



MINISTÉRIO DA JUSTIÇA
E SEGURANÇA PÚBLICA
Assessoria Especial Internacional

TRADUÇÃO DE LEGISLAÇÃO BRASILEIRA RELACIONADA À ÁREA DE JUSTIÇA E SEGURANÇA PÚBLICA PARA O INGLÊS E O ESPANHOL

Instrução Normativa nº 3, de 11 de junho de 2015.

Estabelece normas e diretrizes relativas às atividades de visitação para fins turísticos em terras indígenas.

VERSÃO EM INGLÊS



Projeto da Assessoria Especial Internacional

Como forma de divulgar o arcabouço legislativo brasileiro a autoridades estrangeiras e a Organismos Internacionais e, ainda, de aprimorar a cooperação internacional, em diversas áreas, a Assessoria Especial Internacional do Ministério da Justiça e Segurança Pública desenvolveu projeto para a compilação e tradução¹, para os idiomas inglês e espanhol, de parte das legislações brasileiras relacionadas às áreas de Justiça e Segurança Pública. A seleção das leis traduzidas ficou a cargo das áreas técnicas do Ministério, levando em consideração, igualmente, trabalhos já realizados por outros órgãos brasileiros, os quais serão disponibilizados como link externo no site da Assessoria Especial Internacional.



¹Traduções não juramentadas ou oficiais.

Normative Instruction nº3 of June 12th 2015

Federal Gazette of June 12th, 2015 (nº 110, Section 1, pg. 41)

Establishes norms and guidelines regarding visitation activities for tourism purposes in indigenous lands.

THE INTERIM PRESIDENT OF THE NATIONAL INDIAN FOUNDATION - FUNAI, in the use of the duties conferred on by article 25, item IX, of Annex I, of Decree nº 7,778/2012,

considering the provisions of articles 231 and 232 of the Constitution, the guarantee of exclusive and permanent usufruct by indigenous peoples over their lands and the commitment of the Brazilian State to value the cultures, traditions, forms of organization, and sustainable livelihoods of indigenous peoples;

considering article 1, item VII, of Law nº 5,371/1967, which establishes the purpose of Funai to exercise police power in indigenous lands and in matters related to the protection of the Indian;

considering the provisions of Decree nº 5,051/2004, which incorporates ILO Convention 169 into the national legal system and provides for the recognition of autonomy, the right of consultation and participation of indigenous peoples in the definition of actions and plans relating to indigenous lands;

considering the provisions of Decree nº 7,747/2012, which establishes the National Policy of Environmental and Territorial Management of Indigenous Lands, which provides in Axis V, "g", the support to sustainable indigenous initiatives of ethnotourism and ecotourism, respecting the decision of the community and the diversity of indigenous peoples, promoting, when appropriate, previous studies, diagnostics of socio-environmental impacts, and the training of indigenous communities to manage these activities;

considering that Law nº 12,593/2012, when instituting the Multiannual Plan from 2012 to 2015, established as a goal of objective 0945 the regulation of ecotourism and ethnotourism in indigenous lands;

considering the tourism initiatives already existing in indigenous lands, the interest of some indigenous communities in developing these activities, as well as the risks and vulnerability situations faced by indigenous peoples due to visitation for tourism purposes in their lands; resolves:

CHAPTER I

PRELIMINARY PROVISIONS

Art. 1. The standards for visitation for tourism purposes in indigenous lands, community and sustainable-based, in the segments of Ethnotourism and Ecotourism are established.

Art. 2. The objectives of visitation for tourism purposes in indigenous lands are the valuation and promotion of sociodiversity and biodiversity, through interaction with indigenous peoples, their material and immaterial cultures, and the environment, aiming at income generation, respecting the privacy and intimacy of individuals, families, and indigenous peoples, in the terms established by them.

Art. 3. Indigenous lands are understood, for the purposes of this Normative Instruction, as the traditional occupation lands established by article 231 of the Constitution, delimited by Funai in accordance with article 2, paragraph 7, of Decree nº 1,775 of January 8th, 1996, the areas subject to restriction of use Ordinance, as well as the reserved areas, provided for in article 26 of Law nº 6,001 of December 19th, 1973.

Art. 4. The following are general guidelines to be observed in the processes of permit of visitation activities for tourism purposes in indigenous lands:

I - the respect and strengthening of the identity, uses, customs, and traditions, as well as the autonomy and forms of organization of indigenous peoples;

II - the proposition of activities on social, environmental, and economically sustainable bases;

III - the promotion of dialogue and cooperation between indigenous peoples and Funai for the control of visitors on indigenous lands, aiming to strengthen sustainable development actions, as well as actions of territorial and environmental protection of indigenous lands;

IV - the observance of the right of prior, free, and informed consultation to indigenous communities and the right to exclusive usufruct on their lands and natural riches;

V - the control and supervision of entry into indigenous lands by Funai.

Visitation Plan

Art. 5. The visitation activities for tourism purposes in indigenous lands shall be proposed through the Visitation Plan, presented by the indigenous people, their communities, or their organizations, named for the purposes of this Normative Instruction as proponents, containing:

I - objectives and justifications of the visitation proposal;

II - target audience, frequency of expected visits, maximum number of visitors per visit, and forecast duration per visit;

III - distribution of competences in the community considering social, generational, and gender aspects;

IV - partners involved, responsibilities, and assignments;

V - description of the activities offered to visitors;

VI - delimitation of the itinerary object of the visitation activities, including map or sketch;

VII - conditions of transport, lodging, food, and activities related to the visitation offered by the proponent to visitors, as well as any risks or eventualities inherent in these conditions;

VIII - simplified business plan, containing expected costs for operation, maintenance, and monitoring of visitation and related activities, as well as revenue, profit, and investment forecast, aiming at the continuity of the activity;

IX - first aid care strategy;

X - manual of conduct and good practices, for visitors and for the community;

XI - strategy to prevent the entry of drinks and drugs and other illicit products into indigenous communities;

XII - solid waste management strategy;

XIII - visitation activity monitoring strategy;

XIV - training strategy for the proponents.

Paragraph 1. The Visitation Plan shall not include the procedures for regularization of public equipment, such as airstrips, vicinals, or others, within the scope of conducting the planned activities.

Paragraph 2. The proponents may invite public or private partners of their interest to elaborate and execute Visitation Plans, respecting the autonomy and rights of indigenous peoples, also considering the exclusive usufruct on the lands they traditionally occupy and the natural resources in them.

Paragraph 3. The Visitation Plans shall always be elaborated under the coordination and responsibility of the proponent and shall contemplate the participation and protagonism of indigenous communities in the elaboration, execution, perception of the fruits, monitoring, evaluation, and revision of the plan.

Competencies

Art. 6. The proponent shall:

I - propose a Visitation Plan to Funai;

II - issue and carry out the delivery control of the individual entry permit (Annex I), after approval of the Visitation Plan by Funai;

III - require the signature of the individual Term of Liability of the visitors (Annex II) and partners (Annex III);

IV - send a copy of the individual entry permit issued, the individual Term of Liability of the visitor and the Term of Liability of the partners to the Regional Coordination of the competent Funai, within 5 (five) days;

V - clarify to visitors about the rules of conduct in the indigenous land and provide the roadmap of activities;

VI - monitor visitation activities for tourism purposes in indigenous lands and inform Funai and competent authorities about the occurrence of illicit activities, including environmental or any incidents caused by the presence of visitors;

VII - adopt the appropriate measures and trigger the partners or competent bodies, when necessary, to mitigate environmental and social impacts arising from the visitation activity;

VIII - care for the compliance with the Visitation Plan, as authorized by Funai.

IX - ensure the protection of the genetic resources of traditional use and the knowledge associated with them;

X - present annual reports of visitation activities to Funai.

Art. 7. The public or private partners of the proponent shall:

I - promote training and formation for indigenous people and visitors to qualify the participation of all those involved in visitation activities for tourism in indigenous lands;

II - respect and enforce the rules of conduct and forms of organization of indigenous peoples, according to their decisions, uses, customs, and traditions;

III - respect and enforce the respect for the exclusive indigenous usufruct on their lands and the natural riches there;

IV - ensure indigenous protagonism in the proposition, execution, and perception of the fruits of the Visitation Plan;

V - inform visitors about the different conditions of the activities to be developed to promote and respect the rights of indigenous peoples;

VI - inform Funai and the competent authorities of the occurrence of illegal activities on indigenous lands, especially those arising from visitation activities;

VII - alert visitors to legislation regarding the protection of genetic resources of traditional use and the knowledge associated with them;

VIII - care for the compliance with the Visitation Plan, as authorized by Funai;

IX - inform visitors about the improper use of cameras, mobile phones, or any other means of capturing sound and image, without prior authorization of the indigenous people;

X - present annual reports of visitation activities to Funai.

Art. 8. The Regional Coordination of Funai shall:

I - guide indigenous communities on the normative procedures of visitation in indigenous lands under their area of activity;

II - receive Visitation Plans;

III - forward the Visitation Plan to the General Coordination of Promotion to Ethnodevelopment - CGETNO, through an administrative process instructed with preliminary analysis on the fulfillment of the minimum requirements of the proposal and merit, within a maximum of 30 (thirty) days after receipt;

IV - return the Visitation Plan that does not meet the minimum requirements to the proponent, with the appropriate justifications and recommendations, within a maximum of 30 (thirty) days, informing CGETNO of the occurrence;

V - inform the proponent of all stages of the Visitation Plan analysis, as well as the interested indigenous communities and the Funai Regional Committee;

VI - demand that visitors present the individual permit of entry for visitation in indigenous lands, at any time;

VII - monitor and supervise visitation activities in indigenous lands;

VIII - receive, analyze, and forward to CGETNO the annual reports of the Visitation Plans and copies of the individual admission permits issued by the proponent;

IX - receive, at any time, considerations of indigenous peoples on visitation activities in indigenous lands;

X - immediately inform the CGETNO and the General Coordination of Territorial Monitoring - CGMT irregular conduct of visitors or partners involved, as well as the competent police bodies, if applicable;

XI - consult and record the decisions of the indigenous communities involved and affected by the Visitation Plan, communicating to CGETNO the progress of the process.

Art. 9. The CGETNO shall:

I - disseminate information that guides and clarifies indigenous peoples and public and private entities on the norms and guidelines for carrying out visitation activities for tourism purposes in indigenous lands;

II - support, in inter-sectoral and inter-institutional partnership, training and qualification activities of indigenous communities to propose and monitor visitation activities;

III - monitor visitation activities, in collaboration with the Regional Coordinations and the indigenous peoples or communities involved;

IV - technically analyze the Visitation Plans sent by the Regional Coordinations, within a maximum of 30 (thirty) days from receipt at CGETNO;

V - request additional technical information from the General Coordinations of Funai within the scope of their competences;

VI - forward, through the Regional Coordinations, requests for adjustments and additions to the Visitation Plans by the proposing entities;

VII - consolidate the demonstrations of Funai units and subsidize the decision of the Presidency on Visitation Plans in all aspects, through technical demonstration;

VIII - forward to the Regional Coordinations, so that they inform the proponent, the technical justifications that substantiate the manifestation of the Funai on the Visitation Plans;

IX - immediately inform the CGMT of irregular conduct of the visitors or partners involved, as well as the competent law enforcement bodies, if applicable.

Art. 10. The President of Funai shall approve the Visitation Plans.

Analysis and Authorization of the Visitation Plan Proposal

Art. 11. The following are minimum requirements for analysis of the Visitation Plan Proposal:

I - compliance with the requirements of article 5 of this Normative Instruction;

II - presentation of the consent form of the indigenous communities that contemplates the forms of their organization and decision-making to carry out the activity, as well as a report of the dialogue procedure;

III - signature of Partner Term of Liability, according to Annex III of this Normative Instruction;

IV - report of possible impacts, positive and negative, as well as mitigating measures, containing:

a) a brief description of the business management model;

b) a description of the benefit-sharing model adopted;

c) the capacities developed and expected community benefits;

d) the impact of the schedule of activities on the calendar of indigenous community activities;

e) a simplified environmental survey containing an estimate of the use of natural resources, conservation plan,

f) maintenance, monitoring of impacts, and information on possible overlap with conservation unit.

Art. 12. In the case of overlapping of indigenous lands with conservation units, the Visitation Plan shall be analyzed in partnership with the competent environmental body, considering the joint instruments of shared management and the Management Plan of the Conservation Unit, when any.

Art. 13. In the case of Visitation Plans on indigenous lands with the presence of isolated or recently contacted peoples, the CGETNO shall compulsorily request technical information from the General Coordination of Isolated and Recently Contacted Indians - CGIIRC, instructed with a preliminary manifestation of the competent Ethnoenvironmental Protection Front.

Paragraph 1. Visitation Plans shall not be approved for areas with a restriction of use Ordinance due to the presence of isolated Indians.

Paragraph 2. The manifestation of CGIIRC shall be binding in relation to CGETNO, guiding the decision of the Presidency of Funai.

Art. 14. The Visitation Plan Proposal shall be forwarded by CGETNO to the Presidency of Funai, if it meets all the admissibility requirements, with conclusive merit analysis, for decision within 30 (thirty) days.

Art. 15. The approval of a Visitation Plan does not exempt the environmental licensing procedures for the implementation and operation of infrastructure works or other permits for the use of natural resources for various purposes, within the scope of carrying out the planned activities, when applicable.

Art. 16. The validity of the permit granted to the Visitation Plan shall be up to 3 (three) years, extendable for the same period.

Paragraph 1. Funai may carry out, together with the environmental protection bodies, evaluation visits of the activities developed during the validity of the Visitation Plan.

Paragraph 2. The proponent may request specific changes to the approved Visitation Plan, and it is up to CGETNO, after technical analysis, to authorize the proposed modifications or determine the restart of the authorization process.

Paragraph 3. At the end of the term of the Visitation Plan, a final report must be submitted to Funai with consolidated information for the entire authorized period.

Art. 17. The procedure for renewal of the permit of the Visitation Plan shall adopt the following criteria:

I - if the original conditions are maintained, a new term of consent of the communities, the consultation report expressly stating that it is a renewal of the previously approved Visitation Plan, and the final report must be sent;

II - if the original conditions are modified, a new Visitation Plan must be elaborated, which must follow the same procedure and requirements established in this Normative Instruction for proposal analysis.

Art. 18. The indigenous communities potentially affected by the performance of visitation activities for tourist purposes may, at any time, present a statement about the Visitation Plan that shall be evaluated by the regional coordination and later by CGETNO, to subsidize the decision of the Presidency of Funai.

Obligations and Prohibitions

Art. 19. It is prohibited to visitors to indigenous lands and partners, whether public or private entities, when elaborating or executing Visitation Plans:

I - remain or transit on indigenous lands for activities other than those related to the preparation, execution, monitoring, or evaluation of the Visitation Plan;

II - remove any material from the indigenous land, except solid waste introduced by visitation activities;

III - practice hunting, fishing, or extractivism, including fruit gathering, that violate the exclusive usufruct of indigenous peoples, or other activities prohibited by law;

IV - disseminate images without prior authorization of the indigenous people, even if for non-commercial purposes, respecting the provisions of the legislation in force;

V - register and disseminate traditional indigenous techniques and knowledge without the prior authorization of the community, respecting the provisions of the legislation in force;

VI - enter with, carry, or ingest alcoholic beverages or illicit substances in indigenous lands, except those of traditional use, made by the Indians, when consumed in a context appropriate to that cultural reality;

VII - allow the entry or bear firearms in the indigenous land;

VIII - engage in research, religious proselytism, commerce, journalism, or any activity that is not provided for in the Visitation Plan.

Art. 20. The visitors and partners must carry the following documents when entering indigenous lands:

I - official identification document with photo;

II - individual entry permit.

Paragraph 1. Foreign visitors and partners must also carry the documentary evidence of regular stay in Brazilian territory, according to legislation in force.

Paragraph 2. Funai may require the presentation of a medical certificate that proves the entrant in indigenous land does not carry infectious-contagious disease and a vaccination card, in a reasoned decision.

Art. 21. The entry into indigenous land of a carrier of infectious-contagious disease is prohibited.

Art. 22. The entry permit for tourism purposes in indigenous land shall not be granted to those who have been penalized with a repeal or cassation of entry permit of any form in the last 5 (five) years.

Cases of Suspension or Revocation of Permits

Art. 23. The permit of Visitation Plan may be precautionarily suspended or repealed at any time by Funai, without prejudice to the subsequent establishment of due legal process to ascertain irregularities, in the following cases:

I - violation of the rights of indigenous peoples;

II - imminence of land or social conflict in the indigenous land;

III - loss in the provision of public services;

IV - situation that results in risk to the life, health, and safety of visitors and the indigenous community and their partners;

V - administrative or judicial procedure for the extrusion of non-Indians from indigenous lands;

VI - confirmation of the presence of isolated Indians in the area affected by the Visitation Plan;

VII - occurrence of environmental illegalities related to visitation activity;

VIII - failure to comply with any obligation provided for in the approved Visitation Plan or in this Normative Instruction.

Sole paragraph. The permit for Visitation Plan may be repealed at any time by request of the proponent or the indigenous communities that signed the term of consent contained in article 11, II, of this Normative Instruction.

Art. 24. In the event of the practice, by the partners or visitors, of any of the conducts prohibited by article 19 of this Normative Instruction, the individual permit of entry into indigenous land shall be repealed.

Final Provisions

Art. 25. The decisions referred to in articles 14 and 23 of this Normative Instruction allows the appeal without suspensive effect to the Presidency of Funai, within 10 (ten) days, counted from the unequivocal science of the act.

Sole paragraph. If the decision is not reconsidered, the appeal shall be forwarded, within 10 (ten) days, to the Collegiate Board of Funai for judgement at the next ordinary meeting.

Art. 26. Information regarding entry control in indigenous lands must be stored by Funai in a consultation system.

Art. 27. The permit of entry for visitation does not replace specific authorizations for the development of research, religious, trade, journalism, or any other activities that are regulated by Funai's own regulations.

Art. 28. Additional protection measures may be taken in indigenous lands with the presence of isolated or recently contacted Indians by recommendations of the CGIIRC and the Ethnoenvironmental Protection Fronts.

Art. 29. The visitation plans aimed at sport fishing activities shall require additional studies, based on a specific Term of Reference issued by Funai.

Sole paragraph. Funai may request technical support from other public or private institutions to analyze the feasibility of sport fishing activities on indigenous lands.

Art. 30. Visitation activities in indigenous lands cannot prevent the implementation of any public policy.

Art. 31. Funai acts in the function of supervision of visitation activities, not being responsible for the provision of any services related to the approved Visitation Plan.

Art. 32. The provisions contained in this Normative Instruction do not exclude the incidence of the norms provided for in Law 11,771 of September 17th, 2008, and in environmental and labor legislation, when applicable, observing the specificities affecting indigenous peoples.

Art. 33. Visitation activities that are already in execution on the date of publication of this Normative Instruction shall have a period of 2 (two) years to comply with the established rules, submitting the Visitation Plan to Funai, according to article 11 of this Normative Instruction.

Art. 34. This Normative Instruction enters into force on the date of its publication.

ANNEX I

INDIVIDUAL ENTRY PERMIT TEMPLATE

(Proponent) _____, belonging to the indigenous community _____, in the Indigenous Land _____, Municipality of _____, State _____, in which the Visitation activity _____ shall be carried out, inform that Mr(s) _____, Identification Document (ID) nº _____, Individual Taxpayer Registrar (CPF) nº _____, address _____, is authorized to take part in the activities contained in the Visitation Plan approved by Funai in the period from _____ to _____.

(Place and date) (Signature)

ANNEX II

INDIVIDUAL LIABILITY TERM TEMPLATE

I, _____, ID _____, Individual Taxpayer Registrar (CPF) _____, address _____, a visitor to the Indigenous Land _____, _____ village, intended to be a permanent possession of the _____ people, agree to:

1. Respect indigenous uses, customs, beliefs, and traditions and observe the other provisions of the 1988 Constitution (articles 231 and 232), Law nº 6,001/73 (Statute of the Indian) and Convention 169 of the ILO - International Labor Organization (incorporated into the Brazilian legal system through Decree nº 5,051/2004).

2. Comply with the regulations established in Law nº 9,610/98 (Copyright Law), Ordinance nº 177/06/Funai (which provides for copyright and indigenous image rights), and Normative Instruction of Funai that establishes norms and guidelines regarding visitation activities on indigenous lands.

3. Carry, during the entire period of stay in the indigenous land, an official identification document with photo and individual permit of entry.

4. Not remain or transit in the indigenous land without the accompaniment of representatives of the proponent or traverse routes different from those pre-established in the visitation plan.

5. Not remove any material from the indigenous land, except the waste produced on the occasion of the visitation.

6. Not practice hunting, fishing, or extractivism, including fruit gathering, that violate the exclusive usufruct of indigenous peoples, or other activities prohibited by law.

7. Not disclose records of images or sound without prior authorization of the indigenous people, even if for non-commercial purposes, respecting the provisions of current legislation.

8. Not register or disseminate sacred rituals, techniques, and traditional indigenous knowledge without the prior authorization of the community, respecting the provisions of the legislation in force.

9. Not carry or ingest alcoholic beverages or illicit substances, except those of traditional use, made by the Indians, when consumed in a context appropriate to that cultural reality.

10. Not carry firearms.

11. Not engage in research, religious proselytism, commerce, journalism, or any activity that is not provided for in the Visitation Plan.

I DECLARE TO BE AWARE THAT:

1. I am exposed to several risks inherent to the entry into an environment in which there are external elements possibly harmful to physical integrity, such as insects and wild animals, as well as the possibility of contracting tropical diseases and gastrointestinal complications due to the intake of untreated water and foods other than the urban diet.

2. The visitation may be precautionarily suspended at any time, without prejudice to the subsequent establishment of due legal process, in the following cases:

I - violation of indigenous rights;

II - imminence of land or social conflict in the indigenous land;

III - loss in the provision of public services;

IV - situation that results in risk to the life, health, and safety of visitors and the indigenous community and their partners;

V - administrative or judicial procedure for the extrusion of non-Indians from indigenous lands;

VI - confirmation of the presence of isolated Indians in the area affected by the Visitation Plan;

VII - occurrence of environmental illegalities related to tourism activity;

VIII - non-compliance with any of the clauses provided for in the Visitation Plan.

3. The visitation may be repealed at any time upon request of the indigenous community or the proponent.

4. The individual permit of entry into indigenous land, without prejudice to the other penalties provided for in Law, shall be repealed in the event of the practice of any conduct prohibited in this Term of Liability and in the regulations of Funai.

5. In the case of overlapping of indigenous land with conservation units, the rules inherent to the respective management and visitation plans shall also be observed.

6. This entry permit for tourism purposes in indigenous lands does not replace specific permits for the development of research, religion, trade, journalism, or any other activities that are regulated by their own regulations.

7. At the discretion of Funai, a medical certificate that proves the entrant does not present an infectious diseases or vaccination card may be required.

8. Funai acts in the function of supervision of visitation activities, not being responsible for the provision of any services related to the approved Visitation Plan.

(Place and date) (Signature)

ANNEX III

PARTNER LIABILITY TERM TEMPLATE

I, _____, Individual Taxpayer
Registrar/Corporate Taxpayer Identification Number (CPF/CNPJ) nº _____,
state that I am contracting with the partnership of the proponent
_____, representative of the _____ village,
the Indigenous Land _____, COMMITTING to:

1. Respect indigenous uses, customs, beliefs, and traditions and observe the other provisions of the 1988 Constitution (articles 231 and 232), Law nº 6,001/73 (Statute of the Indian) and Convention 169 of the ILO - International Labor Organization (incorporated into the Brazilian legal system through Decree nº 5,051/2004).

2. Observe and comply with the regulations established in Law nº 9,610/98 (Copyright Law), Ordinance nº 177/06/Funai (which provides for copyright and indigenous image rights), and Normative Instruction of Funai that establishes norms and guidelines regarding visitation activities on indigenous lands.

3. Require the holding of official identification document with photo and the individual permit of entry of all my employees or servers, during the entire period of execution of the Visitation Plan.

4. Promote training and formation for indigenous people and visitors to qualify the participation of all those involved in visitation activities.

5. Respect and enforce the rules of conduct and forms of organization of indigenous peoples and the exclusive usufruct on their lands and the natural riches existing there.

6. Ensure indigenous protagonism in the proposition, execution, and perception of the fruits of the Visitation Plan.

7. Inform visitors about the different conditions of the activities to be developed to promote and respect the rights of indigenous peoples.

8. Inform the Funai and competent authorities about the occurrence of illegalities in the indigenous land.

9. Ensure the protection of genetic resources and the traditional knowledge associated with them.

10. Care for the compliance with the Visitation Plan, as authorized by Funai.

I DECLARE TO BE AWARE THAT:

1. It is not allowed to remain or transit on indigenous lands for activities other than those related to the preparation, execution, monitoring, or evaluation of the Visitation Plan.

2. It is not allowed to remove any material from indigenous lands, except the waste produced.

3. It is forbidden to practice hunting, fishing, or extractivism, including fruit gathering, that violate the exclusive usufruct of indigenous peoples, or other activities prohibited by law.

4. It is not allowed to disclose images without prior authorization of the indigenous people, even if for non-commercial purposes, respecting the provisions of the legislation in force.

5. It is not allowed to register and disseminate traditional indigenous techniques and knowledge without the prior authorization of the community, respecting the provisions of the legislation in force.

6. It is not allowed the entry, carrying, or ingestion of alcoholic beverages or illicit substances in indigenous lands, except those of traditional use, made by the Indians, when consumed in a context appropriate to that cultural reality.

7. It is not allowed to carry firearms in the indigenous land.

8. It is not allowed to engage in research, religious proselytism, commerce, journalism, or any activity that is not provided for in the Visitation Plan.

9. The visitation may be precautionarily suspended at any time, without prejudice to the subsequent establishment of due legal process, in the following cases:

I - violation of indigenous rights;

II - imminence of land or social conflict in the indigenous land;

III - loss in the provision of public services;

IV - situation that results in risk to the life, health, and safety of visitors and the indigenous community and their partners;

V - administrative or judicial procedure for the extrusion of non-Indians from indigenous lands;

VI - confirmation of the presence of isolated Indians in the area affected by the Visitation Plan;

VII - occurrence of environmental illegalities related to tourism activity;

VIII - non-compliance with any of the clauses provided for in the Visitation Plan.

10. The visitation may be repealed at any time upon request of the indigenous community.

11. If the responsibility of the proponent or its partners is proven in the non-fulfillment of any of the obligations provided for in the Visitation Plan, or in the violation of the rights of indigenous peoples, in the practice of environmental offenses, or the occurrence of the hypotheses listed in this Term of Liability and in the other regulations of Funai, the permit granted to the Visitation Plan shall be repealed.

12. At the discretion of Funai, a medical certificate that proves the entrant does not present an infectious diseases or vaccination card may be required.

13. Additional protection measures may be taken in indigenous lands with the presence of isolated or recently contacted Indians by recommendations of the CGIIRC and the Ethnoenvironmental Protection Fronts.

14. In the case of overlapping of indigenous land with conservation units, the rules inherent to the respective management and visitation plans shall also be observed.

15. Visitation activities in indigenous lands cannot prevent the implementation of any public policy.

16. Visitors who intend to develop research activity, religious proselytism, commerce, journalism, or other activities that are not provided for in the Visitation Plan must require specific entry permit, regulated by Funai's own regulations.

17. Funai acts in the function of supervision of visitation activities, not being responsible for the provision of any services related to the approved Visitation Plan.

18. The provisions contained in this Term of Liability and the Normative Instructions of Funai do not exclude the incidence of the norms provided for in Law nº 11,771 of September 17th, 2008, and in environmental and labor legislation, when applicable, observing the specificities affecting indigenous peoples.

(Place and date) (Signature)