promotion.

No promotion policies exist in the organization.

5. Salaries and Allowances.

Salaries of State Monopolies employee personnel are as follows:

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	<u>Monthly Salary</u> <u>(in Sucres)</u>
Director General-----	4,700
Sub-Director-----	3,000
Comptroller-----	2,900
Chief of Inspectors-----	2,500
Inspectors, Section Chiefs-----	2,200 & 2,000
Managers-----	2,200 & 2,000
Auditors-----	1,500 & 1,400
Adjutants-----	2,200 & 2,000
Secretaries-----	820 & 800
Provincial Inspectors-----	1,300 & 1,200
Canton Inspectors-----	900 & 750
Sub-Inspectors-----	800 & 650
Guards-----	600 & 550
Chauffeurs-----	750 & 550
Porters (janitors)-----	500 & 450

(NOTE: 17 Sucres = U.S. \$1.00)

6. Special Benefits.

Per diem for subsistence and transportation costs are furnished employees when they are directed to perform duty away from their official station. Transportation is also paid for when officers are transferred from one station assignment to another.

7. Retirement and Pensions.

Personnel of this organization are eligible to retire after 30 years of service on 75% of their salary. Other benefits are provided by the Social Security Law.

8. Discipline.

The administrative and organizational law of the Ministry of Treasury provides that each employee will be subject to the orders of his superiors. An employee may be dismissed from the service for not carrying out his obligations. No other mention is made of discipline or disciplinary actions.

9. Tenure.

Tenure in the organization is at the discretion of supervisory officers with the final decision for dismissal from the service being the responsibility of the Director General and the Minister of Treasury. A supervisory officer may recommend in a memorandum to the Director General

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that an employee under his command be dismissed. The tenure of duty at a station assignment is dependent on the needs of the service.

10. Morale.

Morale of the employees in this organization is average.

11. Uniform and Clothing Allowances.

None of the employees of this organization wear a uniform. There is no clothing allowance.

12. Meritorious Service Awards and Commendations.

None exist.

13. Duty Hours and Vacation Leave.

Office employees are required to perform 44 hours of duty per week. Enforcement officers are subject to call and duty for the length of time required for the performance of their tasks. The hours are assigned by supervisory officers at each station. Employees are granted a vacation leave of 30 days annually following the completion of one year with the organization.

E. TRAINING

No formal training is given to members of this organization.

F. RECORDS

1. Centralized or Decentralized.

Centralized personnel records are maintained in the office of the Ministry of Treasury. All other records are decentralized and are kept in the office of the Director General. Records of production of alcohol are maintained in the provincial management offices. All book-keeping and accounting records are maintained in the office of the Director General.

2. Method of Filing.

Records are filed by departments and provinces.

3. Facilities for Storage.

Records in the provinces are usually stored on wooden shelves in book form. Regular filing facilities are available in the Director's office in Quito.

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4. Facilities for Protection.

The records in the Director's office are protected by locks at night and are under the charge of experienced personnel during the day. Very little protection is afforded records in the provinces.

5. Retention.

According to the organizational and administrative law of the State Monopolies, records are normally retained for five years.

G. EQUIPMENT

1. Automotive.

a. Inventory.

<u>General Directorate:</u>	<u>Condition</u>
2 Automobiles	New
1 Automobile	Good
3 Pickups	Bad
1 Pickup	Good
1 Jeep	Bad
1 Jeep	New
<u>Garchi Province:</u>	
1 Truck	Bad
2 Pickups	Bad
<u>Imbabura Province:</u>	
2 Pickups	Bad
1 Pickup	Fair
<u>Pichincha Province:</u>	
1 Automobile	Good
1 Pickup	Good
2 Pickups	Bad
3 Pickups	Fair
2 Trucks	Bad
1 Truck	Fair
1 Truck	Good
1 Jeep	Bad
2 Jeeps	Good

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<u>Gotopaxi Province:</u>	<u>Condition</u>
2 Pickups	Fair
<u>Tungurahua Province:</u>	
1 Pickup	Bad
1 Pickup	Fair
1 Truck	Fair
<u>Chimborazo Province:</u>	
2 Pickups	Bad
1 Truck	Bad
<u>Bolivar Province:</u>	
1 Pickup	Fair
1 Pickup	Bad
<u>Canar Province:</u>	
1 Pickup	Bad
1 Pickup	Fair
<u>Azuay Province:</u>	
2 Jeeps	Bad
1 Jeep	New
<u>Loja Province:</u>	
3 Pickups	Fair
1 Pickup	Bad
<u>El Oro Province:</u>	
1 Jeep	New
<u>Guayas Province:</u>	
1 Automobile	Bad
3 Pickups	Bad
1 Jeep	Bad
1 Jeep	Good
1 Jeep	New

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<u>Los Rios Province:</u>	<u>Condition</u>
1 Jeep	Bad
<u>Manabi Province:</u>	
2 Pickups	Bad
1 Pickup	Good
1 Jeep	Bad
<u>Esmeraldas Province:</u>	
1 Jeep	New
1 Jeep	Fair
<u>Treasurer's Office, salt mine:</u>	
1 Pickup	Fair
2 Jeeps	Fair
1 Truck	Fair
1 Jeep	New
1 Truck	Good

b. Facilities for Maintenance and Repair.

The organization has four repair shops throughout the Republic for repair of motor vehicles. These facilities are not well managed or equipped. Usually it is necessary to have repairs made at commercial garages.

2. Communications.

The condition of all items of communications equipment listed is good.

Office of the Director General:

2 Transmitter "Heathkit", 125 watts
1 Receiver "Hallicrafter"
1 Receiver "Collins"
1 Receiver "Hallicrafter"

Manager of Carchi:

1 Transmitter "Collins"
1 Receiver "Hallicrafter"

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Manager of Azuay:

1 Transmitter "Hammarlund"
1 Receiver "Jhonson Wiking"

Manager of Loja:

1 Transmitter "Collins"
1 Receiver "National"

Manager of El Oro:

1 Transmitter "Jhonson Wiking"
1 Receiver "Hammarlund"

Manager of Guayas:

1 Transmitter "Collins"
1 Receiver "National"

Manager of Manabi:

1 Transmitter "Jhonson Wiking"
1 Receiver "Hammarlund"

Manager of Esmeraldas:

1 Transmitter "Heathkit"
1 Receiver "Hallicrafter"

Salinas:

1 Transmitter "Hammarlund"
1 Receiver "Jhonson Wiking"

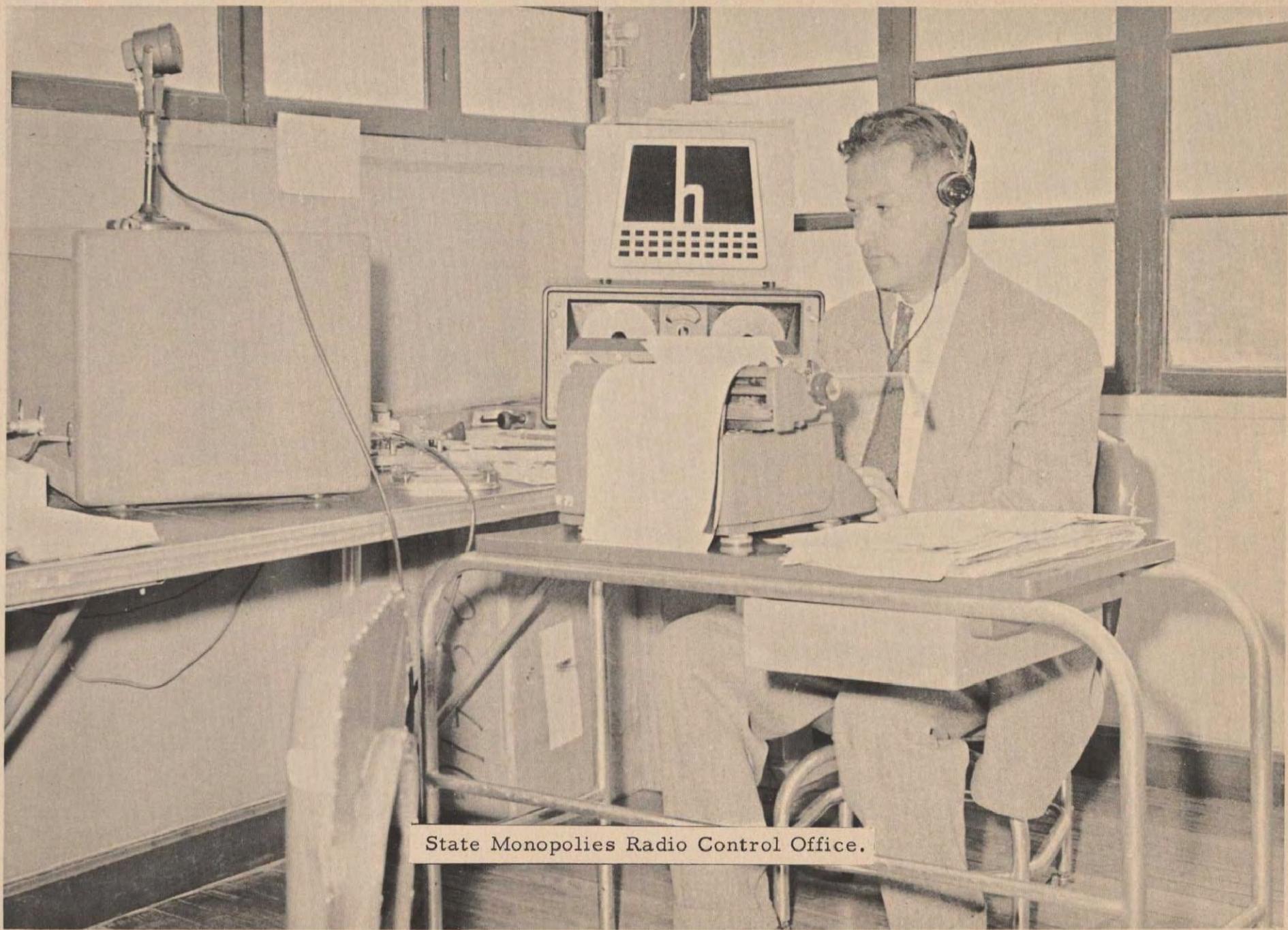
Duran:

1 Transmitter "Jhonson Wiking"
1 Receiver "Hammarlund"

Facilities for maintenance and repair do not exist. All repairs are handled by commercial technicians.

These radio stations operate on an 8 a.m. to 6 p.m. basis.

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State Monopolies Radio Control Office.

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3. Weapons.

<u>a. Inventory.</u>	<u>Quantity</u>	<u>Good</u>	<u>Bad</u>
Pistols, .45 cal., automatic	30	-	30
Revolvers, .32 cal.	470	80	390
Revolvers, .38 cal.	341	210	131
Carbines	598		598

<u>Ammunition:</u>	<u>Rounds</u>
.32 cal.	60,000
.38 cal.	5,000
Carbine	15,400

b. Facilities for Maintenance and Repair.

Care and maintenance of weapons are the responsibility of the Provincial Managers and the personnel to whom they are assigned.

c. Policies of Operation.

When an inspector is given an assignment, the Provincial Manager or the inspector in charge of a station issues him a weapon. The inspector must sign a receipt for the weapon and the receipt is returned to him when the weapon is returned.

4. Buildings.

The State Monopolies rent 242 offices, 21 houses and 10 warehouses. The following list gives the location, number and the condition of the buildings owned by this organization:

<u>Province</u>	<u>City</u>	<u>No.</u>	<u>Description of Building</u>	<u>Condition</u>
Carchi	Tulcan	1	Mixed construction, 2 floors	Good
Imbabura	Ibarra	1	Mixed construction, 2 floors	Good
Pichincha	Quito	1	Concrete construction, 4 floors	Good
		4	Concrete construction, 2 floors	Good
Cotopaxi	Latacunga	1	Concrete construction, 1 floor	Good
Tungurahua	Ambato	1	Brick construction, 2 floors	Good
Chimborazo	Riobamba	1	Mixed construction, 1 floor	Good
El Oro	Machala	2	Mixed construction	Good
			Bamboo warehouse, 1 floor	Good
Guyas	Guayaquil	1	Mixed construction, 2 floors	Fair
	Punta-Arenas	1	Wood construction, 2 floors	Bad
		2	Bungalow, 1 floor	Bad
	Eloy Alfaro	15	Managers offices, warehouses (sold)	Good
		5	Small houses for control, 1 floor	Fair
	Salinas	1	Concrete construction, 4 floors (w/fenced in space)	Good

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H. BUDGET

See Page 23.

I. PUBLIC RELATIONS

State Monopolies have no formal public relations office. Any work in the field of public relations is dependent upon the Director General or each individual officer as he deems appropriate. In order to inform the public about the work and problems of this organization, an information bulletin is furnished to the radio stations throughout the Republic on a monthly basis. There is also a yearly information bulletin published by this organization which informs the public about activities and new laws and regulations concerning the State Monopolies for the year. Plans have been made by the Director General to start a radio program on a daily basis to inform the public about problems and accomplishments of the organization. Articles for newspaper publication are released only at the direction of the Director General's office.

J. OPERATIONS

1. Patrol.

The enforcement personnel of the State Monopolies periodically patrol the highways in search of contraband. The personnel do not wear uniforms and they perform patrol duties in unmarked cars. They usually patrol only when they have information that contraband is being moved. There are no regular patrol routes and patrol is not a part of their regular assignment.

2. Investigations.

Investigations by this organization are concerned with the apprehension of smugglers of liquor, salt, tobacco, cigarettes or other merchandise that has entered the country without paying the required tax. Investigators also visit warehouses, wholesale stores and retail stores to check the validity of licenses permitting these establishments to sell taxable items. Retail liquor stores and public liquor dispensing houses are also checked for untaxed liquor and to assure their compliance with the regulations covering the dispensing of the same.

3. Technical Services.

State Monopolies have a laboratory where qualitative analysis is conducted on several different liquors prepared and produced in the country from alcohol, sugar cane juice, and fermented fruits. This technical

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Front Entrance to State Monopolies Office Building.

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ANNUAL BUDGET IN SUCRES

<u>Expenses</u>	<u>1958</u>	<u>1959</u>	<u>1960</u>	<u>Increase</u>	<u>Decrease</u>
Salaries	15,000,000.00	15,000,000.00	14,680,000.00	- - -	320,000.00
Employment of specialist	460,000.00	460,000.00	530,000.00	70,000.00	- - -
Other personnel expenses	80,000.00	80,000.00	80,000.00	- - -	- - -
Public relations (for Director)	21,000.00	21,000.00	21,000.00	- - -	- - -
Special projects	200,000.00	200,000.00	200,000.00	- - -	- - -
Transportation	800,000.00	800,000.00	800,000.00	- - -	- - -
Building maintenance	500,000.00	500,000.00	500,000.00	- - -	- - -
Rental of buildings	1,350,000.00	1,350,000.00	1,350,000.00	- - -	- - -
Purchase of tools (for factories)	500,000.00	500,000.00	700,000.00	200,000.00	- - -
Maintenance and fuel for vehicles	600,000.00	600,000.00	600,000.00	- - -	- - -
Office supplies, printing, furniture materials	1,000,000.00	1,000,000.00	1,000,000.00	- - -	- - -
Per diem for trips	40,000.00	40,000.00	50,000.00	10,000.00	- - -
Indemnization for dismissed personnel	300,000.00	300,000.00	300,000.00	- - -	- - -
Retirement and pensions	816,000.00	816,000.00	816,000.00	- - -	- - -
Commission to agents selling government products	1,800,000.00	1,800,000.00	1,500,000.00	- - -	300,000.00
TOTAL-----	23,467,000.00	23,467,000.00	23,127,000.00	280,000.00	620,000.00

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laboratory also examines liquor produced by other manufacturers in the Republic to assure their compliance with regulations. It is also necessary for laboratory personnel to periodically check liquors being imported into the Republic to assure that they contain the required amount of alcohol. There have been instances when poisonous substances were found in alcoholic beverages produced by local manufacturers. The vigilance of this technical laboratory staff prevented possible harm or death to the public consuming this beverage. The production of all factories is controlled by this department.

K. STATISTICS

Production and sale of monopolized items by State Monopolies for the years 1957 and 1958:

Alcohol:

<u>YEAR</u>	<u>PRODUCTION</u>		<u>SALE</u>	
	<u>Liters</u>	<u>Cost</u>	<u>Liters</u>	<u>Cost</u>
1957	8,587,131	\$1,380,733.52	8,287,874	\$4,390,464.91
1958	9,614,133	1,837,435.82	7,281,037	4,078,020.00

Salt:

1957	533,394.17	157,904.21	490,801.13 (100#)	1,847,099.72
1958	422,358.98	128,138.94	459,891.36 (100#)	1,730,528.96

Matches:

1957	18,919,000 (boxes)	129,228.15	43,501,184 (boxes)	513,061.21
1958	- - - - -	- - - - -	4,870,824 (boxes)	43,708.24

Foreign Cigarettes: (imported)

1957	24,959,502 (pks.)	2,202,310.39	20,476,593 (pks)	5,427,463.46
1958	22,515,001 (pks.)	2,383,941.18	22,581,206 (pks)	5,982,076.90

National Cigarettes:

1957	48,009,703 (pks.)	1,663,807.85	48,009,703 (pks)	4,032,848.33
1958	46,255,501 (pks.)	1,644,124.76	46,255,501 (pks)	3,908,296.38

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State Monopolies Statistics Branch Offices.

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I. SPECIAL PROBLEMS

1. Enforcement Problems.

The lack of legal protection for personnel assigned to investigative duty is a problem facing the organization. The Director General stated that he has reason to believe that new laws which will alleviate this condition will be passed by Congress at the next session.

2. Other Problems.

a. The lack of practical organization is presently considered to be one of the most serious problems. The line of command through managers without professional background and Provincial Governors hampers direct control of inspectors from the Director's Office.

b. The lack of adequate equipment is a problem facing the Enforcement Division at this time. There is very little an officer can do to apprehend a smuggler in an automobile if the officer has no means of transportation in which to effect the arrest.

c. There is a need for a salary revision, especially for personnel in the lower pay bracket.

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CHAPTER III

NATIONAL CUSTOMS BORDER GUARD

The first official mention of the National Customs Border Guard is contained in Congressional Record No. 361, dated April 8, 1826. The Record was signed by the President of the Republic of Colombia and ratified by the Colombia Senate and Chamber of Deputies when Ecuador was a part of Gran Colombia.

The information in the Congressional Record includes the following:

The Customs Border Guards will have a Commander and a proportional number of officers needed for the control of ports and commerce.

Of the officers mentioned in the above article, some are to be permanent and others hired according to the greater or lesser need in the Service, with salaries to be determined by law.

Aside from the above mentioned Border Guard Officers, coast guard vessels are to be used in the ports, attached to the respective Customs offices.

On September 4, 1830, when Gran Colombia was divided by mutual agreement into the present Republics of Venezuela, Colombia and Ecuador, Article 42 of the Republic of Ecuador established the Department of "National Customs Border Guard" with offices in Quito and Cuenca. Various laws and regulations concerning the organization have been passed from that date to the present.

The latest organizational law (No. 2237) was issued in 1953 when Jose Maria Velasco Ibarra was president of the Republic.

At present, there are 72 supervisory officers and 427 guards as authorized in the organizational law issued in 1953. Salaries of Customs personnel have been increased from time to time and at present range from \$2,800 per month for the General Commander to \$900 per month for sub-inspectors and \$700 per month for guards.

The headquarters of the General Commander is located in Guayaquil, Province of Guayas, Ecuador. It is the only departmental office of the Republic not located in the capital at Quito.

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A. RESPONSIBILITY FOR LAW ENFORCEMENT

1. Department Under Which the Organization Operates.

The National Customs Border Guard functions under the Ministry of Treasury and is the law enforcement branch of the National Customs service of the Republic.

2. Legal Authority.

Article No. 1 of the Customs Law issued in 1953 reads, in part, as follows: "The jurisdiction of the Customs Law shall coincide with the political borders of the Republic. The jurisdiction of the National Customs Border Guard shall embrace all of the national territory."

3. Jurisdiction of the Department.

The National Customs Border Guard is charged with the enforcement of all laws and regulations listed in Presidential Decree No. 2237, issued January 1, 1953. Its functions are to oversee the following operations:

- a. Importation of goods for sale or consumption within the Republic.
- b. Exportation of goods not produced in Ecuador.
- c. Control of transportation of goods into the country until these goods reach their final destination.
- d. Control reloading and trans-shipping of foreign goods destined for export to a foreign country.
- e. Control the storage and customs private warehouse of foreign goods to be imported or exported or which belong to private individuals and are not for sale within Ecuador.
- f. Surveillance of ships which are unloading cargo when portion of this cargo is destined for another country.
- g. Inspection of baggage of persons entering or leaving the country by land, sea or air.

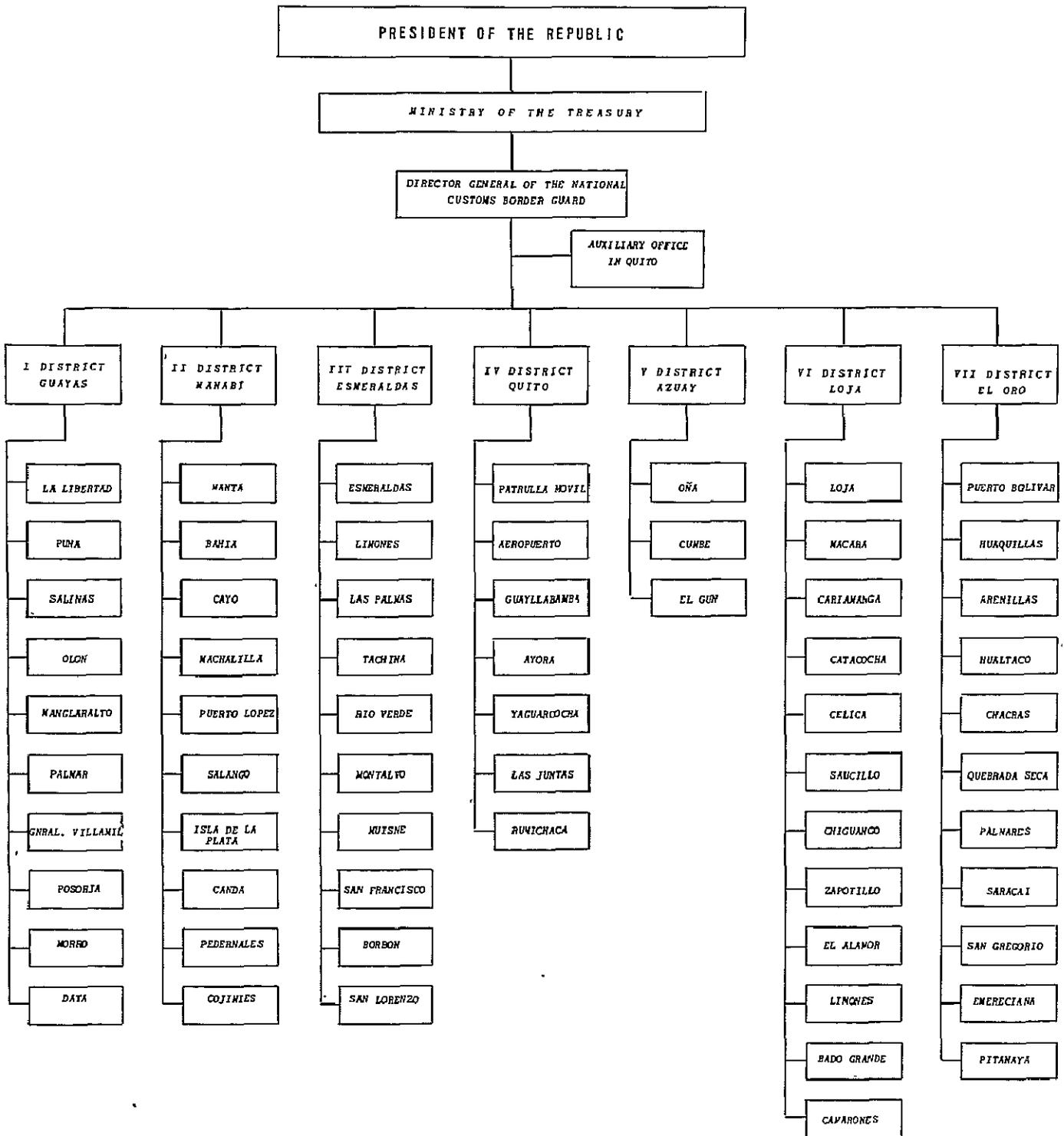
4. Line of Command.

As indicated in Chart No. 2, Page 29, control of the National Customs Border Guard passes from the President of the Republic to the Minister of Treasury to the General Commander and down the ranks to the lower echelon.

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CHART NO. 2

ORGANIZATIONAL CHART OF NATIONAL CUSTOMS BORDER GUARD



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5. Authorized Strength.

The authorized strength of the organization at the present is as follows:

1 General Commander
3 Chief Inspectors
5 Inspectors
25 Sub-Inspectors (1st)
38 Sub-Inspectors (2nd)
427 Guards
499 TOTAL

They are assigned as follows:

General Commander's Office:

1 General Commander
1 Inspector
1 Sub-Inspector (1st)
1 Sub-Inspector (2nd)
4 Guards

The remainder of the personnel of the Customs Guard, a total of 491, are distributed throughout seven districts, as follows:

1st District:

1 Chief Inspector
12 Sub-Inspectors (1st)
10 Sub-Inspectors (2nd)
213 Guards
236 TOTAL

2nd District:

1 Inspector
2 Sub-Inspectors (1st)
4 Sub-Inspectors (2nd)
30 Guards
37 TOTAL

3rd District:

1 Inspector
2 Sub-Inspectors (1st)
4 Sub-Inspectors (2nd)
30 Guards
37 TOTAL

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4th District:

1 Chief Inspector
5 Sub-Inspectors (1st)
9 Sub-Inspectors (2nd)
70 Guards
85 TOTAL

5th District:

1 Inspector
3 Sub-Inspectors (2nd)
15 Guards
19 TOTAL

6th District:

1 Chief Inspector
2 Sub-Inspectors (1st)
4 Sub-Inspectors (2nd)
40 Guards
47 TOTAL

7th District:

1 Inspector
1 Sub-Inspector (1st)
3 Sub-Inspectors (2nd)
25 Guards
30 TOTAL

6. Inter-Departmental Relationship.

The National Customs Border Guard works closely with the officers of the State Monopolies (Estancos). Both organizations are charged with the enforcement of the tariff laws of the Republic. They cooperate to a lesser degree with the National Civil Police and officers of Immigration and Alien Affairs.

B. ORGANIZATION

See Chart No. 2, Page 29.

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C. ADMINISTRATION

1. Authority of Command Officers.

The General Commander is charged with the enforcement of all laws and regulations of the National Customs Border Guard as stipulated in Customs Laws and Regulations issued in 1953. The Chief in charge of each sector is responsible to the National Commander for the enforcement of the above laws and regulations in his respective sector. The inspectors and sub-inspectors are responsible for the enforcement of customs laws at each station within the sector. Guards are responsible to the inspectors and sub-inspectors for the performance of duty as they may be assigned.

2. Delegation of Authority.

There is very little delegation of authority below the rank of chiefs or sub-inspectors. This hampers the operation to a great extent as all decisions must be made on a high level.

3. Division of Work.

Organizationally, the National Customs Border Guard is divided into seven districts covering the entire Republic. Three of these districts are commanded by chief inspectors and four by sub-chiefs. Each station is supervised by a sub-inspector (1st) or a sub-inspector (2nd).

D. PERSONNEL

1. Authorized Strength.

The strength of the National Customs Border Guard is as shown in Paragraph A.5 on Pages 30 and 31.

2. Recruitment.

At present, the National Customs Border Guard have the following requirements for admission to the corps:

- a. Must be Ecuadorian by birth and have all citizenship rights.
- b. Must have completed the sixth grade of primary instruction to hold the rank of sub-inspector (2nd) and guard. He must have two or more years of secondary instruction for positions to sub-inspector (1st) and above.
- c. Must have no criminal record.
- d. Must have a military card which obligates him to the armed forces.

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It has not always been possible for these standards to be observed.

3. Assignment and Transfer.

The assignment and transfer of personnel between stations is at the discretion of the chief in charge of each sector, the General Commander and the Minister of Treasury.

4. Promotion.

No promotion policies exist in the organization.

5. Salaries and Allowances.

a. The salary scale, in sucres per month, follows:

Chief Commander-----	§ 2,800
Chiefs of Sectors-----	2,000
Chiefs of Sub-Sectors-----	1,500
Sub-Inspectors (1st)-----	1,100
Sub-Inspectors (2nd)-----	900
Guards-----	700

b. The allowance for officers while assigned to stations is § .10 per day. The allowance for guards assigned to stations is § .8 per day.

6. Special Benefits.

a. Extra Pay. Given on a weekly basis by the airlines and ship companies in amounts determined by the number of planes and ships coming into the ports of Ecuador. The pay is divided among all employees at the station in proportion to the different ranks.

b. Medical Service. A physician provides free medical attention to the personnel of this organization.

c. Extra Pay for Apprehensions. Personnel who recover contraband goods are given 30% of the money that is obtained from the sale of these goods in public auction (after deductions of taxes and expenses for judicial procedures).

Every two weeks the names of the personnel who have done a good job during the past two weeks are published and these people are given the day off with pay.

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7. Retirement and Benefits.

The National Social Security provides for retirement at the completion of 35 years of service with the organization. Retirement can be had after 30 years of service provided certain conditions exist. These conditions are listed in the laws and regulations of the Social Security organization.

8. Discipline.

Article 190 of the Customs Laws and Regulations specifies, in part, that the National Customs Border Guard will be organized militarily and will use military discipline. The penalties for infractions of Customs regulations depend on the seriousness of the infraction, but usually are as follows:

- a. Dismissal.
- b. Probation under the authority of a judge.
- c. Suspension without pay.

Before taking any disciplinary action, the General Commander examines the background of the case along with the background and employment record of the person under investigation.

9. Tenure.

Retention in the organization is at the discretion of supervisory officers of each district who recommend the retention or dismissal of guards in the organization. The final authority for retention and dismissal is vested in the Minister of Treasury and his Sub-Secretary. Statistics reveal that 54% of the personnel of the organization have less than two years of service at this time. There is no established policy for tenure at a duty station, but usually is less than six months for guards.

10. Morale.

Morale of the employees could be greatly improved by:

- a. Improved salary scale.
- b. More security of tenure in the service.
- c. Improved standards of recruitment.
- d. Adoption of a definite policy of discipline.
- e. Adoption of a promotion policy.

11. Uniform and Clothing Allowances.

The uniform of both officers and guards must be purchased by the individual at his own expense. The photographs on the following page show the dress uniform worn by supervisory personnel and the outside uniform worn by guards.

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Duty Uniform, National Customs Border Guard



Dress Uniform - National Customs Border Guard

OFFICIAL USE ONLY

12. Meritorious Service Awards and Commendations.

There is a commendation issued in the form of a letter from the Minister of Treasury for outstanding service performed by any member of the organization.

13. Duty Hours and Vacation Leave.

a. Personnel assigned to the offices are required to perform eight hours of duty per day Monday through Friday, and four hours of duty on Saturday. Personnel assigned to stations are assigned to duty for 24 consecutive hours, then are relieved for 24 hours and are on standby or subject to call for 24 hours.

b. Vacation leave of 30 days per year is granted after the completion of one year's service.

E. TRAINING

No training facilities were available in this organization prior to January 1, 1960.

F. RECORDS

1. Centralized or Decentralized.

Centralized records for personnel are maintained by the Sub-Secretary of the Minister of Treasury.

Decentralized records of apprehension are maintained in the headquarters office of each sector.

2. Types of Records.

The following types of records are maintained at the headquarters of the Customs Guard in Guayaquil:

- a. Copies of communications (letters and telegrams).
- b. Payroll records.
- c. Records of recovered contraband.

3. Method of Filing.

No systematic method of filing exists with the exception of the filing of personnel records.

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4. Facilities for Storage of Records.

Storage facilities consist of open wood shelves except for two metal four drawer filing cabinets in the office in Guayaquil.

5. Facilities for Protection of Records.

The only facilities existing for protection of records are the locks on the office doors.

6. Retention.

At present, no policy for retention or destruction of records exists. During inspection trips, some records were found in offices which dated back to 1927.

G. EQUIPMENT

1. Automotive.

a. Inventory.

Pickups - 4 - Good condition
 10 - Bad condition

Jeeps - - 1 - Good condition
 3 - Bad condition

b. Facilities for Maintenance and Repair.

There are no facilities for maintenance and repair of the above equipment. All repairs are made at commercial garages on the basis of need, provided sufficient funds are available to cover the cost of the repairs.

c. Policies of Operation.

There are no written policies covering the operation of official vehicles of this organization. The supervisory officer in charge of the station where the vehicle is assigned uses it in any manner he deems necessary. Fuel for vehicles is portioned out by the month to the officer in charge of the station where the vehicle is assigned.

2. Communications.

This organization has no radio communications of any type.

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MINISTERIO DEL TESORO
ADUANAS DEL ECUADOR
 RADIOGRAMA

DE	DIA	PS.	HORA
Fecha		Operador	

REPUBLICA DEL ECUADOR

Jefatura del 4to Distrito de Aduana

FOTO

Nombre
 Cargo
 Cédula de Identidad
 Edad..... Estatura..... Color
 Domicilio
 Señales particulares
 Firma del Empleado

Quito,de.....de 1.95....

El suscrito Jefe del IV Distrito de Aduanas, en uso de las atribuciones legales, tiene a bien otorgar la presente credencial al Sr. del Resguardo Nacional de Aduanas, acreditándole como tal para el ejercicio de su cargo. Por lo tanto solicito a las autoridades del Ejército y Policía prestar su colaboración para el éxito de su misión.

(f.)

VALIDO POR 3 MESES

Jefe IV Distrito

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3. Weapons.

a. Inventory.

.38 Caliber Revolvers - 37 - Good condition
19 - Bad condition

.32 Caliber Revolvers -134 - Good condition
32 - Bad condition

.38 Caliber ammunition - 43 rounds

.32 Caliber ammunition -334 rounds

b. Facilities for Maintenance and Repair of Weapons.

No facilities exist.

c. Policies for Obtaining New Weapons and Ammunition.

No money has been appropriated in the budget during the last five years for the acquisition of weapons or ammunition.

4. Buildings.

Only two buildings are owned by the National Customs Border Guard. All other buildings are rented on a monthly or yearly contract basis.

One of the buildings owned by the organization is in Guayaquil and is used as headquarters. The other is the port of entry building at Rumichaca on the Colombian border.

The building in Guayaquil has two floors, the first being used as general office space, while the second floor is used as the office for the General Commander and his staff.

The building on the Colombian border is used jointly by Customs, Immigration, National Police, and National Customs Border Guard.

The buildings are not considered adequate.

Both buildings are in fair condition.

Rented buildings being used by the organization are all in bad condition and need repairs.

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H. BUDGET

The annual budgets for the years 1958, 1959 and 1960, in sucres, follow:

<u>Item</u>	<u>1958</u>	<u>1959</u>	<u>1960</u>
Salaries-----	4,496,400.00	4,496,400.00	4,522,800.00
Allowances-----	796,400.00	745,176.00	745,176.00
Transportation-----	- - - -	- - - -	- - - -
Supplies and Materials-----	- - - -	- - - -	- - - -
Building construction-----	- - - -	- - - -	- - - -
Building rental fees-----	150,000.00	150,000.00	150,000.00
Maintenance of existing buildings-----	- - - -	- - - -	- - - -
Maintenance, purchase and operation of vehicles-----	150,000.00	150,000.00	150,000.00
TOTALS-----	<u>5,592,800.00</u>	<u>5,541,576.00</u>	<u>5,567,976.00</u>

NOTE: When there is a need for money for any of the services listed above, which have no appropriation, the General Commander makes a request to the Minister of Treasury who authorizes the expenditure if the money is available from the appropriation of some other agency.

I. PUBLIC RELATIONS

No public relations office exists in the National Customs Border Guard. There is an apparent need for some emphasis on this to encourage public support.

J. OPERATIONS

Patrol operations in the immediate Ecuador-Colombia border area are practically non-existent. Smugglers are presently able to cross the border at almost any location without interference. Recently an inspection trip was made on a road that parallels the Ecuador-Colombia border in the vicinity of Tulcan. After having driven approximately two miles, the patrol vehicle stopped for a closer inspection of a location where merchandise had been illegally entering Ecuador. Immediately two warning shots were heard being fired from a vantage point. These shots were answered immediately from across the border in Colombia. Apparently, the shots were fired to warn smugglers that officers were in the vicinity.

The Tulcan border area, which is under jurisdiction of the "Las Juntas" station, has no automotive equipment. The commercial smugglers in that area carry from one to ten armed men with each load of

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Ministry of Treasury Building and District IV Headquarters Office of the National Customs Border Guard



National Customs Border Guard District, IV Headquarters Office.

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merchandise. These men are armed with carbines or some type of high-powered weapon. There have been instances in the past year where officers were forced to let contraband pass because they were not sufficiently armed to prevent its entry.

Patrol operations on the southern or Peruvian border are also non-existent. Commercial smuggling, however, is not as prevalent in that area as on the Colombian border. There is no automotive equipment assigned to personnel stationed on the Peruvian border.

The organization, at present, has no investigative personnel assigned to the border areas to secure information about smuggling. Each individual may use informers if he desires.

Road block stations are manned with guards who are directed to check every vehicle proceeding to the interior of the Republic from the border area. These stations, in many instances, are not located strategically. The location usually depends on the availability of accommodations for office space and living quarters for the personnel. There are no lighting facilities available, and night operations are hampered to a great extent. Only two of these station offices throughout the Republic have vehicles. The lack of equipment prohibits the effectiveness of the personnel. The organization does not possess carbines or shot-guns. Many times, when passengers arriving in buses protest the search by the guards, they are permitted to continue rather than to cause a disturbance.

Patrol operations in the coastal area are practically non-existent. There are ten ports of entry for ships in the Republic and the National Customs Border Guard own one small launch which is inoperative. It is impossible for officers to apprehend smugglers using motorized launches when they have no means of pursuing them. The National Commander advised that at times his officers hire a private boat with their own funds in order to pursue suspected smugglers. A recent article in a newspaper from Guayaquil reported a launch laden with 50 cases of revolvers had been pursued by customs officers in a rented boat, however, they were unable to apprehend the smugglers before all contraband merchandise was dumped overboard. The cases of revolvers were retrieved later, but the smugglers escaped. Without launches, it is impossible to control the smuggling of contraband in the coastal area.

K. STATISTICS

Listed below is the value of contraband apprehended by the National Customs Border Guard for the last four years:

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1956-----	\$ 377,453.21
1957-----	534,802.89
1958-----	90,072.09
1959-----	585,603.17

L. SPECIAL PROBLEMS

1. The major problem facing the National Customs Border Guard is the need of equipment; without equipment the best prepared officer is useless.

2. The need for organization, especially in the higher echelons of supervisory officers. The need is evident for a special supervisory staff of officers to inspect stations and personnel.

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CHAPTER IV

IMMIGRATION AND ALIEN AFFAIRS

The organization known as Immigration and Alien Affairs was started in 1938, when the first Immigration Law was put into effect. This was an incomplete law with general ideas only. With the start of World War II in Europe in 1939, immigration activities in Ecuador increased, and the 1938 law was found inadequate.

In 1940, a new law for the control of aliens was put into effect. Article 22 of this law inactivated the other immigration laws that were enacted prior to 1940. Although this law deals with generalities, specific regulations for its implementation were put into effect during 1941. These regulations cover the procedures and practical aspects of immigration and alien control.

A new law was enacted in 1947 which changed many of the articles of the 1941 law.

A. RESPONSIBILITY FOR LAW ENFORCEMENT

1. Departments in Which Vested.

The responsibility for the enforcement of the Ecuadorian laws related to immigration (entry) and emigration (exit) to and from Ecuador, respectively, and Alien Affairs in general, is vested in an agency called Immigration and Alien Affairs, which is directly under the Ministry of Government.

2. Legal Authority.

The legal authority of Immigration and Alien Affairs is devised from a number of laws, executive (presidential) decrees and legal decisions by the Minister of Government.

The Alien Affairs, Extradition and Naturalization Law was passed by the National Congress on November 7, 1940 for the purpose of establishing control over immigration, emigration and aliens. The regulations for the implementation of this law were set forth in an executive decree on January 29, 1941.

General regulations in regard to passport requirements for persons entering Ecuador were provided in an executive decree dated February 1, 1941.

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On February 20, 1947, the National Congress passed a law which dealt with such alien affairs as requirements for issuance of visas, records in general, exit permits, residence records, activity authorizations and expulsion from Ecuador.

An executive decree of June 14, 1950, set forth regulations dealing with naturalization, extradition and expulsion of aliens in Ecuador.

The Minister of Government, on March 14, 1957, issued legal decisions about the responsibilities of the owners of hotels, boarding houses, residences and other similar establishments performing the measures necessary for the control of the entry of aliens into Ecuador and their subsequent legal residence therein.

On April 6, 1957, the President of the Republic issued a decree dealing with expulsion of aliens who have been sentenced by a competent authority in Ecuador for violations of Articles 73 and 74 of the Customs Organic Law dealing with smuggling, contraband and fraud.

A Presidential decree dated September 19, 1957, deals with the granting of exit visas to citizens of Ecuador and foreign nationals.

The Minister of Government, on October 22, 1957, set forth regulations dealing with the documentation required of personnel who fly for foreign airlines that have service into Ecuador and who enter the country in this manner.

On August 2, 1958, the President of the Republic issued a decree setting forth the requirements that aliens must fulfill in regard to reporting their addresses and any changes thereof. The decree also establishes the punishments for aliens who fail to fulfill these obligations.

3. Jurisdiction.

Immigration and Alien Affairs has jurisdiction throughout the entire Republic of Ecuador.

4. Line of Political Control.

Immigration and Alien Affairs is under the Ministry of Government. The Director General is directly responsible to the Minister of Government, who in turn is responsible to the President of the Republic of Ecuador.

5. Authorized Strength.

At present, the authorized personnel strength of Immigration and Alien Affairs is 49 employees, five of whom are not paid with money from the budget of this agency.

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6. Inter-Departmental Relationships.

There is no law that gives Immigration and Alien Affairs personnel the authority to enforce any other laws except those that deal with immigration, emigration and alien affairs.

There is no real close cooperation or coordination between this agency and other Ecuadorian law enforcement organizations. Immigration and Alien Affairs does request assistance, however, from the National Police in enforcing the laws which are its responsibility. The law does not give their personnel authority to carry firearms or arrest persons, therefore, they must request the aid of the National Police from time to time.

B. ORGANIZATION

1. Structure.

Immigration and Alien Affairs is under the Ministry of Government and is organized as shown in Chart No. 3 on Page 44.

2. Functions.

The functions of the Directorate of Immigration and Alien Affairs are as follows:

Immigration:

- a. Check foreigners entering the country (check visas at point of entry).
- b. Authorization to issue visas.

Alien Affairs:

(Actions that deal with the control of people entering and leaving Ecuador through the ports authorized by law.)

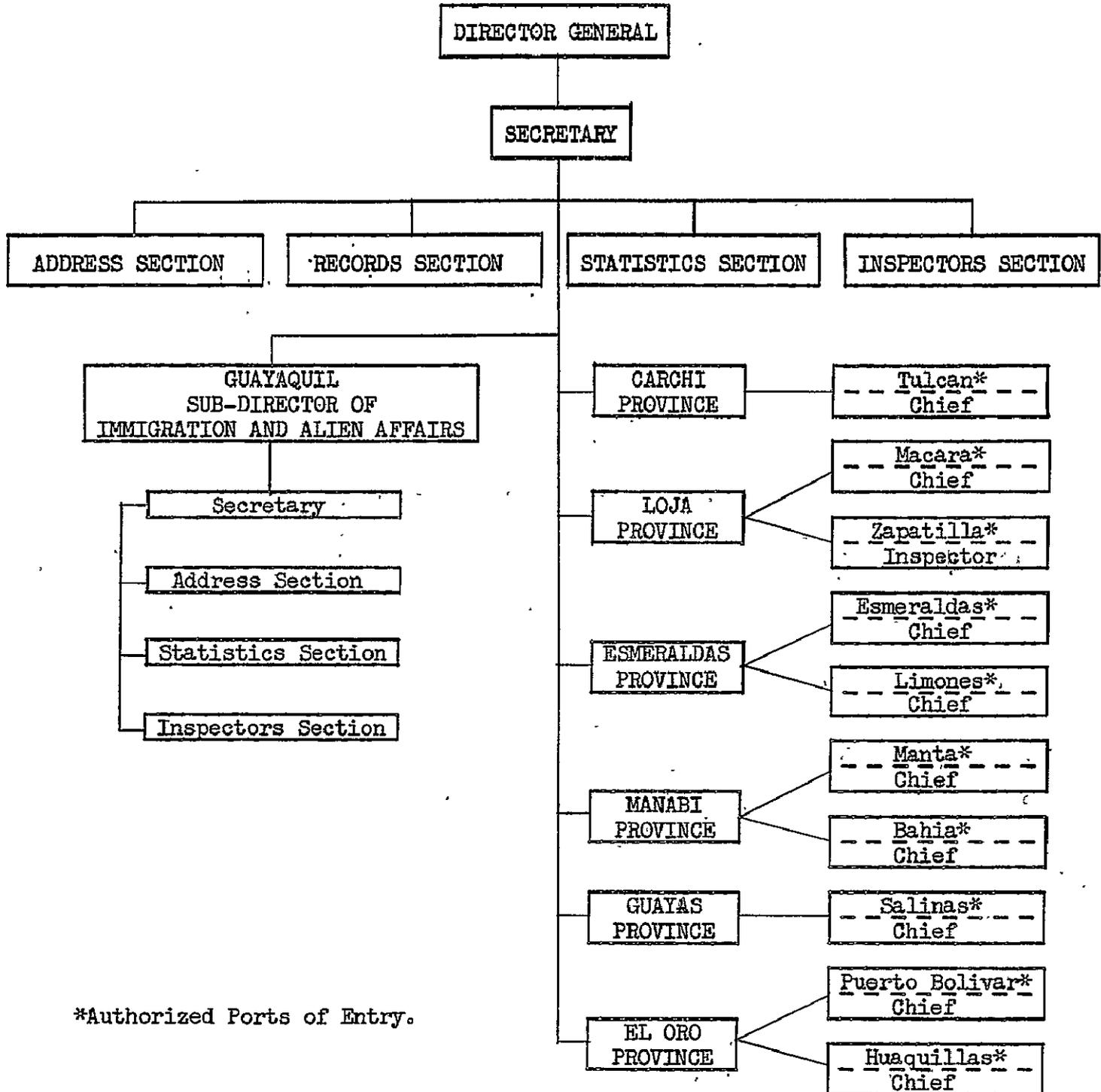
- a. Keep personnel cards.
- b. Issue residence cards (authorization to reside in Ecuador).
- c. Issue activity cards (authorization to start a business in Ecuador).
- d. Maintain statistical charts related to migratory movement of people into and out of Ecuador.

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CHART NO. 3

ORGANIZATION OF IMMIGRATION AND ALIEN AFFAIRS



*Authorized Ports of Entry.

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- e. Grant naturalization letters.

3. Command Structure.

The command structure of the headquarters office of Immigration and Alien Affairs is as follows:

Director General
Secretary
Clerks
Inspectors
Porter

The specific responsibilities of the above-named ranks are discussed under Administration.

C. ADMINISTRATION

1. Authority and Responsibilities of Personnel and Division of Work.

Immigration and Alien Affairs operates throughout the entire Republic of Ecuador and is headed by a Director General, who has his headquarters office in Quito, and is responsible to the Minister of Government but cooperates with other Government officials to effect the control of immigration and aliens. It is his responsibility to see that the laws and regulations pertaining to immigration and aliens are obeyed. The Director General also has the following responsibilities:

- a. Resolution of requests by foreigners and verifying that the proper government documents are issued with regard to these requests.

- b. Authorization to foreigners to pursue a certain occupation.

- c. Issuance of temporary and permanent residence permits to foreigners residing in Ecuador after the payment of fees required by law.

- d. Issuance, through the Secretary, of residence cards to the office of the Sub-Director in Guayaquil, other offices of the organization throughout the country, and provincial governors in those places where no such offices exist.

- e. Initiation of charges against aliens who violate the law and accompany the National Police to make the arrest.

- f. To keep the Minister of Government informed about the activities of the organization.

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g. Investigation of the activities and conduct of foreigners residing within Ecuador.

h. Observation of the work of all employees of the organization and punishment of them when necessary in accordance with legal dispositions.

The Secretary is the principal aide to the Director General. When necessary, he can make decisions on behalf of the Director General and can intervene in actions involving business matters of the office of the Director General, except in those cases that have been designated as the responsibility of other employees. The Secretary is responsible for seeing that the orders of the Director General are carried out by employees under his supervision. The Secretary also observes the performance of the inspectors and makes the duty assignment. The Secretary organizes the filing of outgoing and incoming correspondence and attends to aliens who come to the office for any matter except exit permits. He also performs other duties as assigned by the Director General.

The Address Section issues residence permits to aliens who have steady employment and obtain the necessary address cards. Although this section is responsible for verifying the aliens' activities for the purpose of verifying the fact that they are engaged in those activities for which they have been authorized, no investigation is usually made. No vehicles are available for making these investigations. Additional responsibilities of the chief of this section include:

a. Processing of aliens' requests for authority to change their particular work or activity.

b. To process and handle requests for temporary and permanent residence permits.

c. To request information from the Directorate of Security, Investigations and Identification prior to the issuance of permanent residence documents to aliens.

d. To establish a card file of residence cards that have been issued.

e. In general, enforce the compliance with the legal norms in relation to activities of aliens and observe the activities to see that they correspond to those that have been declared and authorized. (The latter part of this is not enforced.)

The primary task of the Statistics Section is to compile all data that may be of interest to the office of the Director General. The following operations are employed:

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Offices of Immigration and Aliens' Affairs



Immigration and Aliens' Affairs - Chief Inspector's Office

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- a. Filing of the names of aliens who enter the country.
- b. Keeping account of the activities and progress of the offices of Immigration and Alien Affairs throughout the country in order to so inform the Ministry of Government.
- c. Maintenance of files in a good working order so they may be of value to the needs of the organization. Lack of facilities prevent good operation in this section.
- d. Maintaining a record of the tourists and transients so the office of the Director General may know the people who have to leave the country or take steps to obtain their residence permits. (These files are not up to date.)

Due to the lack of personnel all of the above are not complied with.

The filing clerk has custody over individual alien files and other documents related to the work of the Immigration and Alien Affairs. The filing clerk also issues documents requested by the office of the Director General, the Secretary and the Address Section, taking note of when the documents left the files and when they were returned.

The inspectors, under the supervision of the Secretary, are assigned to duty to fulfill the following requisites:

- a. Control of international passengers coming into Ecuador by airplane by requesting the fulfillment of certain legal requirements before they are permitted to enter. Passengers using airplanes for travel within the country must present a travel permit that is issued by the office of Immigration and Alien Affairs in the place of departure.

- b. Special attention must be given by inspectors to the following:

- (1) Persons residing in one location must have a valid permanent or temporary residence permit and must be engaged in the type of activity indicated on their residence card.

- (2) All aliens entering the country must have a passport, an identification card and other necessary documents.

- c. In case an alien is found to be performing activities contrary to those that he has declared, his residence permit may be taken away from him and turned in with a report to the Director General.

In order to exercise this control, inspectors will check public places where aliens go frequently, such as restaurants and

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agricultural and industrial establishments belonging to other aliens or immigrants. Establishments in which the effectiveness of aliens' activities may be proved or disproved must also be checked. In this latter regard, special control must be exercised over investment of capital and effectiveness of activities, fabrication of products if industries are involved and cultivation of crops in instances where agriculture is the activity. The lack of transportation equipment prevents this function to a large degree.

d. To carry out any other control or work necessary for the application and enforcement of the existing laws and regulations.

2. Delegation of Authority.

The Sub-Director of Immigration and Alien Affairs and the provincial chiefs have complete local authority in matters of immigration aspects. With regard to permanent residence policies, only the Director General has authority in these cases. Violators of residence laws can be punished only by order of the Director General.

D. PERSONNEL

1. Strength.

Immigration and Alien Affairs has a total of 49 employees for the entire country of Ecuador. A breakdown according to ranks follows:

Command Office in Quito:

- 1 - Director General
- 1 - Secretary
- 1 - General Adjutant
- 1 - Adjutant - Stenographer
- 1 - Inspector - Interpreter
- 1 - Assistant in the Address Section
- 2 - General Assistants
- 2 - Inspectors
- 1 - Janitor

Provincial Offices:

Carchi:

- 1 - Chief
- 4 - Inspectors

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Loja:

- 1 - Chief
- 2 - Inspectors

El Oro:

- 1 - Chief
- 4 - Inspectors

Guayas:

- 1 - Sub-Director
- 1 - Secretary
- 1 - Inspector - Interpreter
- 1 - Records Clerk
- 2 - General Assistants
- 7 - Inspectors
- 1 - Janitor

Manabi:

- 1 - Chief
- 2 - Inspectors

Esmeraldas:

- 1 - Chief
- 2 - Inspectors

- - -

- 5 - special employees who are not paid with money from the budget of the organization. There are three in Quito and two in Guayaquil. Of the three in Quito, one is paid by the National Police of Ecuador, one by the Minister of Government and one is paid indirectly by the transportation (airline and shipping) companies as overtime compensation. This latter employee serves as a private chauffeur for the Director General. The two special employees in Guayaquil are also paid indirectly by the transportation companies in a manner similar to that used in Quito.

2. Recruitment.

The only requirement for entry into the organization is Ecuadorian citizenship. No other requirements are set forth and there are no special recruitment policies.

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3. Assignment and Transfer.

No special policies.

4. Promotion.

No special policies.

5. Salary Scale.

	<u>Monthly Salary</u> <u>(in Sucres)</u>	<u>Monthly Salary</u> <u>(in U.S. \$)</u>
<u>Command Office in Quito:</u>		
Director General	\$ 1,700	\$ 100.30
Secretary	1,000	59.00
General Adjutant	800	47.20
Adjutant-Stenographer	700	41.30
Inspector-Interpreter	600	35.40
Assistant in the Address Section	600	35.40
General Assistants	1,000 ea	59.00
Inspectors	1,000 ea	59.00
Janitor	450	26.55
<u>Provincial Offices:</u>		
<u>Garchi:</u>		
Chief	700	41.30
Inspectors	320 ea	18.88
<u>Loja:</u>		
Chief	700	41.30
Inspectors	320 ea	18.88
<u>El Oro:</u>		
Chief	700	41.30
Inspectors	320	18.88
<u>Guayas:</u>		
Sub-Director	1,200	70.80
Secretary	800	47.20
Inspector-Interpreter	800	47.20
Records Clerk	500	28.00

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	<u>Monthly Salary</u> <u>(in Sucres)</u>	<u>Monthly Salary</u> <u>(in U.S. \$)</u>
<u>Guayas (continued):</u>		
General Assistants	\$ 500 ea	\$ 28.00
Inspectors	500 ea	28.00
Janitor	450	26.55
<u>Manabi:</u>		
Chief	700	41.30
Inspectors	320 ea	18.88
<u>Esmeraldas:</u>		
Chief	700	41.30
Inspectors	320 ea	18.88

5 special employees - Salaries are not a part of the budget of Immigration and Alien Affairs - no salary information available.

6. Special Benefits.

Some economic aid, in the form of monthly overtime pay, is given to the personnel by airline and ship companies. The amount of aid is determined by the volume of work performed, the importance of the various ports and the economic capacity of the airline and ship companies.

7. Retirement and Pensions.

Immigration and Alien Affairs as an organization has no system for provision to its employees of pension benefits upon retirement. The employees, however, are members of the Pensions Fund Institute of Ecuador, and, as such, are recipients of all benefits provided by this organization.

8. Discipline.

No disciplinary policy or law exists.

9. Tenure.

There are no established policies in regard to tenure. Employees are hired and dismissed at the discretion of the Director General and on approval of the Minister of Government.

10. Morale.

Morale could be considerably improved by an increase in salaries and an improvement in working conditions.

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11. Uniforms and Clothing Allowances.

The personnel of Immigration and Alien Affairs have no uniforms.

12. Meritorious Service Awards and Commendations.

No awards are given to employees of this organization.

13. Duty Hours, Leaves and Vacations.

The normal working week for personnel of this organization consists of eight hours per day, for 5½ days. A great amount of overtime, however, is put in by the employees who work at the ports (air and sea).

Employees receive a vacation of 30 days per year with pay following the completion of one year with the organization. Sick leave is received by all personnel and medical care can be received in accordance with the Administrative Career Law of Ecuador.

E. TRAINING

There is no formal training for the personnel of Immigration and Alien Affairs.

F. RECORDS

1. Centralized or Decentralized.

The major portion of the records of Immigration and Alien Affairs is centralized at Quito. All information about aliens that is accumulated by the office in Guayaquil is forwarded to the main office in Quito.

2. Types of Records.

- a. Administrative and personnel records.
- b. Applications for residence cards (temporary and permanent).
- c. Certificates of an alien's permanent residence in Ecuador (used to re-enter the country after being abroad).
- d. Temporary residence permits.
- e. Applications for immigrant's visas.
- f. Applications for activity card.
- g. Tax forms for permanent residence cards (1st class, 2nd class and 3rd class).
- h. Applications for letters of naturalization.
- i. Alien cards (records collected during the conducting of the recent census of aliens through the country).

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j. Statistical charts related to the migratory movement of people into and out of Ecuador. (These are incomplete.)

3. Method of Filing.

The majority of records are filed in alphabetical order. Others are filed as received and placed in book form.

4. Facilities for Storage and Protection.

In the Headquarters at Quito, filing equipment consists of 27 metal and wooden filing cabinets, wooden racks, seven metal racks, three cabinets for Kardex cards, and floor space. Security and fire protection facilities are practically non-existent and many valuable records are stored under conditions that make them very prone to damage or theft. The great volume of records and the noticeable lack of adequate space contributes to making working conditions very bad. No combination or safety locking devices are in use.

The Guayaquil office's record storage equipment includes one metal filing cabinet (4-drawer) and five upright wooden lockers. As in Quito, security and fire protection facilities are practically non-existent. The Sub-Director stated that he considers files and records the most important part of the office. He said that in regard to this subject, the main problems are lack of space and lack of money with which to purchase much needed equipment. No lookout system for known criminals exists.

5. Personnel for Handling Records.

The personnel presently employed in the Records Section are very experienced and are considered to be qualified for the job. The number of personnel available for such work is determined by the amount of money allotted in the budget. This office is seriously behind in work at the present.

6. Retention.

There are no established policies in regard to retention of records. Many are kept for periods of time beyond which the records are of any value or use.

G. EQUIPMENT

1. Transportation.

Immigration and Alien Affairs has no transportation equipment.

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2. Communications.

The Immigration and Alien Affairs has no communications facilities of its own. The usual means employed are telegrams and letters, but in very important matters the telephone may be used.

3. Weapons.

The Immigration and Alien Affairs has no firearms. Because the inspectors are not armed, a request must be made to the Security and Investigations Office or the National Police for assistance in conducting arrests. In Guayaquil, an Immigration and Alien Affairs official must obtain a permit to carry a firearm.

4. Buildings.

This organization does not own any buildings, but rents office space where necessary. The headquarters offices are located in Quito, in the Cordovez Building, 547 Benalcazar Street. The building was repaired approximately two years ago and is in good condition. The office space in which the Records Section is located is inadequate because of its smallness and insufficient illumination.

The section in Guayaquil does not have its own building, but has four offices in government quarters. As in Quito, the space is too small. The Sub-Director stated that there is a need for more room for the Records Section and to set up detention quarters.

H. BUDGET

The total budget for 1959 for Immigration and Alien Affairs was 395,861 sucres (\$23,361.70), and for 1960 it is 107,001 sucres (\$6,313.06). See breakdown on the following page.

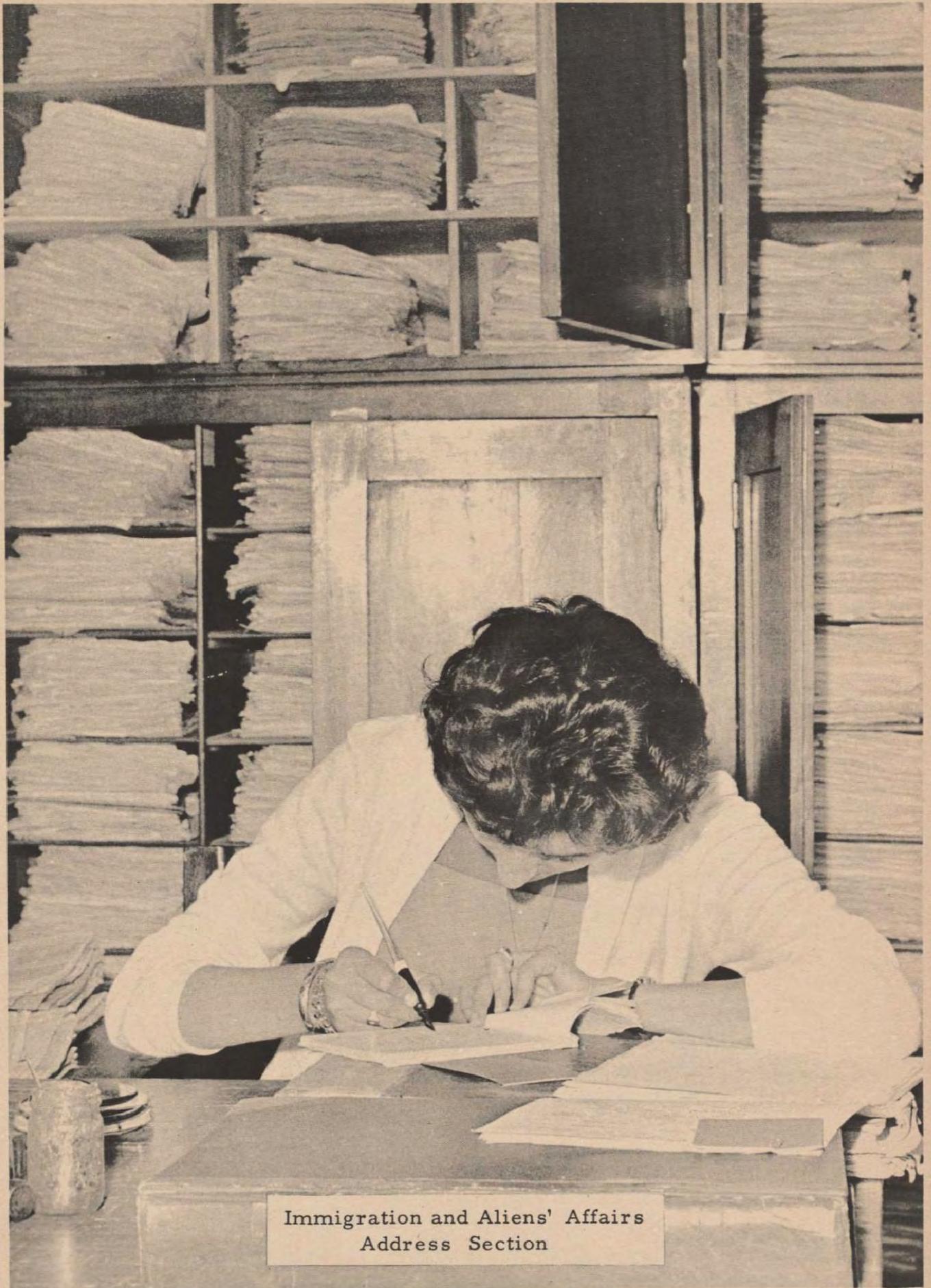
The difference between the 1959 and 1960 budgets is 288,861 sucres (U.S. \$17,048.64), which corresponds to the amount allocated in 1959 for salaries, but left out of the 1960 budget. The reason for the omission is due to all of the salaries for Minister of Government employees being grouped together under one heading "Salaries of the Ministry" in the 1960 budget.

Generally, the budget for Immigration and Alien Affairs is not approved as requested. The Director states no change has been made in the budget for the last four years.

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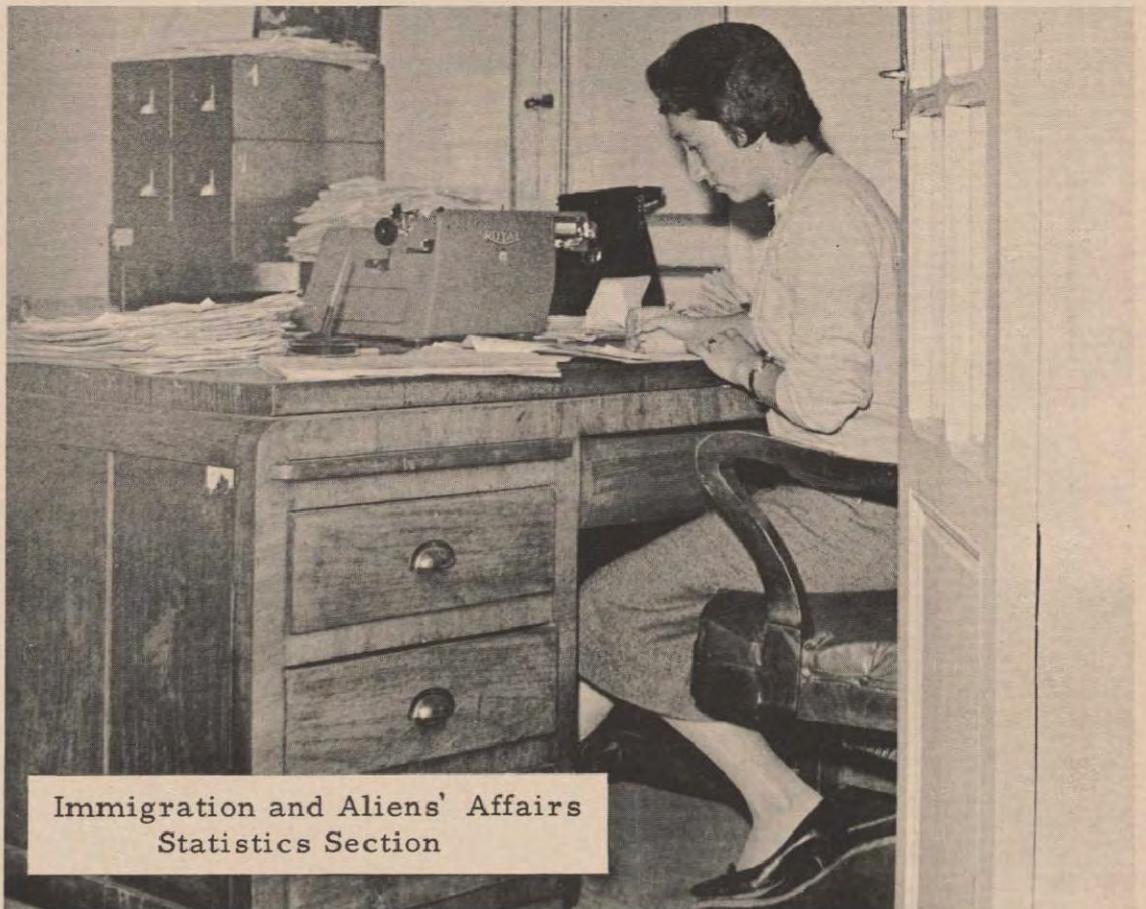
Immigration and Aliens' Affairs
Records Section



Immigration and Aliens' Affairs
Address Section



Immigration and Aliens' Affairs
Statistics Section



Immigration and Aliens' Affairs
Statistics Section

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<u>Item</u>	<u>Amounts per Year</u>			
	<u>Sucres</u>	<u>Dollars</u>	<u>Sucres</u>	<u>Dollars</u>
Salaries	288,860	\$ 17,048.64	-----	\$ -----
Honorarios	1,000	59.00	1,000	59.00
Other Personnel Expenses	1,000	59.00	1,000	59.00
Transportation	10,000	590.00	10,000	590.00
Supplies and Materials	20,000	1,180.00	20,000	1,180.00
Building Maintenance and Supply	20,000	1,180.00	20,000	1,180.00
Services	15,000	885.00	-----	-----
Ordinary Services	-----	-----	8,000	472.00
Variable Services	-----	-----	7,000	413.00
Building rental fees	30,000	1,770.00	30,000	1,770.00
Repairs and spare parts	5,000	295.00	5,000	295.00
Maintenance of transportation facilities	5,000	295.00	5,000	295.00
Unforeseen expenses	<u>1</u>	<u>0.059</u>	<u>1</u>	<u>0.059</u>
TOTAL	395,861	\$ 23,361.70	107,001	\$ 6,313.06

I. PUBLIC RELATIONS

The only work performed in the field of public relations is through personal contacts and by maintaining good relations with the newspaper reporters, keeping them informed of any outstanding or interesting news.

J. OPERATIONS

1. Types of Operations.

a. General.

Personnel of Immigration and Alien Affairs control the entry and exit of Ecuadorians and aliens into and from Ecuador by checking their legal documents at airports, seaports and landports. There is very little control exercised over aliens within the country to assure that their residence is legal.

b. Investigation.

The major type of investigation that is the responsibility of this organization is to check on and control the activities of aliens within Ecuador. A lack of personnel and equipment, however, prohibits the satisfactory performance of this duty. As a result, aliens in Ecuador move freely throughout the country without any check being made on their activities.

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Actually, Immigration and Alien Affairs has no enforcement force, but depends on the police to act as its enforcement arm.

2. Techniques of Operation.

The principal operational techniques employed include checking of documents, reporting violations to the proper legal authorities and placing violators under the proper legal jurisdiction.

3. Operational Aids.

The organization has no laboratory or technical investigative aids. All matters referring to identification are handled by the Directorate of Security, Investigations and Identification. No wanted or lookout lists are kept.

4. Assignment of Personnel for Operations.

Assignments for administrative staff work are made on a permanent basis, while those for field work are on a rotation basis. An example of rotation in field work is inspection of the various airlines in Quito. A man works the first day at Panagra, the second day at Avianca, etc.

5. Control of Personnel Conducting Operations.

There are no special controls exercised. Each inspector is directly responsible to the Director General or Sub-Director.

6. Discipline Policies for Personnel.

Disciplinary actions for personnel who are guilty of improper conduct in operations are investigated and handled exclusively by the Director General. According to the seriousness of the case, the Director will recommend to the Minister of Government the dismissal, retention with punishment, or clearance of the charges.

K. STATISTICS

The number of aliens entering Ecuador for permanent residence during the last four years follows:

<u>Year</u>	<u>Number of Aliens</u>
1956	530
1957	637
1958	655
1959	687

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The above statistics were the only ones available at the time of the survey. No information could be had as to the occupation or country of origin of the above aliens.

L. SPECIAL PROBLEMS

1. One of the main problems facing the organization is the lack of an enforcement section that is properly equipped and has the legal authority to perform arrests and other duties necessary for successful operation. In Guayaquil, where the volume of work is great, assistance is needed almost daily from local police officers. Often, however, there is a great delay between the time of the request and the time when the actual help arrives, with the result that operations are impeded.

2. A problem that is prevalent in Guayaquil is the lack of detention quarters. As of now, the NCP detain aliens at the request of the Immigration and Alien Affairs. This arrangement is undesirable due to the poor detention facilities possessed by the police. Often there is a lack of food with which to feed those detained.

3. Lack of money to pay for the deportation of undesirable aliens from the country is another problem. No money is available for the purchase of airline or ship tickets.

4. Low salaries present another problem. Presently, overtime pay is given to employees by the airlines and ship companies. Because personnel are on duty at all hours of the day and night, the airlines and ship companies furnish transportation for Inspectors from their homes to the airport. It is evident that such an arrangement, between these transportation companies and the officials is far from being desirable.

5. Because of lack of personnel and transportation facilities, Immigration and Alien Affairs is unable to control aliens within the boundaries of Ecuador. There is control of aliens only upon their entry into the country, but after that contact is non-existent.

6. Due to the fact that they have no uniforms, personnel of Immigration and Alien Affairs have no visible symbol of authority.

7. Lack of permanence in personnel is another problem.

8. Other special problems include inadequate office equipment, buildings, transportation and communication facilities and low budget appropriations.

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CHAPTER V

CONCLUSIONS

A. RESPONSIBILITY FOR LAW ENFORCEMENT

1. National Customs Border Guard and State Monopolies (Estancos).

The National Customs Border Guard and the State Monopolies (Estancos) have sufficient legal authority to enforce those laws under their jurisdiction. If these two agencies were unified under one command, the authorized strength could be considerably reduced. This unification is urgently needed to establish a closer relationship between these two organizations both operating under the Ministry of Treasury. Both of these organizations presently have a very loose command structure which does not provide for proper supervision of personnel in the field.

2. Immigration and Alien Affairs.

There are several changes needed in laws and regulations governing the admission of aliens to Ecuador and the requirements for their residence therein. Due to the increase in the number of aliens entering the country, new laws are needed to supplement the old laws, especially for the control of aliens after their admission to the Republic. The authorized strength of the immigration service is severely below that needed to properly enforce the immigration laws.

B. ADMINISTRATION

1. National Customs Border Guard and State Monopolies (Estancos).

The authority of command of staff officers is seriously hampered by lack of technical training and experience and failure to understand administrative methods.

2. Immigration and Alien Affairs.

The command structure of this organization should be revised, and the functions and responsibilities of the supervisory officers more clearly defined. The division of work is not clearly defined, and no written job specifications exist for employees of this organization.

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C. PERSONNEL

1. National Customs Border Guard and State Monopolies (Estancos).

The authorized strength of these organizations appears to be in excess of that needed and it is believed that part of this is due to the method of recruitment. Appointments are made without regard to professional qualifications. A check of the entry on duty date of personnel in the National Customs Border Guard shows that the oldest employee in the organization entered on duty in January 1953. The National Commander and five of the eight District Chiefs have less than one year's service with the organization. Of the total of 72 supervisory officers, 45 have less than one year's service. A check also revealed that 54% of the entire personnel entered on duty within the last year. There were 207 dismissals during 1959 for all causes. Considering that the organization consists of only 499 employees, this attrition rate indicates the need for a revision either in the type of personnel employed, the method of recruitment or disciplinary procedures.

The assignment and transfer procedures of these organizations are not based on professional qualifications, nor are they covered by written policy.

Written disciplinary policies do not exist in either of these organizations. There is not sufficient protection of tenure. The rate of attrition listed above indicates that morale will continue to be a problem in the organizations until there are established policies that deal with discipline, tenure, promotion, assignment, and transfer.

At the present, National Customs Border Guard officers assigned to road block stations have to work for 24 consecutive hours without being relieved. There is no duty hour policy for other personnel of these organizations. This has led to inefficiency and untidy appearance on the job.

2. Immigration and Alien Affairs.

No recruitment policies exist, and no set method of selection is used in securing employees for this organization. The only requirements for entry into the service are the general requirements for all government employees.

No policies exist for assignment and transfer of personnel, promotion or discipline. The tenure of service in the organization and at any particular duty station is determined by the Director General or the Minister of Government.

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With the few employees in this organization, it is impossible to regulate the activities of aliens within the country or properly administer the immigration laws and regulations. The staff of a total of 49 employees of all types, to control immigration in the Republic of Ecuador, is totally inadequate. The use of five persons not directly employed by this agency is not in keeping with good organizational and administrative procedures.

D. TRAINING

1. National Customs Border Guard and State Monopolies (Estancos).

No type of training existed for employees of this organization prior to January 15, 1960. Observation of personnel in these organizations while in performance of their duties indicates that they are not familiar with the laws and regulations nor the proper manner of conducting themselves when attempting to enforce the laws and regulations. As a general rule, these personnel appear to be unprepared for the great responsibility of enforcing the tariff laws of the Republic.

2. Immigration and Alien Affairs.

No type of training exists for employees of this organization. When they enter on duty, they are assigned directly to the job and have very little concept of the laws and regulations concerning immigration. Observation of employees while in the performance of their duty at airports and seaports of entry indicate that they are not prepared when a technical question arises and they are at a loss insofar as the law is concerned.

This lack of preparation hampers a good professional appearance before the public. There is a definite need for a training school.

E. RECORDS

1. National Customs Border Guard and State Monopolies (Estancos).

Records maintained by the National Customs Border Guard are not kept in a usable form. There are few records of any type. The principal and most important record, that of persons apprehended, is lacking. The State Monopolies have a better set of records and are able to furnish some information, but the records are incomplete.

2. Immigration and Alien Affairs.

The records of the Immigration and Alien Affairs service need improvement. No up-to-date records are maintained concerning the whereabouts of aliens residing in the country, and there are few records

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of aliens leaving the country. Records of aliens allowed to come into the country for permanent residence are filed in the Director General's office in Quito by date of arrival of the documents. When an alien is admitted into the Republic for permanent residence at Guayaquil, it may be several days before these records arrive in the Director's office in Quito. As a result of this delay, it is very difficult to find these records when an investigation is made into the status of the person admitted. The lack of fireproof storage for important documents is serious. There is very little security of documents and records.

F. EQUIPMENT

1. National Customs Border Guard.

The National Customs Border Guard has four pickup trucks and two jeeps for use by 499 persons throughout the entire country. All are in bad condition. This condition does not permit this organization to operate in an effective manner. There are no boats for the enforcement of the tariff laws on the coast, consequently, smugglers can operate freely with little fear of being apprehended. No maintenance facilities exist, and all repairs must of necessity be made at commercial garages. The operational efficiency of the personnel is lowered by the fact they have no equipment and are unable to enforce the laws of the Republic.

The organization does not have its own communications equipment. At the present time commercial telegraph or the radio belonging to the Ministry of Treasury is used to send messages to stations throughout the Republic. Both of these methods are unsatisfactory due to delay in delivery of messages. It is not possible to pass urgent information through these media in a reasonable length of time.

This organization has 222 firearms for use by its 499 employees. There are 51 of these in bad condition. No regular appropriation exists for the purchase of weapons or ammunition. When new weapons or ammunition are to be purchased, the Minister of Treasury must request special funds.

The condition of rented buildings used by this organization is not satisfactory. The buildings are not sufficient in number or adequate in space to accommodate personnel.

2. State Monopolies (Estancos).

The State Monopolies have more equipment but it is not sufficient for the satisfactory performance of their mission. The major need is for automotive and technical equipment. Four garages are maintained for the repair of this equipment, but these facilities are not considered sufficient.

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Radio communication from station to station is considered adequate for the State Monopolies. There is no FM equipment to provide local radio contact between stations and automobiles. No repair shop for radios is maintained.

The State Monopolies have sufficient carbines, but lack revolvers. The condition of these weapons is listed on Page No. 21.

The condition and location of buildings owned by the State Monopolies are shown on Page No. 21. The rented buildings are usually inadequate and in need of repair.

3. Immigration and Alien Affairs.

The Immigration and Alien Affairs have no transportation equipment. The services are considerably hampered by lack of transportation, and prestige is lowered as the personnel are dependent on airline companies for transportation to the air terminal and shipping companies for transportation to the seaports of entry.

The only type of communication available for use by the Immigration and Alien Affairs service is commercial telegraph or telephone.

Personnel of the Immigration and Alien Affairs service have no authority to make arrests. No weapons are owned by this organization.

The organization owns no buildings. At airports and seaports it must depend on office space which is furnished by the airlines or by shipping companies. This space is not always adequate.

G. BUDGET

1. National Customs Border Guard.

The budget of the National Customs Border Guard does not provide for many necessary items. The National Commander must constantly request additional funds from the Minister of Treasury. When these funds are not readily available, operations suffer.

2. The State Monopolies (Estancos).

The State Monopolies budget shows a decrease in fiscal year 1960 of \$ 470,000.00 under the previous years. Usually the budget for this organization is approved as requested, due to the fact that the Treasury of the Republic receives more revenue from this organization than any other. The decreases in the 1960 budget were caused by a reduction in personnel, which was brought about by the adoption of a new regulation.

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The budget is considered adequate in relation to the budgets for other organizations. Items within the 1960 budget for which there appears to be an excess of money are:

Office supplies and printing-----	\$ 1,000,000.00
Salaries for personnel-----	14,680,000.00
Special projects-----	200,000.00

3. Immigration and Alien Affairs.

The budget for this organization is inadequate in many respects. The budget does not provide for payment of transportation for employees, and it makes no provision for subsistence for employees who are away from their regular duty station on official business. The budget has not been changed from prior years even though statistics show an increase in the amount of work performed by this organization. The budget does not provide for the purchase of filing equipment which is urgently needed, nor does it provide for salary increases, which are necessary if a professional type of employee is to be hired.

H. PUBLIC RELATIONS

1. National Customs Border Guard and State Monopolies (Estancos).

The lack of public relations officers is seriously hampering the effectiveness of these two organizations. The public is not aware of the difficulties encountered by officers in the performance of their everyday routine duties. There is a resentment of these officers by the public which exists mainly because the public is not aware or sufficiently informed of their actions. Little attempt is being made by either organization to improve public relations.

2. Immigration and Alien Affairs.

The majority of the public has no idea of the work performed by the officers of this organization. Discussions with people on the street reveal that the majority are unaware that such an organization exists. It appears that the public has never been informed about the operations. There is a great need for the establishment of a public relations department within the organization.

I. OPERATIONS

1. National Customs Border Guard.

With four pickup trucks and two jeeps for the use of 499 officers, it is impossible to effectively patrol the highways. Patrol of the immediate

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border area and of the coastal highways is not effective. Contraband can be smuggled either over the land borders or through the coastal waterways.

Road block operations are not effective due to inadequate facilities and the permanent location of these blocks. The smugglers reportedly know all the locations of these road blocks, and have devised methods of evading them. They are ineffective also because customs personnel are not sufficiently equipped or trained.

2. State Monopolies.

There is a need for highway patrol operations on a regular basis by these officers. The present spasmodic system of patrolling is not considered sufficient. Investigative techniques should be improved by officers assigned to investigate private business selling taxable merchandise controlled by the State Monopolies. There is a lack of systematic check of these establishments. Considerable antagonism exists because these officers check some establishments more frequently than others. No index file is kept of the data on which establishments are checked nor is there a system of periodic checking. The assignment of personnel to make these investigations is at the discretion of the local supervisor. No check is made by higher officials to determine whether or not inspectors are performing their duty in the required manner.

3. Immigration and Alien Affairs.

There is a definite need for new legislation covering this organization. The most outstanding legislative deficiency is the authority to arrest an alien illegally in the country. It needs an investigative unit to make investigations of possible illegal aliens in the Republic. For all practical purposes, once an alien is inside the Republic of Ecuador, he has no fear of being investigated, arrested or deported by this organization. The only control this organization has over aliens is at the time they enter the country. Once aliens are admitted there are no means of investigating them further. The lack of authority, personnel and automobiles prohibits this.

J. STATISTICS

1. National Customs Border Guard.

The lack of adequate statistics does not permit a correct evaluation of the activities of this organization. A comparison of present operations with that of prior years is of very little value. It is also impossible to evaluate the effectiveness of employees as no statistics or records have been kept regarding apprehensions, disciplinary action, or amount of contraband captured. The effectiveness of operations in any given district cannot

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be evaluated. No conclusions can be drawn regarding the amount of contraband captured in relation to that entering the Republic illegally, because statistics of apprehensions are lacking.

2. State Monopolies.

Statistics kept by the State Monopolies are fairly good. A more complete analysis was possible of operations of this organization than of the National Customs Border Guard. Incomplete statistics of employees did not permit an evaluation both of supervisory and non-supervisory personnel. There are enough statistics to indicate a need for improvement in the consistency of levying penalties.

3. Immigration and Alien Affairs.

Statistics maintained by this organization are seriously lacking due mainly to insufficient personnel and facilities for compiling and storage of this data. No statistics are available concerning the types of occupations of aliens in the Republic. No statistics are kept regarding the technical capacities and educational experience possessed by immigrants. Statistics are incomplete regarding prior or present occupations of resident aliens. Experienced personnel is the most serious need of the statistics branch of the office of Immigration and Alien Affairs.

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CHAPTER VI

PROGRESS MADE DURING SHORT TERM CONSULTATION

A. ORGANIZATION

Following the issuance of the Presidential Decree unifying the National Customs Border Guard and the State Monopolies, a meeting was held with the Minister of Treasury to begin plans for the reorganization. It was decided that the Republic would be divided into four Districts for operational purposes. The Minister of Treasury approved the plan to begin unification of the organizations in the northern part of the Republic, which was designated District No. 1.

An organizational chart was drawn and station locations were assigned. Personnel assignments were made and supervisors of each station were selected. A Chief was appointed to command the District and actual operations began on February 22, 1960.

The Personnel Officer for the Minister of Treasury requested recommendations covering job specifications, recruitment procedures, probationary period and promotion policies for the National Customs Border Guard and the State Monopolies. These recommendations were furnished and have been included in Chapter VII of this report.

B. TRAINING

The pressing need for trained personnel in these organizations was realized and on January 19, 1960, a school composed of 24 officers from National Customs Border Guard and Estancos organizations was begun. Courses taught included: discipline, highway patrol, technical service of the Department of Security, writing of reports and interpreting instructions, technical services of customs, firearms practice, laws pertaining to the use of firearms, technique of radio patrolling, Customs laws, technical services of the State Monopolies, technique of holding a highway road block, technical operation of the United States Immigration and Customs Service, laws and regulations of the Immigration and Alien Affairs of Ecuador. The above classroom instruction was supplemented by 36 hours of on-the-job training composed mostly of highway patrol and road block duty. The Minister of Treasury and the Sub-Secretary of the Ministry of Government participated in the graduation ceremonies held on February 27, 1960.

The National Police School also included a course in "Border Control Operations" in the last officers advanced training course.

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C. RECORDS

When inspecting stations and observing operations there appeared to be an excess amount of captured contraband merchandise lost between the time it was seized and the arrival at the Customs warehouse. The situation was brought to the attention of the Minister of Treasury and he requested assistance in devising a form to be used when apprehension and seizure was made. A form "Report of Apprehension and Receipt" was devised in collaboration with two attorneys from the Treasury office and is now being used by the National Customs Border Guard throughout the Republic. (See samples, following.) New regulations covering the use of the form have been issued.

D. EQUIPMENT

The Minister of Treasury approved \$11,340,00 for the purchase of new automotive equipment on February 25, 1960. He also approved an addition to the budget of the National Customs Border Guard of \$2,160.00 to operate and maintain these new vehicles for the remainder of the fiscal year. The purchase of this equipment is expected within the next two months.

E. OPERATIONS

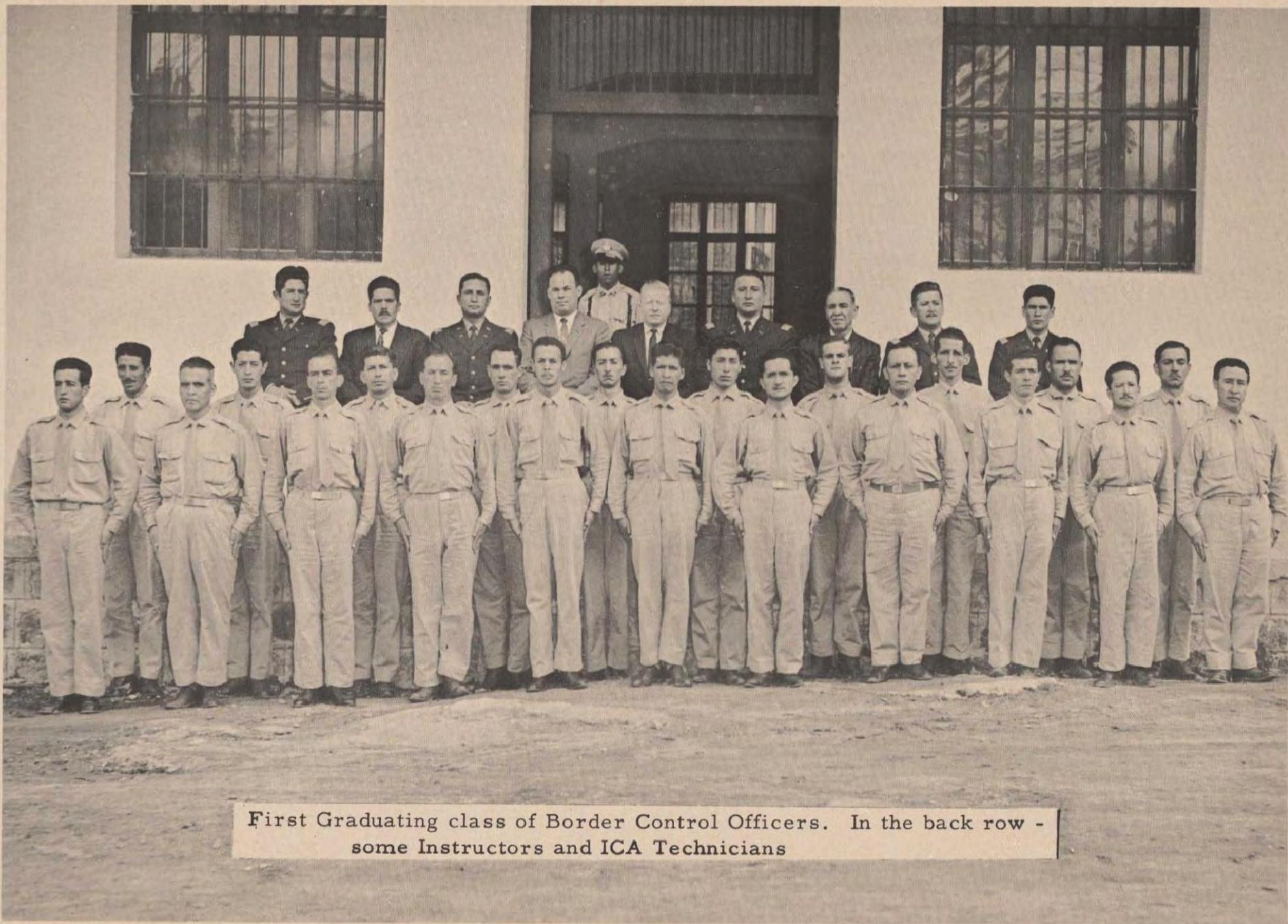
A report was made to the Minister of Treasury or the Sub-Secretary on the effectiveness of operations observed following each inspection trip. Several recommended changes in operations were put in effect as a result of these reports. Some of these are as follows:

1. Establishment of a patrol working north from Quito toward the Colombian border using National Customs Border Guard officers and Estancos officers. This is limited due to shortage of equipment but contraband merchandise valued at more than \$12,000.00 has been captured during January and February.

2. District No. 1 was organized and a new station was established at Ayora. A station at this strategic point was very important due to the highways that converge there. The amount of contraband apprehended by this station has proven its value.

3. The method of ship search in the port of Bolivar was changed also. Now ships are being boarded further out in the channel to prevent the unloading of contraband prior to inspection.

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First Graduating class of Border Control Officers. In the back row -
some Instructors and ICA Technicians

ACTA DE APREHENSION

No.....

En el Destacamento de, a los días del mes de de mil novecientos, a las de la, se procede a la captura de mercadería de origen, la misma que fué encontrada en poder de, por presumirse de contrabando.

Intervenimos en esta captura el siguiente personal del Destacamento:

El detalle de la mercadería aprehendida es el siguiente:

Esta mercadería se declara en comiso provisional en virtud de lo prescrito por el art.83 de la Ley Orgánica de Aduanas, hasta que el Juez competente declare lo que corresponda de acuerdo con la Ley de la Materia.

f). Los aprehensores,

.....

f).

Observaciones:

.
.
.

No.

R E C I B O

El Jefe del Destacamento de, certifica que la mercadería cuyo detalle consta en el Acta de Aprehensión No..... de del mes de de 1.9....., fué comisada al señor .
.....
....., a de
..... de 1.9.....

f).
Jefe del Destacamento

Form. 01-RA

Recibo N° **90**

Propietario

Lugar de Comiso

Fecha

Especies Retenidas

.....

OBSERVACIONES

.....

El Jefe de la Comisión

Form 01-RA

RESGUARDO NACIONAL DE ADUANAS

IV DISTRITO

Recibo N° **90**

DESTACAMENTO Fecha

Propietario Lugar

Especies Retenidas

.....

OBSERVACIONES

.....

El Jefe de la Comisión

El Propietario

ORIGINAL

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CHAPTER VII

RECOMMENDATIONS

A. NATIONAL CUSTOMS BORDER GUARD AND STATE MONOPOLIES (ESTANCOS)

1. Organization.

It is recommended that the law enforcement branch of State Monopolies (Estancos) and the National Customs Border Guard be unified as soon as possible. This unification could be started immediately in District No. 1 which comprises the Provinces of Carchi, Imbabura, Pichincha and Esmeraldas. The organization of the other three districts could be accomplished at a later date. A decree, later approved by Congress, will be necessary to implement this. Charts Nos. 5 through 7, Pages 71 through 74, show the recommended location of the headquarters offices, district headquarters, and each station. The list of personnel assignments for each station in District No. 1 is contained in Chart No. 8, Page 75.

2. Administration.

a. It is recommended that the Chief of Patrol have complete authority in the operation of the organization.

b. Authority should be delegated from this office to the Chiefs of Sectors covering all phases of operations.

c. Command structure should conform to the recommendations listed in Chart No. 9, Page 76.

3. Personnel.

a. Authorized Strength.

The authorized strength for the two combined organizations should be determined after a study by the Director of Monopolies and the Commander of the National Customs Border Guard and the Minister of Treasury. (It is believed that the total personnel can be considerably reduced.)

b. Recruitment.

In order to insure a high caliber of officers for this organization, it is suggested that the following actions be considered:

(1) The Minister of Treasury establish a personnel office which will be completely responsible for furnishing personnel to the Service. This office would perform the following functions, among others:

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(a) Prepare information regarding needs for new personnel and security publicity through newspapers and radio stations in Ecuador.

(b) Prepare a set of standards to be used for guidance in selecting recruits. These should specify physical condition, age, education and character.

(c) An application form should be completed by each applicant before he is considered for employment.

(d) The list of eligibles should be maintained by the personnel office and when the Service requires additional officers they will request the number needed and be furnished the names of suitable applicants.

(2) The Minister of Treasury should appoint a board of five men to interview those applicants whose names are furnished from the register. These men making up this board should be selected from the supervisory personnel.

(3) Those applicants accepted should be sent to a competent medical doctor for a complete physical examination.

(4) All applicants who are found to have the required basic qualifications and to be in good health should be thoroughly investigated to determine whether (a) they are of good character and (b) they are otherwise suitable for employment.

(5) When the applicant has successfully fulfilled the above requirements he should be notified by the personnel office to report for duty. If possible, every applicant should be assigned to the Patrol School for instructions and training prior to performing duty on the job.

(6) When the applicant is offered employment, he should be advised by the personnel office that his retention in the service will depend on his successful completion of a probationary period. This probationary period will operate in the following manner:

(a) The period will be for one year.

(b) Personnel on probation should be closely observed during this period to ensure that their conduct and performance of duty meet the standards set for the service. Those failing to meet these standards should be separated prior to the expiration of the probationary period.

c. Assignments and Transfers.

A written policy covering transfers and station assignments should include authority to assign personnel to any station within the Republic based on needs of the Service.

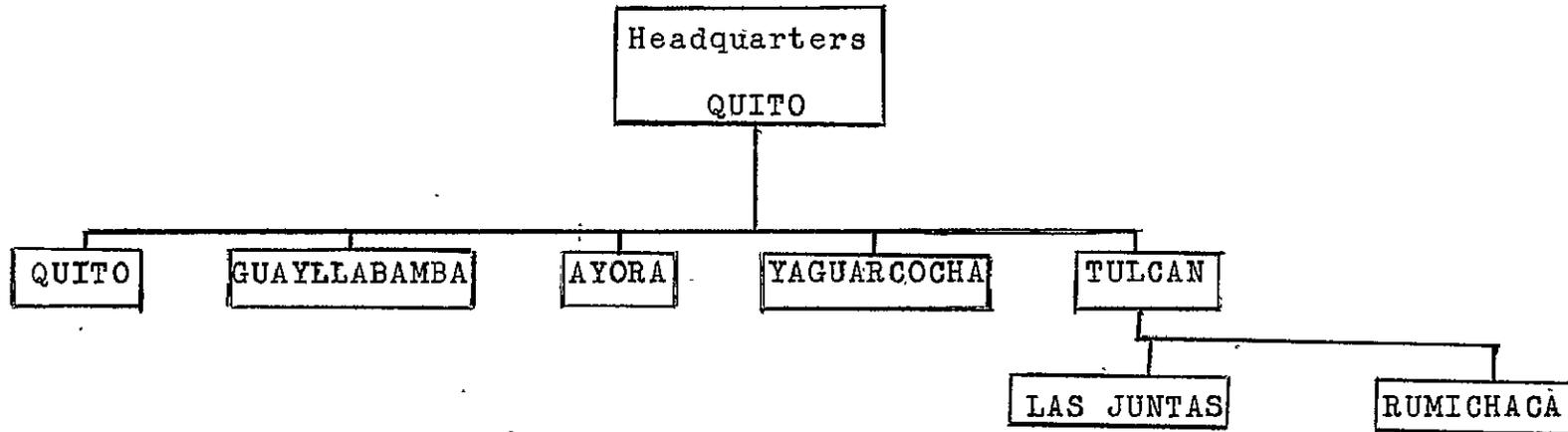
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CHART No. 4

RECOMMENDED DISTRIBUTION OF
BORDER PATROL STATIONS

SECTOR No. 1



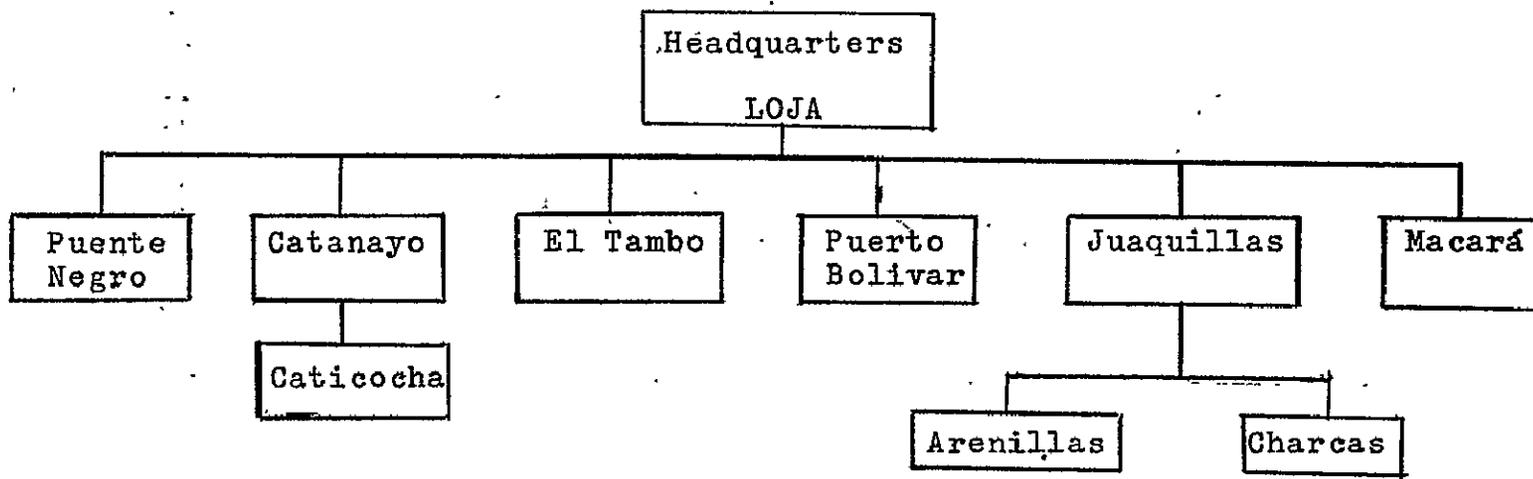
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CHART No. 5

RECOMMENDED DISTRIBUTION OF
BORDER PATROL STATIONS

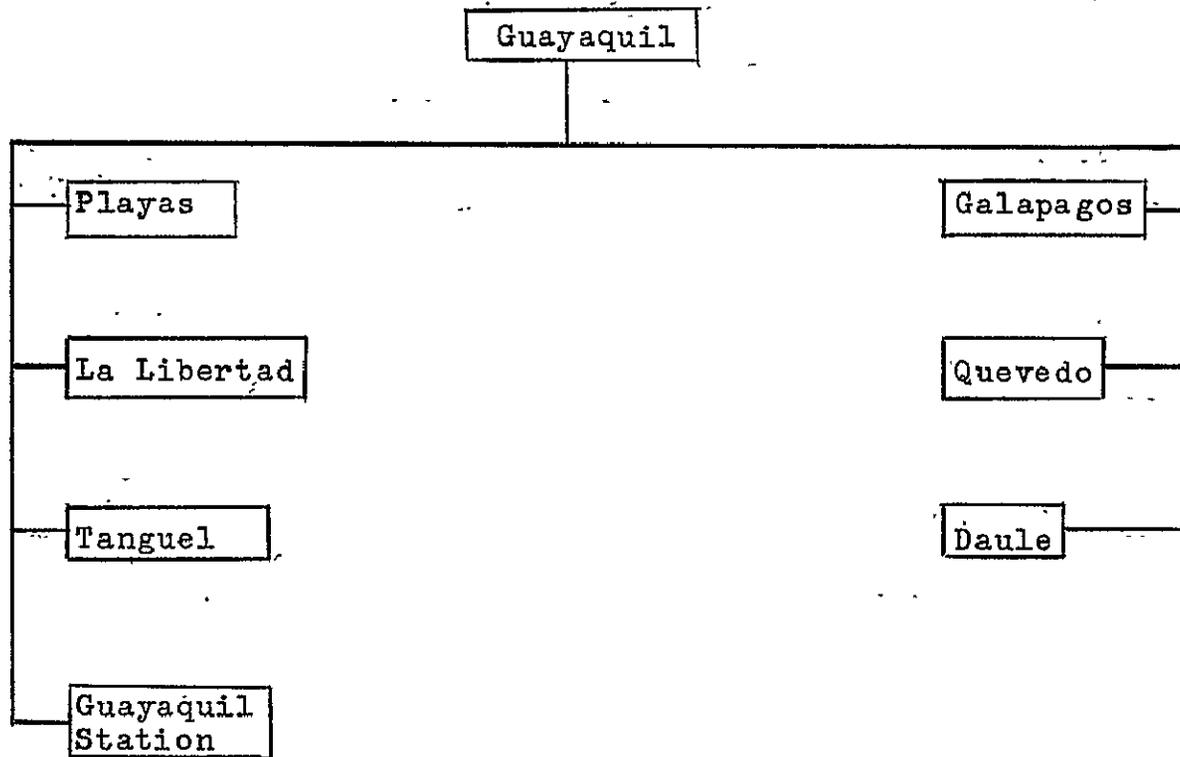
SECTOR No. 2



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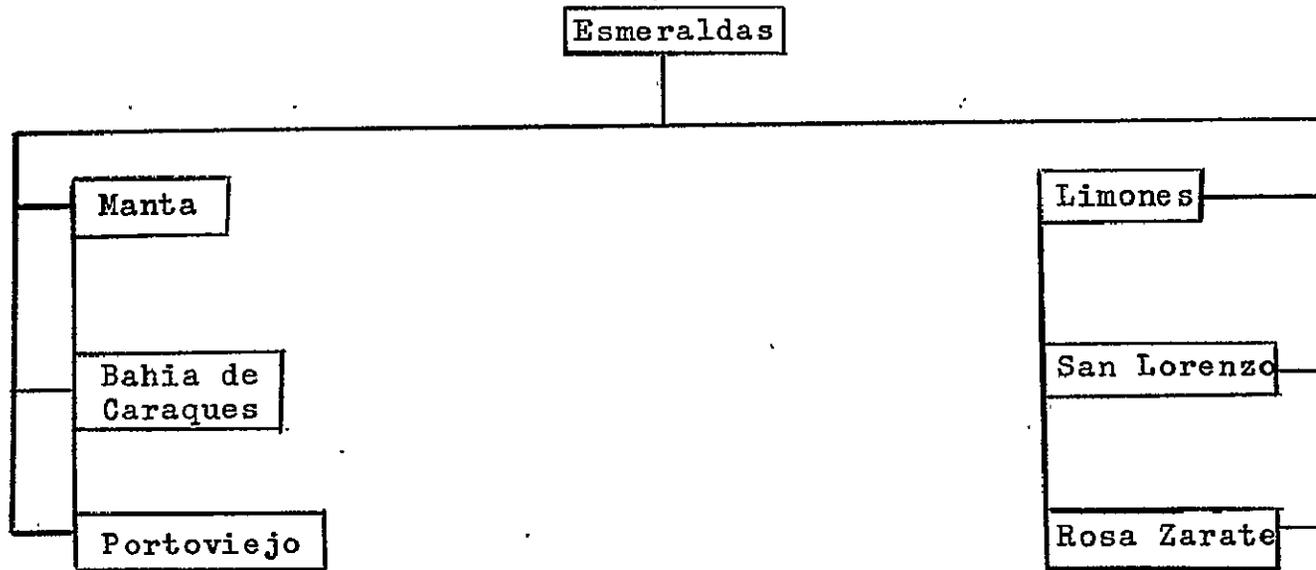
CHART No. 6
RECOMMENDATIONS FOR
STATIONS DISTRICT No. 3



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CHART No. 7
RECOMMENDATIONS FOR
STATIONS DISTRICT No. 4



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CHART No. 8

RECOMMENDED DISTRIBUTION OF PERSONNEL
AND TRANSPORTATION EQUIPMENT

SECTOR No. 1

<u>Station Location</u>	<u>Type of Work</u>	<u>No. of Positions</u>	<u>Vehicles</u>
Quito	Headquarters	6	1
Quito	Airport	9	1
Quito	Highway Patrol	26	3
Guayllabamba	Highway Block and Patrol	8	1
Ayora	Highway Block and Patrol	24	3
Yaguácocha	Highway Block and Patrol	28	2
Tulcán and Las Juntas	Highway Block and Patrol	14	1
Rumichaca	Port of Entry and Border	15	2
	TOTAL	<u>130</u>	<u>14</u>

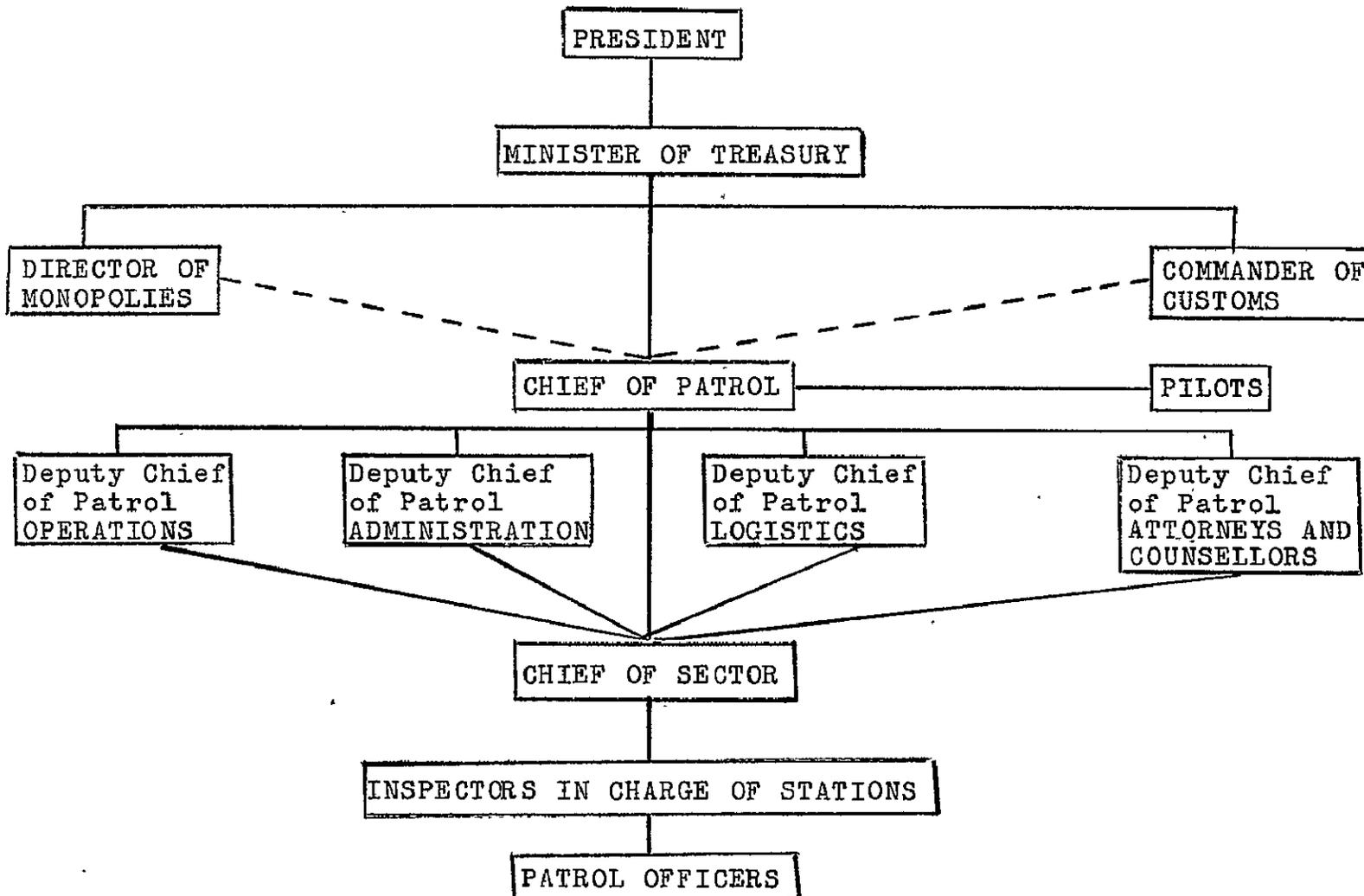
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CHART No. 9

RECOMMENDED ORGANIZATION FOR

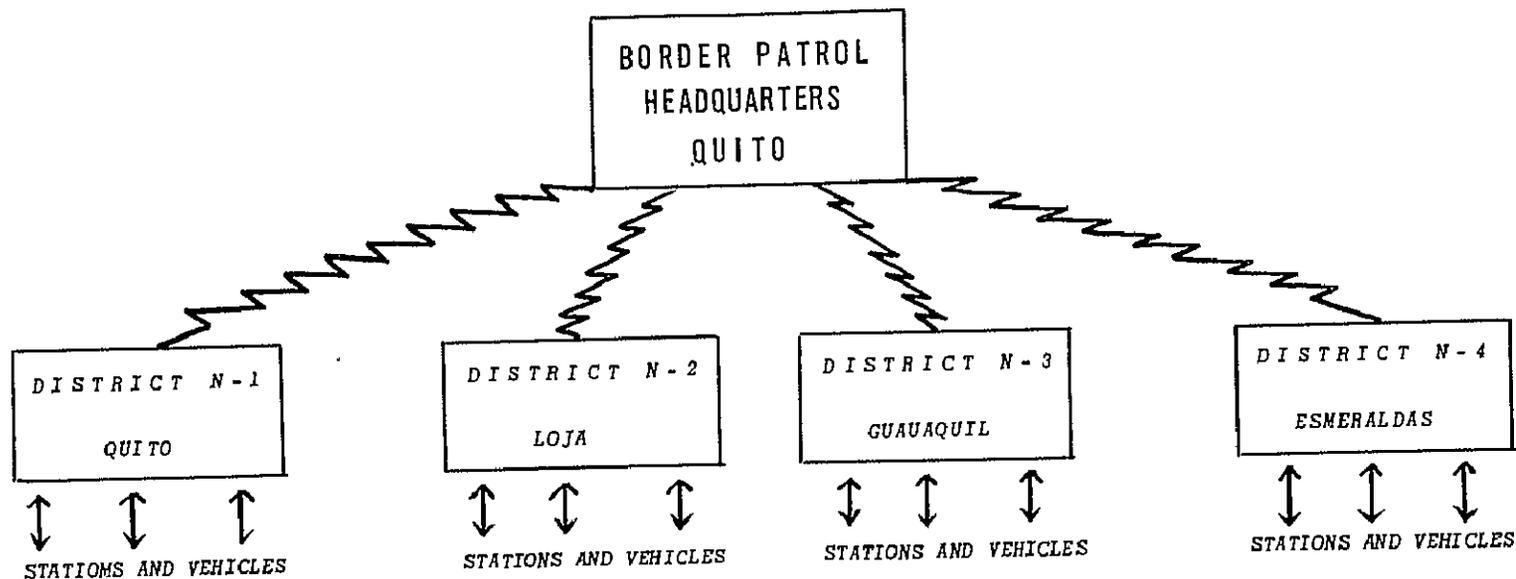
LINE OF COMMAND



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CHART N-

RECOMENDATIONS FOR
COMMUNICATIONS SYSTEM
NATIONAL CUSTOMS BORDER GUARD
AND STATE MONOPOLIES



NOTE: A/M Sets needed 6
F/M Transceivers needed for Stations 26
F/M Transceivers mobil sets needed 33

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d. Promotion.

A fair and equitable promotion policy should be adopted. A separate report form should be used for each officer rated.

e. Salary Scale and Allowances.

It is recommended that as soon as feasible a new salary scale be put in effect. The following schedule is suggested:

	<u>Yearly Salary</u>	
	<u>Sucres</u>	<u>U.S. Dollars</u> (Equivalent)
Chief of Patrol-----	\$ 38,400.00	\$ 2,258.82
Deputy Chiefs-----	33,600.00	1,976.47
Chiefs of Sectors-----	28,000.00	1,647.06
Officers in Charge of Station-----	22,000.00	1,294.12
Patrol Officers-----	14,000.00	823.53

(Rate of exchange - \$1.00 U.S. = 17 Sucres.)

f. Retirement.

The need for physically capable personnel in this organization is considered of the utmost importance. The present retirement system for government employees does not take into consideration this hazardous duty requirement. It is recommended that the permissible retirement age for personnel of this organization be lowered to 55 years of age dependent on the completion of 25 years of service with the organization. Retirement should be mandatory at 60 years of age regardless of the years of service. Personnel of this organization should remain in the service until retirement, if they so desire, and if they maintain the standard of efficiency required by the organization.

g. Discipline.

A written policy should be issued covering the most common offenses giving the penalties for the first, second and third violation of these offenses. The seriousness of the offense would determine the penalty to be given.

h. Uniform Allowances.

It is recommended that uniforms be purchased and furnished by the Ministry of Treasury. Supervisory offices within the organization should require an inspection of uniforms at least semi-annually.

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i. Meritorious Service Awards and Commendations.

A system of meritorious service awards and commendations should be established both for outstanding achievements and length of service.

j. Duty Hours and Vacation Leave.

(1) Assignment of duty hours should be the responsibility of the officer in charge of each station or operation. These hours of duty should be equally rotated among the personnel. The types of duty to be performed should be changed on a monthly or quarterly basis in order that all personnel may become proficient in performing any type of duty assignment within their respective stations. No employee should be required to perform more than 12 hours of duty in one day unless an emergency exists. The present system of assigning guards to 24 hours of duty at road blocks should be discontinued.

(2) Annual leave should consist of one month's vacation leave with pay per year, following the completion of one year's service with the organization. It is recommended that a regulation granting employees a definite amount of sick leave each month or each year be adopted.

4. Training.

a. The present training program, which was started on January 19, 1960, should be continued and enlarged. At the present time, the training program accommodates 24 students. This would be sufficient to prepare new personnel entering the service but is not large enough to allow in-service training. Courses recommended to be taught in the training school should include the following:

- Leadership and discipline
- Patrol of borders and sea coasts
- Function of technical service of Department of Security
- Writing of reports and interpreting instructions
- Technical services of Customs
- Firearms practice
- Laws pertaining to the use of firearms customs laws
- Technical services of the Department of State Monopolies (Estancos)
- Laws pertaining to Department of State Monopolies
- Technical operation of Customs and Immigration in the United States
- Technical services offered by Immigration Services of Ecuador

It is recommended that on entrance into the Service all enforcement personnel be required to attend the training school prior to their performing actual duties.

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b. In-Service Training.

It is recommended that an in-service training course be organized which would keep officers informed about new methods of operation and new laws and regulations issued. The material needed for this in-service training program should be prepared by the staff of the training school and distributed to the various stations where regular classes would be conducted by supervisors.

c. Training Facilities.

The building where the school is presently being held is considered adequate as far as space is concerned. It is recommended that necessary equipment such as desks, blackboards, visual training aids, books, demonstration equipment and technical devices used in law enforcement work be purchased.

d. Staff.

The Director of the school should be a captain or above. Recommendations have been made to the Minister of Treasury regarding the qualifications of instructors at the school.

e. Use of Facilities of the National Civil Police.

Wherever possible, the facilities of the National Civil Police, such as classrooms and firearms ranges should be used by the border forces.

5. Records.

a. Centralization.

It is recommended that a centralized record system be established. This should include the following:

(1) Personnel records on all employees.

(2) Apprehension records should include a fingerprint record card, an index card with thumb print, picture and a notation covering date and place of arrest, names of officers making the arrest, and the length of sentence or amount of fine, if any.

(3) A folder should be prepared on each vehicle which would contain the following data: the date of purchase, type, whether or not equipped with radio and location of the vehicle. Each month, the officer in charge of the station where the vehicle is assigned will submit a report covering its condition, mileage and need for repair.

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(4) Property records will contain the physical inventory of all vehicles, firearms, binoculars, radios, buildings and office furnishings which belong to the organization.

b. Facilities for Storage.

As no filing cabinets or storage facilities exist, it will be necessary to purchase a complete set of filing cabinets both of letter size and for index cards. These should be purchased gradually.

c. Responsibility for Maintaining and Protecting Files.

It should be the responsibility of the Deputy Chief of Patrol for Administration to supervise, maintain and protect all of the organizational files.

6. Equipment.

a. Transportation.

It is recommended that the Government of Ecuador purchase the following additional vehicular equipment for the combined service:

<u>Types</u>	<u>Quantity</u>
Automobiles-----	4
Jeeps-----	20
Pickups-----	10
Trucks, 1½ ton-----	4
Boats (24 to 36 feet)-----	15
Airplanes, Piper Super-Cub-----	2

b. Policies of Operation.

(1) Definite policies regarding official use of organizational equipment should be established and enforced. Regulations should be formulated providing against unauthorized use of official equipment.

(2) It is recommended that a sub-voucher system be used in the purchase of fuel for this organization. Fuel should be purchased tax free for vehicles. Employees should turn in their sub-vouchers for reimbursement after they purchase fuel.

c. Communications.

It is recommended that the services of a radio technician be secured to establish a communications system for this unified service.

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d. Weapons:

(1) A survey should be made of the weapons now used by these organizations and plans made to standardize on one type and caliber for the entire service. The sidearms purchased should be .38 caliber or larger. Weapons not meeting the above standards should be sold and the proceeds used to purchase replacements.

(2) The service should purchase a reloading machine and reload ammunition in sufficient quantities to allow for the issue of practice ammunition on a monthly basis to each officer.

(3) A weapons maintenance and repair shop should be established with headquarters in Quito. When an officer has a weapon that needs repair he would be issued a replacement and his weapon would be sent to the repair shop. This same shop should be used to reload ammunition.

e. Buildings.

At the present time the National Customs Border Guard and the State Monopolies rent most of their office space and it is recommended this be continued with the exception of the Headquarters building in Quito, and Sector Headquarters offices in Loja and Guayaquil. It is recommended that the Minister of Treasury appoint a building board to study the situation and that a long-range program be implemented toward eventually obtaining government-owned buildings for all stations. It would be most economical to construct the buildings of materials indigenous to their location.

7. Budget.

The budgets of the State Monopolies and the National Customs Border Guard for the present year are shown on Pages 23 and 38, respectively. Chart No. 10 and Chart No. 11, Pages 82 and 83, give the 1960 budget for each organization with recommendations. Chart No. 12 on Page 84 shows the combination following the unification.

8. Public Relations.

Public relations between law enforcement agencies and the public are very important and should be given special attention. It is recommended that an officer in the General Headquarters in Quito be assigned the job of public relations. It would be his duty to educate the officers in their responsibility toward the public. He would also be responsible to furnish the press and radio with information regarding activities of the organization. A radio or television program is an excellent means of building good public relations.

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CHART NO. 10

1960 BUDGET AND RECOMMENDATIONS - STATE MONOPOLIES

<u>ITEM</u>	<u>1960</u>	<u>RECOMMENDATIONS</u>	<u>INCREASE</u>	<u>DECREASE</u>
Salaries	14,680,000.00	15,651,200.00	971,200.00	- - - - -
Employment of specialists	530,000.00	200,000.00	- - - - -	330,000.00
Allowances	80,000.00	72,689.00	- - - - -	7,311.00
Public relations	21,000.00	- - - - -	- - - - -	21,000.00
Special projects	200,000.00	- - - - -	- - - - -	200,000.00
Transportation	800,000.00	900,000.00	100,000.00	- - - - -
Building maintenance	500,000.00	780,000.00	280,000.00	- - - - -
Rental of buildings	1,350,000.00	850,000.00	500,000.00	- - - - -
Purchase of tools	700,000.00	700,000.00	- - - - -	- - - - -
Maintenance and fuel for vehicles	600,000.00	500,000.00	- - - - -	100,000.00
Office supplies, equipment, etc.	1,000,000.00	500,000.00	- - - - -	500,000.00
Per diem for trips	50,000.00	- - - - -	- - - - -	50,000.00
Retirement, pensions and unemployment compensation	1,116,000.00	1,000,000.00	- - - - -	116,000.00
Commission to agents	<u>1,500,000.00</u>	<u>1,000,000.00</u>	<u>- - - - -</u>	<u>500,000.00</u>
TOTAL	23,127,000.00	22,153,889.00	1,851,200.00	1,824,311.00

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CHART NO. 11

1960 BUDGET AND RECOMMENDATIONS - NATIONAL CUSTOMS BORDER GUARD

<u>ITEM</u>	<u>1960</u>	<u>RECOMMENDATIONS</u>	<u>INCREASE</u>
Salaries	4,522,800.00	4,772,000.00	249,200.00
Allowances	745,176.00	927,311.00	182,135.00
Transportation (public)	- - - - -	100,000.00	100,000.00
Supplies and Materials	- - - - -	100,000.00	100,000.00
Building construction	- - - - -	300,000.00	300,000.00
Building rental fees	150,000.00	150,000.00	- - - - -
Maintenance of existing buildings	- - - - -	20,000.00	20,000.00
Maintenance, purchase and operation of vehicles	150,000.00	500,000.00	350,000.00
Purchase of initial automotive and patrol equipment (1 year only)	<u>- - - - -</u>	<u>2,805,000.00</u>	<u>2,805,000.00</u>
TOTAL	5,567,976.00	9,674,311.00	4,106,335.00

NOTE: \$ 2,805,000.00 is for original equipment on a one time basis.

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CHART NO. 12

COMBINED 1960 BUDGET FOR STATE MONOPOLIES AND NATIONAL CUSTOMS BORDER GUARD AND RECOMMENDATIONS
FOR BUDGET OF UNIFIED LAW ENFORCEMENT UNITS

<u>ITEM</u>	<u>MONOPOLIES</u>	<u>CUSTOMS</u>	<u>COMBINED</u>	<u>RECOMMENDED</u>
Salaries	14,680,000.00	4,522,800.00	19,202,800.00	20,423,200.00
Employment of specialists	530,000.00	- - - - -	530,000.00	200,000.00
Allowances	80,000.00	745,176.00	825,176.00	1,000,000.00
Public relations	21,000.00	- - - - -	21,000.00	- - - - -
Special projects	200,000.00	- - - - -	200,000.00	- - - - -
Transportation	800,000.00	- - - - -	800,000.00	1,000,000.00
Building maintenance	500,000.00	- - - - -	500,000.00	800,000.00
Rental of buildings	1,350,000.00	150,000.00	1,500,000.00	1,000,000.00
Purchase of tools	700,000.00	- - - - -	700,000.00	500,000.00
Maintenance and fuel for vehicles	600,000.00	150,000.00	750,000.00	1,000,000.00
Office supplies, equipment, etc.	1,000,000.00	- - - - -	1,000,000.00	500,000.00
Per diem for trips	50,000.00	- - - - -	50,000.00	- - - - -
Retirement, pensions and unemployment compensation	1,116,000.00	- - - - -	1,116,000.00	1,000,000.00
Commission to agents	<u>1,500,000.00</u>	<u>- - - - -</u>	<u>1,500,000.00</u>	<u>1,000,000.00</u>
TOTAL	23,127,000.00	5,567,976.00	28,694,976.00	28,423,200.00

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9. Operations.

a. A mobile patrol of the immediate border in the Tulcan area should be activated as soon as possible. This patrol should also have horses for use where there are no roads. The officers assigned to this area should be well armed because of the commercial smuggling activities in the area. The southern border in the area of Huaquillas should be patrolled in the same manner although the smuggling is not as commercial as in the Tulcan area. Vantage points should be manned during daylight hours to spot smuggling activities which could be reported by handie-talkie radio and apprehended by mobile patrol units.

b. Highway blocks should be installed at all inland stations. These stations should be equipped with proper lighting for night operations. A motorized patrol should be operating on either side of these road-blocks to prevent passengers from getting off buses and carrying merchandise around the road blocks and then getting on again after the bus has been checked through the Customs highway block. Personnel assigned to these road block stations should be very familiar with laws and regulations pertaining to customs violations. They should be required to wear the proper uniform. A supervisory officer should be assigned to each duty shift. He should remain at the station for the entire eight hours to handle difficult problems. The duty hours should be for no more than eight hours each day. It will be the duty of the supervisory officer in charge of each shift to inspect the uniform and appearance of personnel prior to their entering on duty and any officer not properly in uniform should be required to comply with uniform instructions before he is permitted to enter on duty. Warning signs should be placed on the highways at least 200 meters prior to the arrival at the road block station. When contraband valued at more than \$25.00 is captured, a receipt of apprehension should be made listing the owner of the contraband and the officer making the arrest.

c. The coastal waterways and seaports should be patrolled by patrol boats equipped with two-way radio in order to effectively coordinate their action with the arriving and departing ships. A small Piper-Cub observation airplane should be purchased for use to spot crafts engaged in smuggling activities. This information should be relayed from the plane to patrol boat which would make the proper investigation and seize the contraband merchandise. Officers assigned to this type of operation should be instructed in ship-search methods by a technician.

Close liaison should be maintained with the Ecuadorian Navy and when assistance is needed they should be free to request the aid of the naval service. This liaison should be established first through contact with the Minister of Defense.

d. It is recommended that officers especially adapted to working information be used in the border towns of Colombia and Peru to secure information concerning smuggling operations which would be passed on to units working in the local area.

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10. Statistics.

It is recommended that a monthly bulletin be furnished all offices showing the amount of contraband apprehended by each station. This would create a spirit of competition among station and officer personnel. Records of apprehensions and amount of contraband captured should be kept by the month in order that a comparison could be made and weaknesses in station operations could be easily spotted. This type of statistics is also a good indication of the ability of supervisory officers and points out the existence of a morale problem.

11. Conclusions.

If the proper equipment is furnished and the above recommendations are put into force, it is believed that control of contraband can be substantially improved in Ecuador.

B. IMMIGRATION AND ALIEN AFFAIRS

1. Responsibility for Law Enforcement.

The legal authority of Immigration and Alien Affairs appears to be inadequate for the accomplishment of its functions. This is especially true in the field of enforcement and investigation.

2. Organization.

The overall organizational structure of Immigration and Alien Affairs appears to need realignment with special attention given to direct line supervision by lower echelon supervisory officers.

3. Administration.

Although the internal regulations of Immigration and Alien Affairs seem to provide for basically sound administrative operation of this agency, there appear to be deficiencies in certain areas of administration. These deficiencies seem to be due primarily to the lack of personnel. For example, control of aliens once they are inside Ecuador is seriously hampered.

4. Personnel.

a. Strength.

The present personnel strength of Immigration and Alien Affairs is totally inadequate for a country the size of Ecuador and should be at

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least doubled. The use of five persons who are not directly employed by this agency is not in keeping with good organizational and administrative procedures and it is recommended it be discontinued.

b. Recruitment.

There is a definite need for some firm requirements and sound recruitment policies and procedures. Those in recommendations listed for National Customs Border Guard and State Monopolies should be followed for securing personnel for this organization.

c. Assignment and Transfer.

There should be a written policy regarding transfers and assignments based on the needs of the service.

d. Promotion.

The promotion policies recommended for the National Customs Border Guard and State Monopolies should be adopted.

e. Salary Scale.

It is recommended that an evaluation and revision of the present salary scale to provide salaries that are in line with the cost of living be instituted. The wage scale should be high enough to attract qualified personnel for the service and high enough so that the employee need not engage in other activities to maintain an adequate standard of living. All employees should be paid with money from the agency budget.

f. Special Benefits.

The present method of paying overtime, since it tends to place the personnel of this organization under an obligation to the airline and ship companies, should be eliminated.

g. Retirement and Pensions.

Immigration and Alien Affairs should continue in the Social Security system provided by the present government program.

h. Discipline.

It is recommended that firm policies and procedures in regard to discipline of employees of this agency be adopted. A study should be made to ascertain the most common offenses committed by employees of this organization. Based upon this study, a chart of offenses and corresponding

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penalties should be published and furnished all employees. This chart would include penalties for the 1st, 2nd and 3rd infraction. If this recommendation is put in force all employees would become aware that disciplinary measures existed and would refrain from committing such offenses.

i. Tenure.

As this organization requires professional employees, it is recommended a type of civil service be established which would permit the hiring of career people.

j. Morale.

With the employment of a career type of professional employee morale will increase. Tradition and pride will automatically come with length of service and morale will increase.

k. Uniforms and Clothing Allowances.

It is strongly recommended that all field personnel of this agency be provided with an adequate number of uniforms of a design that will give them a symbol of authority and a degree of respect in the eyes of the public. The uniforms should either be purchased by Immigration and Alien Affairs or with funds provided by clothing allowances given to the employees.

l. Meritorious Service Awards and Commendations.

There is a need for the establishment of a system of providing for the issuance of meritorious service awards and commendations to employees who deserve the same.

m. Duty Hours, Leaves and Vacations.

In order to properly accommodate and control aliens entering the Republic of Ecuador, the number of personnel of this organization should be increased to allow personnel to be at all Ports of Entry on a 24 hour a day, seven days a week basis. Each person should be on duty only for a period of eight hours a day, six days a week, unless assigned to overtime duty.

5. Training.

There is a definite need for the establishment of a training school for all personnel of Immigration and Alien Affairs. It is recommended that a technician be employed to assist with this training and select and supervise the courses to be taught.

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6. Records.

It is recommended the services of a records technician be secured to completely overhaul the filing system, facilities for storage and protection of records, with a concentration on storage of valuable records in secure, fireproof filing cabinets. There is also a need both in Quito and Guayaquil for more floor space for the records sections.

Policies in regard to retention of records should be established and all present records should be reviewed and classified for retention.

7. Equipment.

The Immigration and Alien Affairs should purchase adequate amounts of transportation and communications equipment and an adequate amount of weapons in order that this agency can fulfill its responsibilities and duties. The exact amounts and number should be determined on the basis of the number of personnel required for this organization.

Immigration and Alien Affairs should have its own buildings in which to operate. These buildings should have enough space, equipment and facilities in order to provide as adequate surroundings as possible for truly efficient operations.

8. Budget.

A complete evaluation and revision of the budget should be made in order to bring it in line with the future needs of Immigration and Alien Affairs. The Minister of Government should appoint a representative to work with the Director in drawing up a realistic budget and then work for its approval.

9. Public Relations.

It is recommended that an officer in headquarters be assigned the job of public relations. All newspaper and radio releases would be his responsibility.

10. Operations.

a. The operations at airfields should be revised in order to more fully serve the public and to enforce the immigration laws. Employees should be provided with adequate space. They should be uniformed. They should have adequate knowledge of the law to permit the issuance of any type of documentation immediately. Lookout record books should be maintained and on hand at all airfield offices. When the new air terminal at Quito is completed at least two inspectors should be on hand to handle each arriving aircraft. Between planes these men should be used to keep up the records and files.

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b. The Sub-Director and supervisor at Guayaquil should conduct classes on ship inspection for his officers working the seaport. They should muster the crew and search the ships instead of accepting the word of the ship captain. An investigating unit to work information in Guayaquil should be established to check on ship jumpers and illegal aliens reported in the area. The airport there should be controlled the same as that in Quito. The airline companies should be required to furnish adequate office space for officers working those terminals. At present officers are required to inspect passengers in the waiting room which is undesirable. This should be corrected as soon as possible.

c. Traffic at the land border stations should be checked more closely. At present when the Immigration Inspector goes off duty for some reason, the Port of Entry is without authorities to handle Immigration and Alien Affairs problems. Each person entering the country should be required to state his citizenship and furnish proof of legal documentation if an alien or be denied entrance.

11. Statistics.

With the employment of a records technician will come the statistics needed for this organization.

12. Special Problems.

a. An enforcement section that is of the proper strength, has the necessary equipment and facilities and has the legal authority to perform arrests and other duties necessary for the successful operation of the organization should be created immediately.

b. Adequate detention facilities should be provided for temporary detention of offenders.

c. Money should be provided for deportation of undesirable and destitute aliens. This requirement is urgent.

d. In order to properly control aliens within the boundaries of Ecuador, more personnel and transportation facilities will be necessary.

e. It is strongly recommended that an investigation unit be created to check on aliens inside the Republic of Ecuador.

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