Brazil's Giant Step Backward on Indigenous Rights the Threat to the Natural Environment and Rights of Indigenous Peoples

Posed by Brazilian Presidential Decree 1775

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Executive Summary

The signing of Decree 1775 by Brazilian President Fernando Henrique Cardoso on January 8, 1996, marked a drastic reversal of Brazilian policy toward the protection of the human rights of indigenous peoples and the natural environment throughout the country, but especially in the Amazon region where most indigenous lands are located.

Indigenous areas now make up 11% of the total area of Brazil. Over half of these areas have potentially been opened up to claims by private or local state development agencies by the new Decree, in apparent violation of the Brazilian Constitution's guarantee of the rights of indigenous peoples to their traditional territories. The economic interests that benefit by the Decree are of the most environmentally and culturally destructive kinds: mining, logging, and ranching. Since it is principally in indigenous areas that natural ecosystems such as those of the Amazon region survive relatively intact, the Decree poses as grave a threat to the survival of environmental diversity as to cultural diversity.

The consensus of Brazilian observers is that the Decree is part of a political deal, by which Cardoso is giving the conservative business and state development interests of Brazil's Northern states access to indigenous lands and resources in exchange for the support of Northern politicians for his economic reform program in the current session of Congress. The government's ostensible rationale for the Decree is that it was necessary to avert the threat that the Supreme Court might find indigenous reserves unconstitutional because their demarcation had been carried out without allowing all nonindigenous parties with any interests in the indigenous areas to contest the boundaries and enter counter claims to the land. This rationale has been denounced as specious by the Brazilian Bar Association and other legal authorities, and several challenges to its constitutionality have already been brought to the Supreme Court. The effect of the Decree's assertion that most existing reserves are illegal has of course been to create precisely the situation the government claimed the Decree was intended to avoid. There have already been numerous invasions of previously secure reserves, some accompanied by violence and killing.

The three-month period allowed by the Decree for interested parties to bring claims on Indian land is up in early April. There will then be a two-month period for the evaluation and approval of the claims by the Ministry of Justice and the President. There is thus time for pressure for the repeal of the Decree to be effective.

Brazil's Giant Step Backward on Indigenous Rights
Report to the AAA Commission for Human Rights
"The greatest defeat for indigenous rights in recent years." In these words, a spokesperson for Oxfam described the signing by Brazilian President Fernando Henrique Cardoso of a new decree opening more than half of the indigenous areas of Brazil to claims by private and state interests (quoted in Folha de Sao Paulo 1/10/96).

On January 8, nine months after his first announcement of his intention to do so, President Cardoso signed Presidential Decree 1775, which gives squatters, miners, ranchers, and state and local governments new and unprecedented power to challenge the boundaries of indigenous reserves. Decree 1775 replaces a previous decree (Decree 22, signed by President Collor on February 4, 1991) under which more than half of the indigenous reserves so far legally recognized in Brazil were demarcated. Because of its effectiveness as a formula for the creation of indigenous reserves, among them the largest in the nation, Decree 22 had become the object of an intense repeal campaign by business and development interests, especially in Brazil's northern states, where most of the large reserves are located. These interests are represented by the conservative northern politicians who comprise an essential wing of Cardoso's center-right coalition, and their support is vital to the passage of his program of economic reforms in the current session of congress. Now Cardoso appears to have given the northern politicians what they want on indigenous legal and territorial rights in exchange for their support for his congressional program. This interpretation is strengthened by the timing of the signing of the decree itself. As a statement issued by a leading Brazilian indigenous support organization the Socio-Environmental Institute (ISA), states,

There was speculation about the delay of the government in effecting its decision [to sign the decree], but now it seems clear that [President Fernando Henrique] Cardoso promulgated the new decree more for the sake of his own political agenda, timing it to coincide with the reopening of Congress, in the context of a strategy of reforms for which he needs the support of a majority and parliamentary base which, as is well known, is both heterogeneous and conservative. [Mares and Ricardo: draft document, Jan. 19, 1996]

Now, as the price of holding the political support of the right wing of his parliamentary coalition, Cardoso has given Brazil, in the words of a spokesperson for the Brazilian Movement of Landless Workers (MST), "an indigenous policy that not even the military [in Brazil, an ultra-nationalist force fiercely opposed to indigenous reserves] have dared to propose."

President Cardoso's signing of Decree 1775 must be seen in the context of the deliberate failure of his government to carry out minimal steps to protect existing indigenous land rights during the first year of his presidency, the period leading up to the signing of the decree. Until the eve of the issuing of the new decree, his administration carried out no new demarcations, and froze those that had been in process when he took office. More tellingly, the government made no attempt to carry out the supposedly perfunctory step of registering in local title offices many reserves that had already been legally recognized (homologado) by proclamations of previous presidents, even though it was known for many months that the text of Decree 1775 would define all reserves not yet registered in such offices as subject to contestation and revision. By this evidently purposive inaction, the government effectively transformed registration, supposedly a mere technicality confirming the accomplished fact of the granting of legal title to land, into a potent weapon for revoking titles already granted. Drawing
attention to this aspect of the decree, Federal Congressmen Gilney Viana and Nilmario Miranda, both of the Brazilian Labor Party (PT), asserted in a joint statement published in the Folha de Sao Paulo,

[A] grave innovation of Decree 1775 is that it is defined as relating to indigenous territories whose demarcation had already been confirmed [homologado] by presidential decree but had not yet passed through the bureaucratic formality of being registered in the Service of the National Patrimony or local title registry offices. In this way the decree is made to apply retroactively to all reserves that had been identified, demarcated, and even presidentially confirmed [but not yet registered], thus including 344 out of the 544 known indigenous areas in the country. [Folha de Sao Paulo 1/10/96]

The government's failure to register even one of the many reserves affected by the decree in the year preceding its formal proclamation can only be understood as a deliberate (and devious) act of policy, and gives the lie to its contention that the decree is intended to protect, rather than subvert, indigenous communities' control over their land. The real intentions of the government's policy, as Viana and Miranda indicate, can be read from its effects:

By its disastrous initiative the government of Fernando Henrique Cardoso is stimulating the reopening of disputes over land and the revival of invasions. Ranchers, claim forgers, loggers and miners can now take up again their aggressions against indigenous peoples, attempting to undermine their resistance and create political conditions for the revision of their territorial boundaries. [Folha de Sao Paulo 1/10/96]

The new decree potentially affects some 344 out of the 554 designated indigenous areas, that together comprise 57% of the total area of all the legally recognized indigenous areas in Brazil. In specific terms, Decree 1775 gives all parties (private and public) who wish to contest the boundaries of any reservation created under Decree 22 that has not yet been registered in a title registry office a period of 90 days to submit complaints to Jobim as Minister of Justice. The Minister will then have an additional 30 days to study the merits of the claims and announce his decisions. President Cardoso will then have a further 30 days to confirm or reject the Minister's recommendations.

Simultaneously with his signing of Decree 1775, President Cardoso confirmed the demarcation of 21 new indigenous reserves. As even these new reserves are subject to challenge and revision under the terms of the decree, however, the gesture seemed hollow, or, in the words of two Federal Deputies who assailed the decree, "just one more attempt to delude public opinion" (Viana and Miranda, Folha de Sao Paulo, 1/10/96).

The government's announced justification for the new decree is that its predecessor, Decree 22, did not allow for the constitutionally guaranteed right of parties who could claim that their interests were damaged by the delimitation of indigenous areas to contest their boundaries. Paragraph 55 of article 5 of the Brazilian Constitution guarantees this "direito ao contraditório" or right of contestation "to litigants in judicial or administrative processes, and to accused persons in general," as part of their right to an "adequate defense." Nelson Jobim, the Minister of Justice, the author of the new decree, argued that it was necessary to replace Decree 22 with a new decree specifically extending this right to all whose interests might have been affected by the demarcations carried out under the old decree, to forestall the possibility that the Supreme Court might find that some demarcation carried out under it was unconstitutional because it had omitted the right of contestation, thus invalidating at one stroke all the reserves established since early 1991. Presenting himself as the friend and defender of indigenous
peoples and their territorial rights, Jobim claimed that the new decree was intended solely to avert this catastrophic possibility.

Opponents and critics of the new decree dismiss Jobim's legal reasoning as specious, on several grounds. Firstly, since demarcation is an administrative procedure that does not involve litigation or the adjudication of conflicting interests, to which alone Article 5 and the "right of contestation" applies, critics argue that this right is properly exercised through challenges in the courts to such administrative decisions, not through intervention in the administrative decision-making process itself, as the new decree now specifies. Secondly, such regular legal channels for the remedy of supposed injuries to individual or state interests stemming from the establishment of reserves have in fact all along been available in the courts; there was therefore no need for the new decree to safeguard the constitutional "right of contestation." Thirdly and most importantly, article 231 of the Brazilian constitution of 1988 recognizes the "originary" right of indigenous groups to their traditional territories, and defines this right as taking precedence over all other rights, including those of the state itself. It specifically guarantees the rights of indigenous groups to the use of the territories they have traditionally occupied, and further states that

"All acts having as their purpose the occupation, ownership or possession of [indigenous land] are nullified and extinct, without legal force." [Article 231, paragraph 6]

Given this explicit provision, the interests of squatters, miners, loggers, ranchers, speculators or state developers, in short, nonindigenous occupiers of indigenous land or exploiters of indigenous resources, that are affected by Federal recognition of territories as reserves, have no standing in constitutional law if the land in question really is and was occupied by indigenous people as part of their original territory. The "right of contestation" therefore cannot be used to give such interests a legal basis for challenging indigenous land rights. Failure to take account of counter-claims to the land or its use by such parties in the demarcation process thus cannot be adduced as a basis for nullifying the boundaries of a duly demarcated reserve; nor can such claims be a basis for claims to indemnification, a further possibility explicitly held out by the new decree, except in the presumably rare cases where it can be proved that the land in question was never in fact occupied by the indigenous groups to which it was granted as a reserve.

By making contestation by all interested parties, regardless of the legal standing of their interests and claims, part of the administrative process of demarcation itself, rather than leaving it to be handled through existing judicial procedures in the courts, the new decree renders the process of demarcation itself virtually impossible. The FUNAI administrator in Manaus, R. C. Serejo, estimated that the decree would have the effect of delaying demarcations currently in process in his region by as much as 15 years! (quoted Folha de Sao Paulo 1/10/96). The decree thus constitutes an effective brake on new demarcations, further postponing the fulfillment of the constitutional commitment to demarcate all indigenous territories within five years of the ratification of the 1988 constitution (only about half of the recognized indigenous areas of Brazil have in fact been demarcated and legally approved as reserves).

Potentially even more serious is the implication of the constitutional argument adduced by Minister Jobim for the reserves specifically exempted from coverage by the decree because they were already legally approved and registered at the time it was signed. Since the demarcations of these areas also took no systematic account of protests and contestations by parties whose interests were affected, anti-indigenous interests are already asserting that Jobim's argument actually provides grounds for claiming that all the indigenous reserves in the country, registered as well as unregistered, are unconstitutional.
As a comment on the decree by two leading Brazilian indigenous advocates puts it, the government’s rationale for the decree

. . . is not only unnecessary (since any opposed interests retain to this day access to the judiciary process to complain about supposed injuries to their rights), but stimulates anti-indigenous interests to question even the already registered territories which, theoretically, are exempted from the new decree. This, without a doubt, is the most irresponsible aspect of FHC [President Cardoso]'s pretended legal correction. [Ricardo and Mares 1996:3]

The grounds on which contestations of indigenous reserve boundaries are to be evaluated by the Minister of Justice are not clearly stated in the decree. His decisions, and those of the President confirming or disconfirming them as law, are not to be subject to judicial review or legal challenge in the courts. No provision is made by the decree for indigenous groups to contest either the contestations of their boundaries by other parties, or to appeal the Minister’s decisions. Instead, the task of defending Federally demarcated indigenous lands against all such challenges is specifically relegated to the Federal Indian Service, FUNAI, an underbudgeted, understaffed and politically powerless bureau manifestly lacking in the personnel and resources necessary to handle the job.

The dubious legal and constitutional issues raised by the new decree make more disturbing its circumvention of the courts in the procedure it establishes for evaluating and deciding upon contestations of reserve boundaries. By making the Minister of Justice, a presidential political appointee, and the President himself the sole arbiters of the validity of all challenges to indigenous territorial boundaries, the decree effectively insulates their decisions from independent legal review. The many legal and constitutional flaws in the new decree have been made the grounds of several challenges to its constitutionality filed with the Supreme Court of Brazil by several indigenous and pro-indigenous organizations, including COIAB, a coalition of over 100 indigenous groups with ties to CIMI, the Catholic Church’s indigenist missionary council, that is coordinating the campaign against the Decree in Brazil, the Brazilian Labor Party (PT) and the Conselho Pro-Indio of Sao Paulo, acting on behalf of the Forum for the Defense of Indigenous Rights, a coalition of indigenist support groups that is collaborating with COIAB to organize opposition to the decree.

Decree 1775 in effect creates precisely the catastrophe against which it ostensibly serves to protect, retroactively invalidating all reservations established under Decree 22 as unconstitutional, thus removing their legal protection and rendering them potentially vulnerable to revocation, partition and legalized invasion at the hands of the anti-indigenous interests that have clamorously supported the new decree. Pro-indigenous advocates predicted that the decree would generate a flood of challenges that would swamp the capacity of FUNAI and supporting NGOs to produce documentation and critical legal reviews in defense of indigenous titles. The challenges have not been slow to appear. The first was filed a scant three days after the Decree was issued: a claim by Sattin S.A., a large cattle ranch, to the entire reserve of the Kaiowa Guarani of the state of Mato Grosso do Sul. The territory of this group had already been shaved down to an economically unviable remnant of 60 hectares, leaving its people in such despair that 52 of them, mostly teenagers and adolescents, committed suicide last year.

An even more ominous effect of the new decree is that by surrounding the legal establishment and protection of reserve boundaries with uncertainty and indefinite administrative delay, it has recreated the climate of impunity and permissiveness towards invaders and violators of indigenous lands that prevailed before the proclamation of Decree 22 in 1991. As a study of the Brazilian indigenous situation
published by Amnesty International in 1993 concluded, indigenous groups are most at risk when there is uncertainty about the demarcation of their lands. Such uncertainty becomes part of a pattern in which . . . by failing to arbitrate promptly in disputes between the indigenous and non-indigenous community, the state [leaves] indigenous groups ever more vulnerable to escalating violence against them. [Amnesty International 1993]

After the new decree was proclaimed, a communiqué issued by Amnesty (London) declared,

The latest decree is a recipe for tragedy. By throwing the demarcation of over 344 indigenous lands into doubt, the government has paved the way for the invasion of indigenous lands. In the past this has resulted in massacres, selective killings, abductions, threats and assaults of indigenous people. [Amnesty International 1/25/96]

Such results have not been slow to materialize. According to COIAB, there were at least 16 new invasions of indigenous areas within the month that followed the announcement of the decree January 8. At a meeting of indigenous groups in the state of Roraima in late January, a Macuxí leader, speaking of the decree, declared,

The capitalist people have been killing us for over 500 years with their boom booms [guns] and now with their laws. In 1996 Indian blood will be spilt. [Villaverde 1/31/96]

Minister of Justice Nelson Jobim's motives as author of the new decree and his arguments for it as necessary to protect indigenous reserves from the threat of being declared unconstitutional by the Supreme Court are suspect on a number of grounds. Before his appointment as Minister of Justice by President Cardoso, while he was still a Federal Congressman, Jobim had prepared a legal brief in support of the suit of the Governor of the northern state of Para, Jader Barbalho, before the Supreme Court, to have Decree 22 and the indigenous reserves demarcated under its aegis in the state of Para declared unconstitutional. Barbalho's government was closely allied with private economic interests committed to reducing the areas of indigenous reserves in Para and gaining control of their land and resources. Jobim's argument that Decree 22 was unconstitutional because it omitted the "direito ao contraditorio" of nonindigenous parties with interests in Indian lands was originally developed as the basis of this brief, and formed the basis of the Barbalho government's attack on indigenous reserves. This is the same argument that forms the basis of the decree he later produced as Minister of Justice. The Supreme Court, on December 17, 1993, rejected Jobim's argument and threw out Barbalho's suit (Action 977-0). Now, however, as Minister of Justice, Jobim has recycled the same argument as the basis of the new decree, ostensibly in defense of indigenous interests, but effectively achieving the aim of his and Barbalho's earlier failed suit before the Supreme Court, to wit the conditional annulment of indigenous reserves on grounds of unconstitutionality.

That the Supreme Court had actually already rejected Jobim's argument in its rejection of Barbalho's suit makes Jobim's contention that the new decree based on his thesis was necessary to protect indigenous lands from the consequences of a judgment by the Supreme Court based on acceptance of that thesis especially hollow and unconvincing. Far more probable is the interpretation of Dalmo Dallari, lawyer for the Pro-Indian Commission of Sao Paulo, that Jobim, with President Cardoso's support, is simply trying to achieve by other means the same purpose that he served when he was working for Barbalho, namely that of destroying the legal basis of indigenous territorial rights and rendering native lands and
resources available to nonindigenous interests whose access to those resources is otherwise excluded by the constitution. In Dallari’s words,

They [Jobim and the government of Para] lost in the Supreme Court. Now the lawyer [Jobim], transformed into a Minister, orders the revocation of the decree, circumventing the decision of the Supreme Court . . . The effect is to make it possible for land-invaders and title-forgers to debate whether the land is theirs or not. [Folha de Sao Paulo 1/10/96]

It is a violation of the statutes of the Brazilian Bar Association, to which Jobim as a lawyer belongs, for a member of the Association holding office as a Federal deputy to practice legal advocacy against the government. Jobim's apparent conflict of interest was intensified when two days after the signing of the decree by President Cardoso he sent letters to Barbalho and other northern state governors specifying all the indigenous areas in their states were now vulnerable to challenges under the terms of the new decree. The disclosure of these letters in the press caused a new furor. As Saulo Feitosa, of CIMI, the Catholic indigenist council, said,

We are outraged! He not only creates the decree that makes possible the contestation of indigenous areas, but now he incites the governors to bring actions, specifying which areas are possible targets. This is not the role of a Minister of State! He is now promoting the contestation of lands that are the property of the nation! [Folha de Sao Paulo 1/30/96]

The new decree not only threatens to roll back the real progress Brazil has made in recent years in recognizing indigenous land rights, but also risks the loss to Brazil of millions of dollars in grants from foreign sources to aid in the demarcation of indigenous territories. The G-7, with money provided by the government of Germany, has allocated, but not yet spent, $22 million for the demarcation of 58 indigenous areas, and the identification of 55 others, over the next five years, but may now decide to withhold the money since under the terms of the new decree any demarcated area may be challenged and expropriated by private or state interests (CCPY 1995). Various NGOs are already lobbying the German government to make clear to the Brazilians that it will do precisely this if the decree is not revoked. The withdrawal of these funds would be a huge loss, and a great setback for indigenous land rights in Brazil. Under pressure from many of the same groups, the World Bank announced that it would consider whether to withhold $36 million in additional loans to environmental and regional development projects in areas affected by the decree.

The scale of the opposition to Decree 1775 both at home and abroad appears to have taken the Cardoso government by surprise. What it had evidently hoped to slip by under cover of Minister Jobim’s pseudo-constitutional arguments and pretense of legally shoring up indigenous land rights has instead exploded into a major, multifaceted crisis, bringing widespread criticism from media, political opponents and non-governmental organizations, the real possibility of constitutional defeat in the Supreme Court at home, and humiliating censure and the suspension of substantial financial aid abroad.

Indigenous groups in Brazil, and both Brazilian and foreign non-governmental organizations, were quick to mobilize for the repeal of the decree. On Wednesday, January 17, the Forum in Defense of Indigenous Rights, a confederation of indigenous and pro-indigenous organizations, organized a large demonstration in Brasilia, which marched on the houses of Congress, and demanded to speak with President Cardoso. [The Forum em Defesa dos Direitos Indigenas includes groupings of indigenous organizations like CAPOIB (Conselho de Articulacao dos Povos e Organizacaoes Indigenas do Brasil), and COIAB (Conselho de Organizacaoes Indigenas da Amazonia Brasileira), and nonindigenous organizations
dedicated to the support of the indigenist movement such as the Catholic Church organization CIMI (Conselho Indigenista Missionario), ISA (Instituto Socio-Ambiental), CPI/SP (Conselho Pro-Indio de Sao Paulo), MST (Movimento de Trabalhadores sem Terra), and others.] When Cardoso refused, many of the Indians, supported by a crowd of other demonstrators including numerous congressmen, artists and indigenist activists, proceeded to the gates of the Supreme Court building, where they draped the statue of justice with an Indian headdress and weapons. Later they delivered a manifesto to the President of the House of Deputies and the Chairmen of the Congressional Committees on Human Rights and Minorities. The manifesto reads as follows:

The Council of Articulation of Indigenous Peoples and Organizations of Brazil (CAPOIB) and the Forum in Defense of Indigenous Rights publicly denounce the arbitrary acts of the government of Fernando Henrique Cardoso, including his righthand man, Minister of Justice Nelson Jobim.

Since March 1995 the government of FHC, deeply penetrated by interests opposed to indigenous peoples, has been announcing its intention to alter Decree 22 of February 4, 1991, which until now has regulated the demarcation of indigenous territories. Alleging that it was acting in defense of democratic principles, it sanctioned the new Decree, number 1775, on January 8, 1996, guaranteeing the principles of "contestation" [contraditorio] and "adequate defense" [ampla defesa] and going even further in retreating from its obligation to protect indigenous property, thus making possible the invalidation of all of the demarcations of indigenous lands not yet registered in title offices.

In this way it has thrown away millions of dollars invested in demarcations of indigenous reserves in Brazil, for the most part derived from agreements made with foreign sources. The new decree allows states, townships and whoever else has interests in indigenous lands to demand them and contest their boundaries as drawn by the official Indian agency.

By enabling invaders of indigenous lands to manifest themselves about their boundaries, in the absence of any litigation or accusations requiring judgment in the administrative processes in question, the Federal government uses a false legal justification to legitimize its ideological purpose to compromise the principle envisioned by Article 231 of the Constitution, of respect for "cultural and ethnic diversity." The government's contention entails attending to old and illegitimate claims for the reduction of the boundaries of reserves in process of demarcation. It thereby denies the physical space necessary for the development of the ethnic and cultural diversity of indigenous peoples.

This greatly concerns us because the disastrous publication of the Decree is already producing examples of what will happen to all indigenous territories, excepting only those that have been registered. We are also frightened by certain interpretations of the new Decree that call in question the validity of even the registered areas.

After the publication of the Decree, the cattle ranch, Sattin S.A., of the state of Mato Grosso do Sul, brought the first action, demanding the area of the Kaiowa-Guarani, a people whom insufficiency of land had already driven to various acts of violence, from murders to suicides. Next, the government of the state of Bahia, on the tenth of this month, proposed an action to expropriate the Pataxo indigenous area of Coroa Vermelha in the extreme southern part of that state.

We warned throughout the past year that the new Decree would provoke invasions of indigenous areas. This is already happening in the indigenous area of Barao de Antonina, belonging to the Kaingang people, in the state of Parana.
These are just a few initial examples of what can now happen to indigenous peoples.

For these reasons, we demand the immediate revocation of Decree no. 1775/96, and we hold President Fernando Henrique Cardoso and Minister of Justice Nelson Jobim responsible for every hand’s breadth of land stolen from indigenous people, and every drop of indigenous blood shed by the gun thugs of ranchers, loggers, factory owners, businessmen, miners, townships, states and other political and economic interests. [Brasilia DF, January 17, 1996 (my translation (TT))]

The demonstration and manifesto served to launch a broad domestic and international campaign in opposition to Decree 1775. Representatives of the Forum and CAPOIB have met with the ambassadors of the G-7 countries, asking that none of the more than $20 million allocated for the demarcation of indigenous reserves in Brazil be spent for areas with boundaries liable to be altered under the terms of the decree. CAPOIB also submitted a petition to the World Bank to reconsider releasing some $30 million in pending loans for Amazonian projects in the light of Cardoso’s anti-indigenous policy (CAPOIB 2/6/96). A number of foreign NGOs such as Survival International and Oxfam in Britain and the Coalition for Amazonian Peoples and their Environment, an association of Brazilian and North American NGOs with headquarters in Washington, have also lobbied the governments of Germany and other G-7 countries to withhold all funds until the decree is revoked. The European Parliament has scheduled a debate on a motion of censure of Brazil on the grounds that Decree 1775 breaks Brazil’s promises to the G-7 donors to safeguard indigenous and natural forest areas from further destruction and exploitation. Debate on the motion has been scheduled for late February, and President Cardoso has designated the hapless Jobim to go to Europe and ward off a vote of censure and the cancellation of financial credits by explaining the virtues of the decree. Jobim will run into a storm of protests organized by Green parties and human rights and environmentalist organizations, who have already mobilized strong support in the national and European parliaments. Meanwhile, in the U.S., the Coalition for Amazonian Peoples has launched a number of activities directed against the decree, including direct protests to the United Nations, and the Organization of American States, pressuring the World Bank for the suspension of loan credits to Brazil, and lobbying European and U.S. government contacts for the withholding of the G-7 grants for demarcation of indigenous lands. Other NGOs, such as the Commission for Human Rights of the American Anthropological Association, are calling for the revocation of the decree and adding their influence to these efforts. What began as a route for the human rights of Brazilian indigenous peoples may yet turn into an ignominious defeat for President Cardoso and the conservative business interests whose support he has tried to buy with Indian land.