

Regulation for guiding visitors in the State Systems of Units of Conservation in Brazil

A regulamentação da atividade de condução de visitantes nos Sistemas Estaduais de Unidades de Conservação do Brasil

La regulación de la actividad de los visitantes de conducción en el Sistema Estatal de Áreas Protegidas de Brasil

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Abstract: Besides conservation of biodiversity, the Units of Conservation must promote public use in contact with nature, and become an economic resource for the region, bringing society closer to nature and promoting its sustainable use. In Brazil, there are rules of the Ministry of Environment and Chico Mendes Institute for Biodiversity Conservation that regulate guided tours in Federal Units of Conservation. Remains to know how the activity is regulated in other spheres of the National System of Units of Conservation. Therefore, this article aims to identify the legal frameworks for the activity of guiding visitors in the Units of Conservation of the States and their compliance to the guidelines of the Ministry of Environment. The methodology used was documentary research and data survey of the legal frameworks, carried out through research on the websites and by sending emails to state management agencies. The regulations of the Units were compared to the guidelines to verify the compliance with these. The percentage of federal units of Brazil which have a legal framework of the activity is 18.5%, and only Espírito Santo and Rio de Janeiro meet almost all of the guidelines. In conclusion, there is still a long way ahead when it comes to the creation of rules and procedures that simultaneously encourage visits accompanied by qualified nature guides and biodiversity conservation. Thus, state management agencies must be committed to the development of these legal frameworks, promoting improvements in the development of the activity and awareness of society.

Keywords: Unit of Conservation. Public use. Nature Guide. Regulation.

Resumo: Além de conservar a biodiversidade, as Unidades de Conservação devem promover o uso público em contato com a natureza, auxiliando no incremento dos recursos econômicos da área, aproximando a sociedade da natureza e fomentando sua utilização sustentável. No Brasil, há normas do Ministério do Meio Ambiente e do Instituto Chico Mendes de Conservação da Biodiversidade que regulamentam a condução de visitantes em Unidades de Conservação Federais. Resta saber como a atividade é normatizada nas demais esferas do Siste-

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ma Nacional de Unidades de Conservação. Assim, este artigo objetivou identificar as bases legais para a condução de visitantes nas Unidades de Conservação Estaduais e avaliar a adesão destas às diretrizes do Ministério do Meio Ambiente. A metodologia constituiu-se na pesquisa documental e no levantamento das bases legais, realizados através de visitas a sítios eletrônicos e envio de e-mails aos órgãos gestores estaduais. A adesão das regulamentações às diretrizes foi realizada através da avaliação do atendimento ou não às mesmas. Foram encontradas bases legais em 18,5% das unidades federativas do Brasil, sendo que apenas no Espírito Santo e no Rio de Janeiro são atendidas a quase totalidade das diretrizes. Conclui-se que há um longo caminho a ser percorrido na criação de normas e procedimentos que incentivem, concomitantemente, a visitação acompanhada de condutores qualificados e a conservação da biodiversidade. Recomenda-se o maior empenho dos órgãos gestores estaduais na elaboração destas bases legais, promovendo melhorias no desenvolvimento da atividade e na sensibilização da sociedade.

Palavras-chave: Unidade de Conservação. Uso público. Conductor ambiental. Regulamentação.

Resumen: Además de la conservación de la biodiversidad, las áreas protegidas deben promover el uso público en contacto con la naturaleza, contribuyendo a incrementar los recursos económicos de la zona, acercándose a la sociedad de la naturaleza y promover su uso sostenible. En Brasil, existen normas del Ministerio de Medio Ambiente y el Instituto Chico Mendes de Conservación de la Biodiversidad regular la conducta de los visitantes en las Unidades de Conservación Federales. Queda por ver cómo la actividad ha sido estandarizada en otros ámbitos del Sistema Nacional de Áreas Protegidas. Por lo tanto, este artículo tiene como objetivo identificar la base legal para la realización de las visitas a las Unidades de Conservación Estatales y evaluar el cumplimiento de estas directrices del Ministerio de Medio Ambiente. La metodología consistió la investigación documental y la encuesta de las bases jurídicas, hecho por medio de visitas a los sitios electrónicos y envío de correos electrónicos a los órganos de gestión estatales. El cumplimiento de las regulaciones a las directrices se realizó mediante la evaluación del servicio o no la misma. Bases legales se encuentran en el 18,5% de las unidades federales de Brasil, siendo que sólo el Espírito Santo y de Río de Janeiro se encuentran casi todas las pautas. Llegamos a la conclusión de que hay un largo camino para avanzar como la creación de normas y procedimientos que fomenten, concomitante visitas acompañada de los conductores calificados y conservación de la biodiversidad. Se recomienda una mayor participación de los órganos de gestión estatales en la preparación de las bases jurídicas, la promoción de mejoras en el desarrollo de la actividad y la conciencia de la sociedad.

Palabras Clave: Área Protegida. Uso público. Conductor del medio ambiente. Regulación.

1 INTRODUCTION

Brazil is the most biodiverse country in the world. It has 10 to 20% of the known species and 30% of the tropical forest in the world (Lewinsohn & Prado, 2004). This biodiversity, considered in its various levels, from genes to the ecological and evolutionary processes which support it (Gaston, 1996), provides raw material for innumerable ecological services and human activities (Ganem, 2010). In this way, biodiversity conservation is an important strategy to ensure the evolution and maintenance of systems essential to life in the biosphere (Decreto Legislativo n. 2, 1994). The main instrument used to implement conservation is the creation of protected areas, which are separated portions of the territory with limited use of land and environmental resources (Ganem, 2010).

In Brazil, in 2000 the Federal Law No. 9,985 (2000) instituted the National System of Units of Conservation (SNUC), establishing the criteria and norms for the creation, implementation, and management of Units of Conservation (UC), a type of protected area characterized by:

Territorial area and its environmental resources, including territorial waters, with natural relevant features, legally instituted by the Public Power, aiming the conservation and defined limits, under a special regime of administration, to which adequate guarantees of protection are applied (Lei n. 9,985, 2000).

Currently, according to data of the Ministry of the Environment [MMA] (2014), Brazil has 16.9% of its continental area protected in the form of UC, encompassing over a million Km².

The above-mentioned law defined as managing bodies of the SNUC: the National Environment Council (CONAMA), with advisory and deliberative functions responsible for monitoring the implementation of the system; the MMA, the central body, responsible for the coordination of the system; and the Chico Mendes Institute for Biodiversity Conservation (ICMbio), and the state and municipal bodies, responsible for implementing the SNUC and putting forward projects of creation and managing the UCs in their respective scope of action (Lei n. 9.985, 2000).

The conservation of nature is the main objective of the UCs, however, the Law of the SNUC also points out, in Article 4, that these areas should provide the conditions and promote education, the interpretation of the environment, leisure in the nature, and ecotourism (Lei n. 9.985, 2000). I.e., it establishes the public use of the UC, a concept directly related to visits, whether for educational, leisure, sports, recreation, scientific or interpretation purposes, which provides the visitors the opportunity to know, understand, and value the natural and cultural resources existing in protected areas (MMA, 2005). Among the UCs, excepting for the Ecological Stations and Biological Reserves, they can all be visited, provided that the regulations of their Management and Public Use Plans are observed (Lei n. 9.985, 2000).

Vallejo (2013) states that increased public use, mainly through visits, can bring direct and indirect benefits to society, particularly at personal, economic, social, and environmental levels. As for the economic benefits, for example, Medeiros and Young (2011) concluded that an increase in the visits to the federal and state Brazilian UCs could transform the revenues of 2009, from R\$ 550 to R\$ 620 million BRL, to around R\$ 2,2 billion BRL. Therefore, visits are an activity which can boost UC's economic resources, bring closer society and nature, and promote the conservation and sustainable use (MMA, 2005).

2 PLANNING AND REGULATION OF VISITORS IN THE UCs

Despite all the benefits, a poorly planned and managed public use may have physical, biological, or social negative impacts and costs. The environmental conservation, the quality of life of local community may be compromised and even the use of the UC is at stake, given that degradation may discourage further visits (Lobo, 2009; Vallejo, 2013).

The biggest challenge is, therefore, balancing conservation and visits, ensuring the

least negative impacts on the protected areas (Takahashi, 2004; Vallejo, 2013). Particularly, considering that activities in natural environments and the number of people involved have been increasing in the last decade (MMA, 2005). In federal UCs, according to the MMA (2013), the number of visitors tripled between 2006 and 2013, totalling more than six million people.

Therefore, it is crucial that the administration and management of the UCs are built upon the principles of planning (Takahashi, 2004) which, according to Milano (2001), is an instrument for organizing processes and optimizing the actions in order to meet the objectives of the protected area

Since it is public use, the need for planning and managing the increasing number of visits to the UCs led the MMA to carry out, in 2005, a diagnosis of the activity in the national and state parks, aiming to get an overview of the visits and put forward proposals of policies and guidelines (MMA, 2005). In the following year, the document "Guidelines for visitors to the Units of Conservation" (MMA, 2006) was published with the objective of establishing the guidelines and norms so that visits are compatible with biodiversity conservation, one of the key objectives of the SNUC.

The document suggests that the planning and managing of the visits to the UCs should consider that "visits are fundamental to bring the society closer to nature and to raise awareness to environmental conservation and natural processes, regardless the activity that is carried out on the Unit of Conservation" (MMA, 2006). A general statement stands out: "the updating of planning tools and other regulations of the UC, aiming the enhancement of the visit activities". On its part, the guideline regarding the provision of services define that:

6.7 Alternative credentials procedures and regulation should be adopted regarding the tourism services providers within the UC (monitors, guides, operators, and travel agents, among others), considering the legal instruments produced by the responsible bodies for the accreditation of these professionals (MMA, 2006, p. 25).

The document refers not only the importance of updating and creating legal frameworks to regulate visits and tourism in Brazilian UCs, but also the provision of tourism services, including guidance of people. In this way, the document sets forth eight directions for the activity:

7.1 To require that all monitors and guides apply for registration in the UCs where they act. The registration should include those who have completed monitoring or guiding training, recognized by the management bodies.

7.2 To adopt objective and technically justifiable criteria to assess the need for guides' supervision, considering particularities such as: fragility of the place, visitor's safety, variety of public and their demand and experiences, technical difficulties of a given activity, the need or not for specific equipment to carry out the activity.

7.3 To provide, directly or through concession, guiding services for visitors, when-

ever these are is considered mandatory.

7.4 To consider that monitors and guides should have an important role in the visitors' experience enhancing the educational and interpretive experience of the visit.

7.5 To promote the continuous training of guides and monitors. The knowledge and guidance skills must be updated whenever necessary.

7.6 To encourage guides and monitors to adopt the standards of competence defined within the Brazilian National Standards Association (ABNT - Associação Brasileira de Normas Técnicas).

7.7 To establishing, in partnership with the respective professional group representatives, a performance assessment system for nature guides, aiming the qualification and adequacy of provided services.

7.8 To establishing, in partnership with the respective professional group representatives, a system of participation of guides in the monitoring process of the visits' impacts. (MMA, 2006, p. 27)

Based on these data, in 2008, the ICMBio published a Normative Instruction No. 8 (2008), establishing the norms and procedures for service supply related to guided visits and tourism in federal UCs, becoming a Brazilian legal benchmark. These norms follow, at least in part, the above-mentioned eight recommendations for guiding activities, in agreement with the document which directs the visits to the country's UCs.

It remains to be known, however, how the guidance of visitors in the UCs is regulated in the other SNUC entities, and how these managing bodies follow or not the guidelines proposed by MMA in what refers to the establishment of norms and rules for the activity. Given that, the current paper aims to identify the legal foundation upon which the guidance of visitors is carried out in the State Systems of the UCs of Brazil and assess if they are in agreement with the guidelines put forward by the MMA.

3 METHODOLOGY

The methodology adopted for this study is the documentary research, particularly, the examination of the legal frameworks which establish norms and procedures for the provision of services related to the guided visits and tourism in the state UCs.

All the management entities of the State System of UCs in Brazil composed the research sample. In order to identify those entities a database was constituted from the National Registry of Conservation Units (MMA, 2014). The database registered 37 state management entities belonging to the 27 federal units of Brazil.

Following the identification, between November and December 2014, a survey on the websites of the management entities was carried out, in order to find the legal documentation which regulate the activity of guiding people in the UCs under their jurisdiction. Simultaneously, email messages were sent to the entities asking for information. An online survey using keywords in search engines complemented the research.

The compatibility of the legal frameworks identified with the eight guidelines regarding the activity of guiding people issued by the MMA in the document "Guidelines for visi-

tors to the Units of Conservation” (MMA, 2006), was assessed through comparison. The guidelines, in short, refer to the following parameters: accreditation; assessment of availability and requirement in the UCs; upgrading and training; adoption of the standards of the Brazilian National Standards Association (ABNT); performance assessment and impact monitoring.

4 RESULTS

The survey on the websites of the management bodies of the UCs revealed the legal frameworks which regulate the provision of services related to guiding activities in only five Brazilian federal units, i.e. 18.5% of the total. The set of the legal frameworks and respective federal units is presented in Table 1.

Table 1 - Legal frameworks which regulates guiding activities in the state Units of Conservation and respective federal units

Region	State	Legal Framework	Definition
Southeast	Espírito Santo	IEMA Normative Instruction No. 04/2012	Establishes the norms and procedures for provision of services of tourism or nature guiding in the Units of Conservations in the State of Espírito Santo.
	Minas Gerais	IEF Ordinance No. 149/2011	Establishes the required procedures for provision of services of nature guiding in the State Park of Ibitipoca under the management of the State Forestry Institute of Minas Gerais
	Rio de Janeiro	INEA Resolution No. 61/2012	Establishes the norms and procedures for the census, accreditation, and provision of services of tourism or nature guiding in the state parks managed by the State Environmental Institute - INEA
	São Paulo	SMA Resolution No. 32/1998	Regulates the public visits and the accreditation of guides, agencies, operators and environmental monitors for ecotourism, and environmental education in the State Units of Conservation.
South	Rio Grande do Sul	SEMA Normative Instruction No. 01/2014	Establishes the norms and procedures for the provision of services related to tourism and visits in the Units of Conservation of the State of Rio Grande do Sul by independent nature tour guides.

Source: The authors

In addition, twelve management bodies responded to the emails. The State Environmental Institute (IEA) of Rio de Janeiro, the State Environmental Institute (IEMA) of Espírito Santo and State Forestry Institute of Minas Gerais specified that their federal units have a legal framework for the activity and they have sent a copy to allow a verification of

the documentary research carried out

However, the Secretary of the Environment and the Institute of Environment and Water Resources of Bahia, the Foundation of the Environment of Santa Catarina and the State Agency for Environment and Water Resources of Pernambuco declared that they did not have any legal framework for the activity. On their part, the State Superintendency of the Environment of Ceará, the Institute of the Environment of Mato Grosso do Sul, the Superintendency of Environmental Management of Paraíba, the State Secretary of the Environment and Natural Resources of Maranhão and the São Paulo Agency of Agribusiness Technology were not able to inform if there were any regulations.

5 DISCUSSION

The percentage of federal units which have regulations for guiding activities in the UCs is still small (18.5%), especially considering the increase of visitors in the last decade (MMA, 2005, 2013). However, it should be noted that the majority of those states are located in the southeast, which have five of the ten most visited state parks of the country, receiving more than 800 thousand visitors per year. Therefore, these legal frameworks have arisen due to the increase demand in the UCs of the region, which have led to the need of regulating the guiding activities.

Following the IEF Ordinance No. 173 (2013), Article 20, the activities of public use in the state UCs of Minas Gerais should be carried out in conformity with the Management Plans, Public Use Plans or specific Ordinance regulating each UC. The IEF Ordinance No. 149 (2011), as cited above in Table 1, refers solely to the activity of guiding visitors in the State Park of Ibitipoca (PEIb). Similarly, the INEA Resolution No. 61 (2012), of Rio de Janeiro, listed in the same Table, refers to the activity carried out in the state parks managed by the Institute. The other states which compose the southeast region of Brazil (Espírito Santo e São Paulo) have legal frameworks broadly regulating the activity of guiding visitors in their UCs.

The State of Rio Grande do Sul is the only one in the south of the country which has a legal framework regarding the guidance of visitors in UCs. However, the other states of the region also have norms about the issue, but not as specific or with statewide reach. In Paraná there is the Volunteer Program in UCs from the Environmental Institute of Paraná (IAP), created from the IAP Ordinance No. 242 (2004), which establishes that the volunteers develop activities partially pertaining to the guiding activity, such as: giving information to the visitors, developing environmental education projects and research, maintaining trails and facilities, and assisting in the implementation of managing projects of the UCs, among others.

In Santa Catarina, since 2010, the state capital, Florianópolis, has the FLORAM Normative Instruction 001 (2010), which establishes the norms and procedures related to guid-

ed visits and tourism by nature guides, in the municipal UCs. The accreditation of these professionals is made through the Municipal Secretary of Tourism, Culture and Sports (SETUR), regulated by the SETUR Normative Instruction No.02 (2011). Furthermore, other three municipalities of the state created similar legal frameworks in the same time: Palhoça (Decree No. 1.129, 2010), Impituba (PMI/SEDETUR Resolution No. 01, 2012) and Garopaba (SMR Normative Instruction No. 01, 2012).

Also, the legal frameworks of the State of Rio Grande do Sul and of the state capital of Santa Catarina share their origins, resulting both from the joint efforts of federal institutions of education and associations of nature guides which integrate professionals graduated from these institutions. According to Rumpel and Canto-Silva (2014), the Association of Guides of Porto Alegre (APACA), founded by professionals trained in the Rio Grande do Sul Federal Institute of Education, Science and Technology, played an important role alongside the state government in the definition of the procedures. Likewise, as Ribas and Hickenbick (2012) explain, the regulation of Florianópolis resulted from the joint effort of environmental, tourism and educations entities, in this case, the Rio Grande do Sul Federal Institute of Education, Science and Technology, which encouraged the creation of an Association of Nature Guides based on the Solidarity Economy.

Most of the state legal frameworks presented in Table 1 were defined after 2008, when the ICMBio published the Ordinance No. 8 (2008), which established norms and procedures for provision of services of guiding in the Federal UCs. Meanwhile, São Paulo had instituted the SMA Resolution No. 32 (1998), ten years before the national legal framework came out, becoming the pioneer state in this matter. However, when compared with the other regulations, the differences between this and the other are minimal.

Regarding the fulfillment of the eight directions for guiding visitors, put forward in the document "Guidelines for visitors to the Units of Conservation" (MMA, 2006), there is heterogeneity between the legal regulations, some following more closely than others the MMA document. An overview of the comparison is presented in Table 2.

All legal frameworks follow the first guideline, given that the registration of the guiding professionals acting in the UCs is one of their key principles. Among the requirements for registration there is the certificate of completion of a guiding training course, acknowledged by the managing body or by the UC and covering a pre-established minimum syllabus.

Hiring a nature guide is not mandatory in any of the legal frameworks. However, the states of Espírito Santo, Rio de Janeiro and Rio Grande do Sul consider that in particular environments and situations, according to the UC's Management Plan or to a specific legal instrument, and taken into account objective and technically justified conditions, the obligation of hiring this professional may be adopted. I.e., every regulations follow the second guideline of MMA.

Table 2 - Transposition of the eight guidelines for guiding visitors proposed by the Ministry of the Environment, in the document “Guidelines for visits to the Units of Conservation”, into the legal frameworks regulating the guiding activities in the State Units of Conservation

Guidelines for guiding visitors	Main idea	States presenting the guideline in their legal framework
7.1 To require that all monitors and guides apply for registration in the UCs where they act. The registration should include those who have completed monitoring or guiding training, recognized by the management bodies.	Registration of guides	All
7.2 To adopt objective and technically justifiable criteria to assess the need for guides’ supervision, considering particularities such as: fragility of the place, visitors’ safety, variety of publics and their demand and experiences, technical difficulties of a given activity, the need (or not) for specific equipment to carry out the activity.	Mandatory assistance by a guide	All
7.3 To provide, directly or through concession, guiding services for visitors, whenever these are considered mandatory.	Availability of guides	None
7.4 To consider that monitors and guides have an important role in the visitors’ experience enhancing the educational and interpretive experience of the visit.	Importance of guides in the visitors’ experience.	All
7.5 To promote the continuous training of guides and monitors. The knowledge and guidance skills must be updated whenever necessary.	Training and updating of guides.	All
7.6 To encourage guides and monitors to adopt the standards of competence defined within the Brazilian National Standards Association (ABNT).	Adoption of the ABNT standards.	ES, RJ and RS
7.7 To establish, in partnership with the respective professional group representatives, a performance assessment system for nature guides, aiming the qualification and adequacy of provided services.	Assessment of guides.	ES, RJ and RS
7.8 To establish, in partnership with the respective professional group representatives, a system of participation of guides in the monitoring process of the visits’ impacts.	Assistance from guides in monitoring the impact of the visits.	ES and RJ

Source: The authors

Regarding the obligation, or need, of hiring guides, referred in the third guideline, the legal frameworks do not impose that the UC has to provide skilled professionals, either

directly or by subcontracting. Furthermore, the regulations do not address the business relationship between the UC and the service provider. Nevertheless, the majority of the UC's regulations require from the professionals a liability waiver note regarding the activities that these carry out in the protected area. However, there is not a legal or administrative procedure regulating the activity of the professional registered in the respective UC. Such a situation can limit the development of the activity in the UCs, given that the legal insecurity in what refers to the commercial exploitation of these public areas. Recently, aiming to regulate this question the federal UCs, besides the registration documents required to the guides, added an Authorization of Use, administrative act which allows the service provision of guiding people in those areas (Portaria ICMBio n. 204, 2013; Portaria ICMBio n. 262, 2013; Portaria ICMBio n. 41, 2014).

The MMA's fourth guideline refers to the importance of guides in the visitors' experience, in terms of education and environmental interpretation, this issue is mentioned in different moments in all documents. The legal frameworks of Espírito Santo and Rio Grande do Sul, both in their Articles 4 and 5 state that the guides should promote the UC and its potential, and convey information about the risks underlying the visit, environmental conservation, and the function and the objectives of the visited UC.

In its Article 5, the Ordinance of Minas Gerais is rather specific, stating that the authorized guides have the obligation to accompany and conduct the client throughout the visit; carry out and promote a conscious visit, minimizing the impacts and following the regulations of the PEIb; inform the visitors of the risks underlying the realization of activities in a natural area; and ensure that litter is brought back; among other aspects.

The State Program of Tourism and Nature Guides of Rio de Janeiro defines, in its Article 4, the principles and recommendations: develop activities of guidance based on the principle of the smallest impact; valuation of the natural environment, especially within the management objectives of the state park; promote the adequate reception and accompaniment of visitors; divulge the natural parks as preservation areas for ecosystems of great ecological relevance and scenery beauty; promote the conditions for education and environmental interpretation and leisure in the nature; consider the multiple visitors' expectations in the environmental interpretation and the use of socio-educational techniques and methods; and involve in a conscious and participatory way, managers, and communities in the process of visit; among others.

Finally, the regulamentation of São Paulo considers as a condition for its creation that:

(...) the visits in specially protected areas should promote the awareness of the importance of the natural heritage, and increase the social respect and educational approach, and in order to achieve that it is necessary to regulate the visit, establish standards of quality and minimize the harms and the socioeconomic impacts. (Resolução SMA n. 32, 1998, p. 2)

In what refers to the fifth guideline of the MMA, all legal frameworks determine that the register of the guide must be renewed every two years, and to get the renewal the professional has to attend a refresh or further training course or seminar. The document from Minas Gerais also requires a first aid course and the professional should also have dedicated a minimum of ten days per year in activities on behalf of the PEIb, such as: collective cleaning and maintenance activities, and guidance of researchers and groups in activities carried out by the Park.

The legal frameworks of Espírito Santo, Rio de Janeiro and Rio Grande do Sul are the only ones following the sixth guideline of the MMA about the minimum competencies for a guide, as defined by the ABNT Standard NBR 15285:2005. In their initial considerations this issue is considered among the determining factors for the creation of the legal documents. Subsequently, the norms of Espírito Santo and Rio Grande do Sul also have added the ABNT Standard as the basis for the minimum content required for the training of the nature guide. The resolution of Rio de Janeiro, on its part, recommends that the ABNT Standard NBR 15331:2005, regarding the management and safety system, be taken into account,

The establishment of mechanisms of periodic assessment of guides and impact monitoring of visits, the seventh and eight guidelines of MMA, is cited only in the Espírito Santo and Rio de Janeiro's frameworks. The regulation of Santa Catarina refers the monitoring when it defines the term "nature guide" determined that they "contribute to the monitoring of the socio-environmental impacts in the visiting palces", however it does not have any other article referring to the issue. Still, in none of the three legal frameworks is mention how, when and with the help of whom that activities will be carried out.

6 CONCLUSION

First and foremost, it is important to considerer that the results presented in this paper refer only to the information available on the internet. Some management bodies of the State Systems of UCs failed to respond to this survey, thus it is possible that the data presented here and the current situation, regarding the legal frameworks which regulate the activity of guiding people, may differ. However, it is possible to draw some conclusions from data.

First of all, despite the increasing visits to the UCs in the last decade and the guidelines for visitors to those areas put forward by the Brazilian authorities, inclusive rules aimed specifically at the activity of guiding people, after eight years only 18.5% of the federal units of Brazil (Espírito Santo, Minas Gerais, Rio de Janeiro, Rio Grande do Sul, and São Paulo) have a legal framework establishing norms and procedures for the service provision by guides related to tourism and visits in the UCs

Furthermore, among the regulations, only two, those of Espírito Santo and Rio de

Janeiro states, follow, at least in part, the totality of the above-mentioned guidelines – except for the third guideline which none of the legal frameworks attend. The regulation of Rio Grande do Sul fail to mention the guides' assessment whilst Minas Gerais and São Paulo's documents do not refer the ABNT, the guides' assessment and the impact monitoring of the visits. However, it should be noted that this research surveyed only the state information, leaving out municipal or UC information.

Tour guiding in the context of a protected area has a high potential for generating resources to support the Systems of the UCs and the sustainability of the resident communities in the UCs or in their surroundings. Brazil has 16.9% of its continental territory protected under the form of a UC, the majority of which with a great potential for activities related to public use. However, there is still a long way ahead in what concerns the regulation of guiding in these protected areas. The safe development of the activity should be carried out through the creation of norms and procedures which, at the same time, would encourage the visits and the guides' activity and enable the attainment of the key objective of the UCs, the conservation of the biodiversity.

Regarding the lack of an administrative relationship between the service provider and the UC, referred in the third guideline of the MMA but not mentioned in any of the legal frameworks, it is suggested that this aspect could be attained by adding a Consent Form to the documents that the guide should hand out to the management body and/or to the UC. Such procedure would prevent the employment relationship between the interested parties and, at the same time, it would allow the guide to carry out a business activity in a public area.

Finally, that the management bodies of the State Systems of the UCs should increase the efforts to provide the necessary regulations to the guiding activities in the protected areas under their jurisdiction. This updating should promote the enhancement of the activity and raise awareness of the principle of minimum impact

After all, says an old Indian proverb: "We do not inherit the Earth from our ancestors, we borrow it from our children".

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