



# GUIDE TO GOOD BIRDWATCHING TOURISM PRACTICES IN COLOMBIA

BOGOTÁ  
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WHAT  
ARE “GOOD  
PRACTICES”?





In our context today, “good practices” are understood as a set of regular activities coherent with or that stem from certain principles, objectives and procedures aimed at an end of some **general importance**, this is, that satisfactorily adapt to a given perspective, a regulation or to consensual parameters or, also, to the experience of a defined field of human action that has yielded positive results, demonstrating its efficiency and usefulness (See the 2010 publication by the Ministry of the Environment).



The concept is valid in different fields and was coined to refer to optimal ways of implementing processes that may serve as a model to different organizations and people who carry them out, towards stable modes of action that become learning material concerning experiences and accomplishments of one or more people, towards well-done tasks that get more broadly implemented or that is possible and desirable to expand to other realms, **to the point of promoting new modes of action, adaptations and ways of working that produce more and better results in the media in which they are conducted.**



As a Rainforest Alliance publication observed two years ago, in the field of tourism services provision “good practices” are **ways or working that also contribute to the conservation of cultural and natural heritage**, to social and economic development of communities and to the satisfaction of the actors involved in tourism.

# WHY A “GOOD PRACTICES” GUIDE?



Birdwatching and its resulting standard practice, birding or **birdwatching tourism**, consists of observing and identifying birds in their natural habitats. Birding tourism is a fast growing activity, especially in developing countries that host an enormous biological diversity. **Colombia, considered a mega-diverse country, stands out as a particularly attractive birding option because its territory accounts for the largest number of birds in the world (approximately 1900 species, equivalent to 20% of the species in the planet).** Besides the species richness, Colombia has a large number of endemic species (79) and near endemic (193), this is, birds that exclusively inhabit small geographic areas, as well as 139 species from the red list of threatened species at the national level, many of them of great interest for birdwatching tourism (Garzón & Myers, 2016).

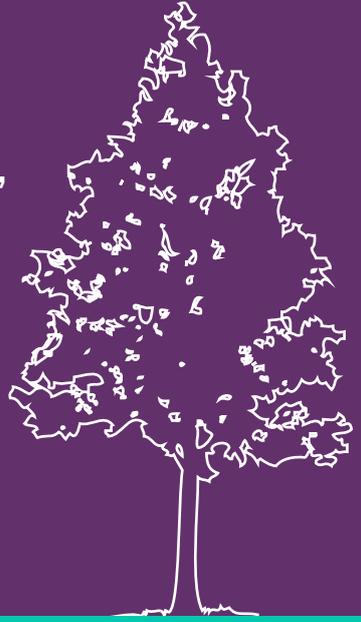
The Guide to Good Birdwatching Tourism Practices in Colombia –that the Ministry of Trade, Industry and Tourism, the National Tourism Fund and the Bogota Ornithological Association offer as input to the development and promotion of this activity in our country-, **is a response to the concerns this activity raises regarding its impact on birds and their natural behavior. Even when birdwatching tourism is considered biodiversity and conservation-friendly, practicing this outdoor activity may disturb ecosystems and the species that compose them.**

This guide compiles a set of good practices addressed to birdwatching tourists, tourist operators and to anyone interested in conducting this economic activity. We studied previously published literature focused on broader aspects of the biological system, as well as the legal and social framework. We sought to learn from the knowledge accumulated by experienced birdwatchers and from people or businesses dedicated to birdwatching tourism, ornithologists, operating companies, birdwatching guides and enthusiasts, who provided suggestions and recommendations. Working with all of them enabled a dialogue about the effects of this activity on the biological medium in which it happens, about the “good practices” already in place or to be implemented, and it yielded both, mutual enrichment of the different players on the birdwatching tourism arena, and knowledge on circumstantial aspects that can greatly benefit many, all of which is reflected in this guide.

This good practice guide is offered as a **manual for the birdwatching activity, with a view to make it completely harmless, with specific recommendations for service providers, guides, birding tourists and, in general, those who practice this hobby.** Because it has no binding force, its authors would wish everything being taught here to become a code of behavior for every birdwatcher: **this way they would know their work was worth it.**

# DEFINITIONS

**NATURE TOURISM** IS THE ONE THAT FOCUSES ON THE OBSERVATION, ENJOYMENT AND RECREATION IN NATURAL SPACES: IT INCLUDES ADVENTURE TOURISM, RURAL TOURISM AND ECOTOURISM.



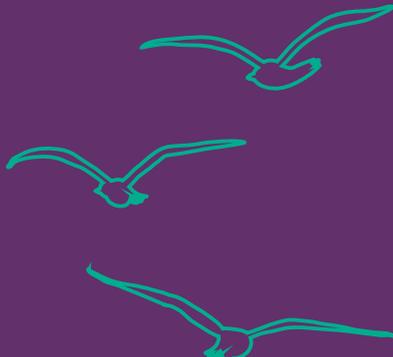
**Adventure tourism** consists in performing controlled risk activities such as rock climbing, canoeing, trekking, speleology, paragliding, diving, rappel, canopy, etc.



**Rural tourism** consists in the enjoyment, recreation and relaxation found in natural, rural or countryside settings, and promotes participating in activities that promote learning the traditions and lifestyle of local communities.

**Ecotourism** is the set of activities that the visitor does in the open, whether in natural or semi-natural areas, in order to enjoy landscapes, flora, fauna and even local cultural manifestations, the knowledge of which implies understanding, appreciating and conserving them. Ecotourism promotes the active participation of community members and seeks to have a positive effect on the natural and social environment.





# BIRDWATCHING TOURISM

Set of profit-oriented activities that **facilitate the observation of birds in natural areas** to all sorts of people as a means of recreation or, sometimes, of research and scientific development.

It plays an important role in environmental conservation because it directs different human efforts towards protecting the places and everything related to the species that inhabit them.



# OBJECTIVES AND CHARACTERISTICS OF ECOTOURISM (MCIT<sup>1</sup> 2003):

<sup>1</sup>MCIT: Ministry of Trade, Industry and Tourism, per its acronym in Spanish.



To achieve the **livelihoods of one or more persons in exchange** for making available to others whatever is needed to learn from and enjoy the natural environment.

To pursue the **conservation of ecosystems and biodiversity**.



It directs its efforts to **avoid the occurrence or to minimize possible negative effects in the social, cultural, environmental and economic orders** of the activities it comprises.

It seeks regional and local development through the **productive participation** of the members of regional and local communities.



It seeks that the actors' decisions are **agreed** upon by and **communicated** to all relevant persons.

It strives to ensure that the activities carried out offer a **true training** and are considered as formative means.



It pursues the specialization of the agents, which allows offering services that are **concrete, specific and relevant** to the different types of tourists.

It seeks the integration of **public-private efforts to achieve** its objectives more efficiently.



It raises **awareness of responsibility in the companies promoting and prompting services**. In this regard it is now possible to use the Global Code of Ethics for Tourism, issued and adopted by the World Tourism Organization. ([http://www.cultura.gob.mx/turismocultural/documentos/pdf/codigo\\_etico\\_OMT.pdf](http://www.cultura.gob.mx/turismocultural/documentos/pdf/codigo_etico_OMT.pdf))



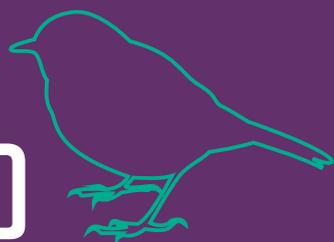
### **Permanent research and monitoring.**

It implies that those in charge of the ecotourism operation provide analysis studies and objective and timely information for solving problems and facilitating decision-making regarding the conservation and management of resources.



It takes into account that **all ecotourism activities** must be governed by sustainable development criteria that lead towards economic growth, increasing quality of life and social well-being, **without deteriorating the environment.**

**GOOD  
ENVIRONMENTAL  
PRACTICES**



Given the upsurge of this activity in the country, it appears to be increasingly important that birdwatching tourism develops high quality standards and with ethical criteria, in a way that ensures sustainability and the minimum negative impact on the environment.

Recommendations in this guide are framed in the “**Leave no trace**” program, which seeks to contribute with the minimization or the non-occurrence of negative effects on natural or semi-natural areas in which nature tourism is done.

## “LEAVE NO TRACE”



The **Leave no trace program** is an adaptation of the one proposed by the *National Outdoor Leadership School (NOLS)* for natural parks and United States Fish and Wildlife Service managers. It is a **training program aimed at minimizing negative effects on natural areas and ensuring a positive recreational experience to all visitors**. This program was created to help visitors in protected wildlands make correct decisions about their own actions.

The “**Leave no trace**” principles promote awareness-raising so that visitors to wildlands have the necessary guidance while staying in such areas, and may be able to judge and act guided by proper criteria.

## “LEAVE NO TRACE” PRINCIPLES:

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**a. Plan and prepare your trip**



**b. Camp on durable surfaces**



**c. Dispose of waste properly**



**d. Respect wildlife**



**e. Minimize campfire impact**



**f. Be considerate of other visitors and**



**g. Leave what you find.**

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Starting from the premise that all activities have an impact on nature, good management of natural resources (the ecosystem, water, fauna and flora) is key to ensure their conservation and achieve what today is called “sustainable development”.

## GOOD PRACTICES RELATED TO THE USE OF AREAS AND PATHWAYS

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**1.** **Learn in advance** about the area where you are going to watch birds, its restrictions, regulations if any and permitted activities.

**2.** **Birdwatching should be done, whenever possible, in predetermined and adequate areas and routes and always on a main pathway.** It is better to avoid opening trails or taking shortcuts that may disturb the birds and other type of fauna, also avoiding damaging the vegetation and soils.

**3.** The design of pathways must **avoid the creation of long slopes to minimize water runoff during humid seasons.** A zigzag shape is advised for paths and including turns to reduce the slope; the use of steps is also recommended.

The appropriate width for pathways is variable: if a preexisting road or path is used it is not necessary to widen it, provided it allows for a group of maximum 12 people to transit and gather in it. In areas where there are no wide paths but only footpaths and small trails, it is enough to keep them free of vegetation so that birdwatchers do not trip or get lost in the way. In these narrow pathways it is better to avoid groups larger than 5 people, so that everyone can watch the birds shown by the guide without stepping out of the path.

4. The stopover areas used for rest, observation and instruction, should be set on soil already compacted.
5. It is important to reduce the amount of waste that you will take as much as possible, not to leave solid residues in the area and to avoid all unnecessary weight and volume.
6. Natural areas with a defined carrying capacity should be preferred because this contributes to the sustainability of the tourism activities and avoids damaging the environment. The minimum and maximum number of birdwatchers allowed to visit should be known.
7. It is better not to burn or bury waste: animals could scavenge unsuitable food and/or scatter residues.

Bring back whatever you take with you. It is important to remind tourists that even when most of the food they bring with them may be of an organic nature, its presence may harm or incite changes in animal behavior because it is alien to the ecosystem. Therefore it is preferable to leave no waste at all.

For further information on the courses taught by NOLS and general information on the program visit <https://www.nols.edu/espanol/cursos/ndr.shtml>.

## PLAYBACK



Playback is the **use of recorded vocalizations in order to attract birds of special interest or difficult to observe, through the artificial stimulation of their response** (See Harris *et al.*, 2013). This technique is used in scientific research with the purpose of understanding the specie's behavior or natural history. It is used in birdwatching tourism in order to call and attract the specie to observe it and/or photograph it.

As it is easy to understand, the fewer changes produced on birds' behavior, the greater the opportunity for their conservation and observation in their natural state and also the safer they will be. For a given bird, identifying the location of another bird may represent the presence of an intruder, a competitor, a possible mate or a predator. There are little studies that clearly show the effects of playback on birds' behavior. Some research on the responses of species such as new world warblers (*Parulidae*) and sparrows (*Emberizidae*) have seen an increase in corticosterone (a hormone that regulates metabolism, immune reactions and stress), and of testosterone, which affects their natural reproduction modes and their social behavior (Wingfield & Wada (1989) & Wingfield *et al.*, 1995). Greater vulnerability to depredation has also been found (Norris, 1993; Mota *et al.* 2004; & Sen, 2009).

## BIRDS USE DIFFERENT TYPE OF VOICES TO COMMUNICATE:

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**Begging calls:** a series of sounds, commonly with short high-pitched notes they produce to draw parents attention (in the case of nestlings) or mates.



**Alarm calls:** generally produced when the presence of a potential enemy is detected; it may have different types of warning “cries”,



**Songs:** it is generally the most structured and longest-lasting voice. Typically the male is in charge of singing, which he does in order to attract a potential mate and to defend his territory (See Gordillo *et al.*, 2013).

This method is used to attract individuals of certain bird species, mainly those that are difficult to observe: wrens, tapaculos, antpittas, antbirds and manakins, among others.

## GOOD PRACTICES FOR THE RATIONAL USE OF PLAYBACK

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**8.** Firstly, it is important that **the guide knows the site and the species' behavior**; this will make sighting more efficient and avoid the need for playback. The same goes for knowledge on general aspects of the birds' life history and ecology.

**9.** **Decrease the use of playback** and other methods of attracting birds that may disturb them. Never use such methods in areas highly visited by birdwatchers or to attract species that are endangered or rare in the area.

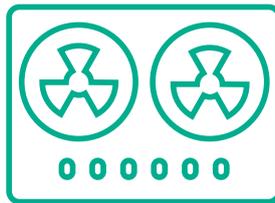
**10.** If playback is necessary, it is better to limit the repetition of songs to **a maximum of ten repetitions in the same spot because more repetitions may disturb different bird species**. It is better to move to a different spot if the bird has not been lured after playing the repetitions. It is good to know that songs played for more than a minute produce physiological processes in birds, especially juvenile ones, another reason to avoid extending the reproduction of a sound if the presence of young individuals is detected.

- 11.** The following parameters are recommended for the use of playback:
- a. **No more than 5 times during 1 minute during breeding periods.**
  - b. **Up to 10 times during 1 minute during non-breeding periods.**

Playback to attract birds is forbidden in all protected areas by the Colombian National Natural Park Service.

- 12.** The use of high quality recorders/players is recommended: **a better sound definition implies fewer repetitions.**

Callers (wooden rollers with a cap that twists or turns and produce sounds similar to the bird's songs) are not effective to lure tropical birds.



# FEEDERS (NECTAR, MEALWORMS...)



These are structures designed to attract birds and facilitate observing and photographing them. There are various types: the most common ones are those in which fruits such as plantains, papaya or bananas are used, in order to attract omnivorous and/or frugivorous birds. **Nectar feeders are designed to attract hummingbirds and other nectarivore birds; mealworm feeders are spaces of different sizes in which food is placed** (mostly worms) to attract species from the woods, especially antpittas (*Grallaridae*).

## GOOD PRACTICES FOR THE RATIONAL USE OF FEEDERS

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- 13.** It is better to discourage the use of feeders and to encourage planting or conserving native plant species that provide food naturally.

- 14.** If it is necessary to use them, it is important to **do so under appropriate hygienic conditions**: the contrary is detrimental to birds and, how could we watch them if we make them ill or kill them?

Tourist guides and operators are the ideal persons to check on the proper conditions of feeders and see if they are clean and without fungi (black lumps in nectar feeders) and that they do not pose any risk to birds (nails, protruding edges, spikes). In the event they find feeders in bad conditions it is necessary to point it out to the owner, ideally providing the right explanations so that they take the necessary measures.

- 15.** **The food provided must be fresh.** The containers used must be washed and disinfected daily in order to reduce the proliferation of bacteria and fungi harmful to birds.

- 16.** Mealworm feeders on the field **must be cleaned daily** and the food provided in accordance with the species' diet.

- 17.** The display of feeders must agree with the space destined for them: **overcrowding affects species, specially hummingbirds** (prompts them to fight for their territory), which is why the recommendation

is to reduce the number of structures and to enrich the area with native plants, planting them on the edges of pathways, near common and administrative areas, in order to diversify the gardens and natural areas to offer the birds a variety of foods.

## ADVICES FOR THE OWNERS OF BIRD FEEDERS AREAS (TAKEN FROM THE WORK OF DALLIÉS PUBLISHED IN 2008)

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**The hummingbirds' nectar should be prepared with water and sugar:** honey should not be used for any reason, because it fosters the growth of bacteria.



It is advisable to **place nectar feeders in the shade** to avoid fermentation of the sugar solution.



**Hummingbird feeders and drinkers must always stay clean;** it is necessary to replace food and water daily to keep the right quantities and avoid the feeder to attract bees and produce fungi.



It is very useful to **have water spouts (sprinklers) or shallow water dwells (fountains)** close so that the birds can bathe.

# OBSERVATION OF BIRDS IN THEIR NATURAL ENVIRONMENT



## GOOD PRACTICES DURING THE OBSERVATION OF BIRDS IN THEIR NATURAL ENVIRONMENT

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**18.** Nests should not be manipulated for any reason.

**19.** **Manipulation of eggs and chicks**, as well as the collection of any biological material (feathers, abandoned nests, live or dead animals, etc.) is prohibited.



The collection of biological material requires a permit issued by the Ministry of Environment and Sustainable Development (Decree 1076 of 2015).

**20.** **The use of mist nets** (nets that are used for catching birds) **is prohibited in the birdwatching tourism activity.**

**21.** Avoid invading areas where congregational birds are found (commonly aquatic birds) as it disturbs their activities.

**22.** It is advisable to carry out nocturnal sighting on pre-established paths, free of obstacles and in safe areas.

**23.** Check local regulations for nighttime sightings in public areas.

**24.** **Night tours should be done in absolute silence** to listen to nocturnal birds and not disturb those who are resting (diurnal).

**25.** **The use of a flashlight should be moderate;** it is suggested to avoid exposing the observed bird for over one minute.

**26.** When photographing, every approach must be made without prejudice to birds, nests or congregational areas (perching or resting areas); you have to be stealthy and try not to scare away the individuals.



**The use of flash should be avoided as much as possible as it can disturb the birds (frighten and dazzle them).** In the case of nocturnal sighting of owls or related species it is suggested to use it only a couple of times; depending on the number of flashes, frequency and total amount of light absorbed by the bird's eyes photoreceptors, there are varied physiological consequences such as "flash blindness" (a brilliant final image that affects the ability to see and recognize objects and which delays vision adjustment by 5 to 30 seconds) causing a decrease in visual acuity, the possibility of crashing during the initiation of flight and difficulty in finding preys among other consequences (Guynup, 2017). **Therefore, it is recommended to use digiscoping, using a slow shutter speed and a dim light, not using the flash more than twice for the same individual and turning on the minimum necessary flashlights.**





**GOOD PRACTICES -  
SUSTAINABILITY  
AND QUALITY**

Birdwatching tourism plays an important role as a socioeconomic alternative for local communities, in promoting territorial governance and in the conservation of biodiversity. Involving communities in birdwatching activities and associated services promotes equity and sustainable development. This section suggests good practices in relation to the activity and quality of the services that should be offered to birdwatchers.

## GOOD PRACTICES FOR INCLUSIVE AND RESPONSIBLE BIRD WATCHING TOURISM

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- 27.** For all birdwatching guiding activities, it is highly desirable to involve local community members, especially guides (with or without knowledge on birds) **in order to promote the activity among them and to encourage rural professionalization.**



**Involving local guides to birdwatching tourism and ecotourism activities allows more people to learn and take an interest in participating in nature tourism.** Local communities can provide lodging, food, local tourism services, rental of equipment (lanterns, raincoats, etc.) and general and specialized guidance.

**28.** It is suggested that birdwatching **tourism companies include in their policies the strengthening and support of community or local projects that promote conservation** by: contracting services, a corporate social commitment, local competitiveness, environmental education (in particular with endangered species), training (lectures, workshops, courses) and projects involving research and conservation (focused on managing and conserving their own resources).

**29.** **All participants in birdwatching tourism activities should purchase local products and services and support**, as far as possible, local initiatives for the economic and cultural strengthening of the region.

**30.** It is highly desirable that part of the birdwatching tourism's income be channeled into the financing of conservation or training projects in local communities.

## GOOD PRACTICES FOR THE GUIDANCE AND EXPERIENCE OF BIRDWATCHING TOURISM

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**31.** **Groups of bird watchers should be small** in order to ensure that all observers are able to see the birds found or spotted.

**32.** It is very important that the birdwatching guide correctly **identifies the resident and migratory birds, both visually and aurally.**

**33.** The above implies, to a large extent, knowing the name of bird species, the binomial scientific, which is universal, the common one(s) of our country, and the English one, according to the birdwatchers being guided.

**34.** **The more the guide knows, the better.** It is very good that they know about the activity seasons of birds: reproductive period, food, migrations (if it is the case), etc. Also, to be aware of their natural history and locations, as well as a basic knowledge on ecology (ecosystems) to illustrate the most eager-for-knowledge-observers about habitats, behaviors, etc.

**35.** **It is highly desirable that the guide be able to describe where the bird is found:** not all visiting observers have the same vision capability, or the novelty of the habitat often implies a far from negligible limitation to find the animal. Providing a good and satisfying service requires detailed explanations to get observers to see as many birds as possible.

**36.** If a pointer device is used, it is of vital importance **not to direct the beam directly over the individual(s)**; it is recommended to point to the ground and move towards the nearest branch where the specimen is located.

**37.** It is ideal that the local guide and birdwatching tourist have radio or cellular communications among them and with people in the region, to best solve any unforeseen negative situation.

**38.** Enthusiasm and real love for birds and for their conservation (or for the region, the natural environment, etc.) is a highly appreciated quality in the guides: it arouses empathy, admiration and well-being in visiting observers, as well as providing a good image of their work, the country and the regions themselves.

**39.** The guides should be extremely respectful and kind with the clients and other people who are involved in the activity.

**40.** The guide must be a person of integrity and prudence who can determine how far tourists can go, recognize and tend to their basic personal needs and as birdwatchers, and demonstrate love and respect for different and diverse populations and ecosystems.



**41.** In the same manner, the guides must also apply the local regulations as well as the ethical behavior required of every human being and specifically of those who provide a service as personalized as birdwatching. **They must not forget that while being a guide, they are the leaders of a group of people and must respond to what is expected of a situation of this nature.**

## GOOD PRACTICES FOR THE QUALITY OF SERVICE

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**42.** The tour operator should offer quality services and infrastructure including good lodging areas, clean toilets and resting areas in good condition.

**43.** Security is a fundamental factor in the birdwatching tourism operation. **Access to unsafe areas**, where, for example, there may be common delinquency, as well as areas of risk (slopes, landslides, etc.) where accidents may occur, should be avoided. Birdwatching is a passive activity and should be done in safe places.

**44.** **Honesty with the client is always essential in all human activity, economic or otherwise.** In this field, it will be expressed, among other things, in not offering any product or service that cannot be fulfilled.



**45.** It is very convenient to **offer visitors checklists of the different places visited**, hopefully with the indication of the likelihood to observe each species (abundant, common or rare), and even with the specification of seasons of greatest occurrence (if there is one).

**46.** It is good to **encourage the visitors to purchase local products** so that they get acquainted with them and support regional markets.

**47.** It is very important to **be on time and in line with the established schedules**.

**48.** The use of pollutants such as polystyrene, plastics (bags), or so many other things that affect the environment should be avoided. **It is important to promote the use of reusable packaging.**

**49.** **It is highly desirable that respect and environmentally friendly practices** are promoted among local communities, provided the opportunity to do so.





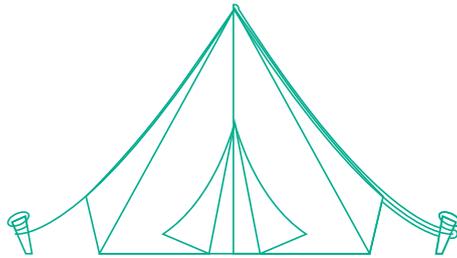
ALL THOSE WHO ENJOY THE CONTEMPLATION OF BIRDS MUST ALWAYS RESPECT WILDLIFE, ITS ENVIRONMENT AND THE RIGHTS OF OTHERS. IF WHAT HUMANS CALL A CONFLICT OF “INTEREST” SHOULD EMERGE BETWEEN BIRDS AND THEIR HABITAT AND BIRDWATCHERS IN THE EXERCISE OF THEIR OBSERVATION ACTIVITY, BIRDS AND THEIR HABITAT HAVE THE PRIORITY: BIRDWATCHING SHOULD NEVER CAUSE ANY HARM TO BIRDS, OTHER SPECIES OR TO DIFFERENT HABITATS.

MORE INFORMATION [HTTP://LISTING.ABA.ORG/ETHICS/](http://LISTING.ABA.ORG/ETHICS/) (CODE OF ETHICS AMERICAN BIRDING ASSOCIATION (ABA)).

# NORMATIVITY AND GUIDELINES

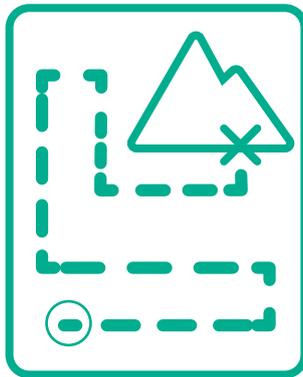


RULES THAT MUST BE TAKEN INTO ACCOUNT BY OPERATORS AND GUIDES AND THAT, DULY APPLIED, WILL BECOME “GOOD PRACTICES” FOR THE SUSTAINABLE DEVELOPMENT OF BIRDWATCHING TOURISM IN COLOMBIA.



**50.** **Tourism operators must adhere to the General Tourism Law**, which states, among other things, that all tourism service providers that carry out their operations in Colombia (hotels, resorts, camping, tourist accommodation and other types of non-permanent accommodation, Travel agencies and tourism agencies, operating agencies...), must register with the National Tourism Registry (RNT for its acronym in Spanish), which is processed through the chambers of commerce. Likewise, it commands to pay the parafiscal levy for the promotion and competitiveness of tourism.

**51.** The feasibility study of the projects, services and activities to be developed in areas of the National Natural Parks System corresponds to the Ministry of Environment and Sustainable Development and to the Ministry of Trade, Industry and Tourism, both responsible for coordinating the mentioned activities, whether in areas belonging to the System or in those that, without belonging to it, are considered as a reserve or subject to special management. In addition, ecotourism projects developed within the areas of the National Park System ***“should consider their development only in the areas appointed as densely used areas and general outdoor recreation areas, in accordance with the Management Plan or The Master Plan of the areas with an ecotourism vocation”***, so that both, agencies and guides, must develop their routes in the areas designated for it, avoiding any negative effect on sensitive sites and promoting in the visitors an effective care for the places visited. (See Article 27 of the General Tourism Law).



ACCORDING TO LAW 1558 OF 2012, “ONLY THE PROVIDERS OF TOURIST SERVICES DULY REGISTERED IN THE NATIONAL TOURIST REGISTRY MAY BE BENEFICIARIES OF THE TAX AND FISCAL INCENTIVES ESTABLISHED IN THEIR FAVOR AT THE NATIONAL, DEPARTMENTAL, DISTRICT OR MUNICIPAL ORDINANCES, TO ENCOURAGE, SUPPORT OR PROMOTE TOURISM. FAILING TO UPDATE THE NATIONAL TOURIST REGISTRY, AS WELL AS NON-PAYMENT OF THE PARAFISCAL CONTRIBUTION, WILL SUSPEND THE TAX INCENTIVE CORRESPONDING TO THE FISCAL YEAR IN WHICH THE OMISSION OR NON-COMPLIANCE TAKES PLACE.”

**52.** **Tour guides require advanced academic training; as a minimum,** they should have higher education with a technological level title as Tourist Guide, certified by SENA (National Learning Service, by its acronym in Spanish), or by another higher education institution acknowledged by the national government.

**53.** **The guides must comply with the sectoral technical standards** NTSGT005 for the conduction of groups in ecotourism tours and the NTSGT012 for the provision of tourist guide services.

Exercising the guide profession is regulated in Decree 503 of 1997 and establishes that “a tourist guide is considered to be the natural person who provides professional services in the area of guidance or touristic guide, whose functions towards the tourist, traveler or passenger are to orient, guide, instruct and assist during the execution of the contracted service”, which must be registered in the RNT prior to obtaining the corresponding professional card as a tourist guide, granted by the entity or body designated by the government.

Those who hold a professional degree in related areas of knowledge determined by the Ministry of Trade, Industry and Tourism, and have approved the homologation course that SENA designed for this purpose, can also be recognized as Tourist Guides. These may only exercise the activity in the field of their specialty.

**54.** The **Tourism Guide professional card is a mandatory requirement**; it is the only legal document issued by the Professional Council of Tourist Guides that identifies, protects, authorizes and controls the cardholder in the professional exercise of tourist guidance. Foreigners must fulfill the conditions indicated in the laws that regulate their stay and work in the country to practice the profession of tourist guide.

**55.** The guide must be aware of the Tourist Guide's Code of Professional Ethics stipulated in Resolution 135 of December 26, 2016 by the Professional Council of Tourist Guides (CPGT, for its Spanish acronym), **which lists their functions, rights and legal obligations, and the principles of loyalty and respect to which they must adhere or demand.**

**56.** **Tour guides have free access to areas open to the public** such as museums, monuments, archaeological sites and, in general, to all tourist sites.



**57.** **Birdwatching guides should promote the good civic behavior** of tourists and suppliers by example.

**58.** The observation of birds for tourism purposes will not operate in complicity with the illegal use of drugs or with exploitation, pornography and sex tourism with children and adolescents, fully availing itself on Law 1336 of 2009 by which *Law 679 of 2001* is supplemented and strengthened.

**59.** **Birdwatching will seek to respect the Nation's cultural heritage**, which is constituted by “all material goods, immaterial manifestations, products and representations of the culture that are an expression of the Colombian nationality, such as the Castilian language, the languages and dialects of indigenous, black and creole communities, tradition, ancestral knowledge, cultural landscape, customs and habits, as well as material goods of a movable and immovable nature to which special historical, artistic, scientific, aesthetic or symbolic interest, among others, are attributed in a plastic, architectural, urban, archaeological, linguistic, sonorous, musical, audiovisual, film, testimonial, documentary, literary, bibliographic, museological or anthropological matters”(Article 1 , Law 1185 of 2008).

## TOURIST SERVICES PROVIDERS WILL HAVE PENALTIES IF THEY INCUR IN INFRACTIONS LIKE:

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**Presenting false or adulterated documentation**



**Failure to comply with the obligations to the tourism authorities.**



**Use of misleading advertising.**



**Operating without being registered at the National Registry of Tourism.**



**Failure to comply with the offered services.**



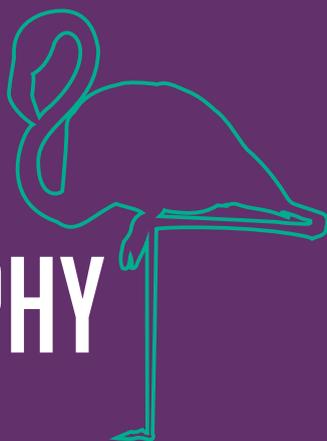
**TABLE 1. MAIN CURRENT REGULATIONS OVERSEEING KEY ASPECTS OF TOURISM MANAGEMENT AND OPERATION IN COLOMBIA.**

NORM	TOPIC
Article 3, Law 99 of 1993 (Colombian General environmental Law).	"Sustainable development is understood as that which leads to economic growth, to the improvement of the quality of life and to social welfare, without depleting the base of renewable natural resources on which it is based, nor deteriorating the environment or the right of future generations to use it to satisfy their own needs".
Article 1, Law 300 of 1996 (General Tourism Law).	It standardizes the tourist activity in Colombia and establishes other provisions.  "Tourism is an essential industry for the country's development and especially of the different territorial entities, regions, provinces, and fulfills a social function."

NORM	TOPIC
<p><b>Article 26, Law 300 of 1996</b></p>	<p>"<b>Ecotourism</b> is that form of specialized tourism conducted in areas with a special natural attraction and within the parameters of sustainable human development. Ecotourism seeks the recreation, entertainment and education of the visitor through observation, the study of natural values and the cultural aspects related to them. Therefore, ecotourism is a controlled and directed activity that produces a minimum impact on natural ecosystems, respects cultural heritage, educates and sensitizes stakeholders about the importance of conserving nature. The development of ecotourism activities must generate income destined to support and promote the conservation of natural areas in which it is carried out and to the surrounding communities."</p>
<p><b>Article 61, Law 300 of 1996</b></p>	<p>"It establishes the obligation of tourist services providers that carry out their operations in Colombia to register in the National Registry of Tourism (RNT). This registration is obligatory for the operation of these tourist services providers and must be updated annually."</p>
<p><b>Law 1101 of 2006</b></p>	<p>It amended Law 300 of 1996. It established the <b>parafiscal contribution</b>, destined to the promotion and competitiveness of tourism.</p>

NORM	TOPIC
Law 1558 of 2012	It amended Law 300 of 1996 and Law 1101 de 2006.
Decree 503 of 1997	Regulated the exercise of the <b>Tourism Guide profession</b> referred to in Article 94 of Law 300 of 1996.
Resolution 135 of the 26th December 2016	<b>Code of Ethics of the Tourist Guidance Profession.</b> It derogated resolution 221 of April 8, 1999.
Article 1, of the 1825 Decree of 2001	It dictates some <b>legal provisions related</b> to the activity of <b>tour guides</b> , among them, the one relating to the free access to areas open to the public such as museums, monuments, archaeological sites and, in general, any tourist site.
Article 71, Law 300 of 1996	<b>Infractions.</b> The tourist services providers will be sanctioned when they engage in any of the behaviors mentioned in this article.
Law 1336 of 2009	It supplements and strengthens Law 679 of 2001, on the fight against exploitation, pornography and sex tourism with children and adolescents.
Law 1185 of 2008	It modifies and supplements Law 397 of 1997, general law of culture, and other dispositions are dictated.

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