



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

Portaria Interministerial nº 2, de 03 de dezembro de 2014.

Institui o Selo Indígenas do Brasil, e dá outras providências.

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.

Interministerial Ordinance nº 2 of December 3rd 2014

Federal Gazette of December 5th, 2014 (nº 236, Section 1, pg. 114)

Establishes the Indigenous Seal of Brazil, and gives other provisions.

THE MINISTERS OF STATE FOR AGRICULTURAL DEVELOPMENT AND OF JUSTICE, in the use of the attributions conferred by article 87, sole paragraph, items I and II of the Constitution, and considering that the National Policy of Environmental and Territorial Management of Indigenous Lands - PNGATI, established by Decree nº 7,747 of June 5th, 2012, establishes, among others, in its article 4, item V, subitem "i", the goal of promoting the identification of ethnic and territorial origin of products derived from the indigenous peoples and communities, resolve:

Art. 1. The seal of identification of ethnic and territorial origin of products produced by individuals or legal entities members of indigenous communities is established, denominated the Indigenous Seal of Brazil, according to the model contained in Annex I.

Art. 2. The granting of the Indigenous Seal of Brazil is conditioned to the fulfillment of the same requirements for the granting of the Identification Seal of the Participation of Family Farming - Sipaf, provided for in Ordinance nº 7 of January 13th, 2012, of the Ministry of Agrarian Development - MDA.

Paragraph 1. The applicant, when sending the request for permission to use the Indigenous Seal of Brazil to the MDA, must simultaneously fulfill the requirements established for obtaining the permission to use the Sipaf, as well as the specific clauses established in this Interministerial Ordinance.

Paragraph 2. Once the application is granted, the applicant is authorized to use both identification seals.

Art. 3. Those interested in obtaining the Indigenous Seal of Brazil must apply to the MDA by submitting:

I - the documentation required by MDA Ordinance nº 7 of 2012, for the use of Sipaf; and

II - the document issued by the National Indian Foundation - Funai, as in Annex II, obtained by means of an administrative request.

Paragraph 1. To be able to apply for permission to use the seal referred to in this Ordinance, the activity or undertaking must necessarily be located in areas occupied by indigenous peoples whose detailed Report of the Identification and Delimitation of Indigenous Lands has been approved by Order of the President of Funai, published in the Federal Gazette.

Paragraph 2. For the purposes of issuing the document referred to in item II of article 3, the consent of the indigenous community must be presented to Funai, through a meeting registered in the minutes, containing the list of products to be identified, the list of applicant producers, the name of the indigenous land, the name of the village, and the declaration that the production processes respect the environmental and indigenous legislation in force.

Paragraph 3. The processing of the application for the Indigenous Seal of Brazil, as well as the use, maintenance, renewal, and cancellation of the permission granted, shall observe, as appropriate, the terms of MDA Ordinance nº 7 of 2012.

Paragraph 4. The application for permission to use the Indigenous Seal of Brazil shall be free and the other costs arising from its obtaining, such as expenses for postage, printing, or photocopying services, shall be borne by the applicants.

Art. 4. The Indigenous Seal of Brazil also applies to extractive and handicraft production, provided that the current legislation is observed.

Art. 5. For the purposes of the provisions of this Ordinance, the Ministry of Justice - MJ, through Funai, and the MDA:

I - shall carry out, in isolation or jointly, dissemination and promotion actions of the Indigenous Seal of Brazil; and

II - shall maintain available, on their internet, the entirety of the normative acts and other guidelines and forms related to the procedure for granting the Indigenous Seal of Brazil, and the list of accredited indigenous communities.

Art. 6. The MJ, through Funai, and the MDA shall have ninety days to implement the provisions of this Ordinance.

Art. 7. This Ordinance enters into force on the date of its publication.

MIGUEL SOLDATELLI ROSSETTO - Minister of State for Agricultural Development

JOSÉ EDUARDO MARTINS CARDOZO - Minister of State for Justice

ANNEX I



ETNIA: _____

TERRA INDÍGENA: _____



ANNEX II

MINISTRY OF JUSTICE

NATIONAL INDIAN FOUNDATION

STATEMENT

I declare, for the intent of proving with the Ministry of Agrarian Development (MDA), in accordance with the provisions of the Interministerial Ordinance nº ____ of (month) (day), (year), which establishes the "Indigenous Seal of Brazil", that the indigenous applicant(s) of _____ ethnicity, listed below is(are) exclusive producer(s) usufructuary of the Indigenous Land _____, located in the municipality(ies) _____ (STATE), with the land tenure situation specified as the (declared, identified, marked, certified, registered), where he/she/they exercise agricultural and non-agricultural activities, according to the Minutes of the Consent of the indigenous community (annexed).

Municipality-State, (month) (day), (year).

(Signature)