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North-South Conflicts and Power Distribution in UNCED Negotiations: The Case of Forestry

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Preface

This paper addresses the conflict between industrialized and developing countries over resources, the environment, and economic development. In the past, such North-South conflicts have usually resulted in virtual deadlock and the inability to reach joint decisions, limiting the effectiveness of the international negotiation process. In this case study of the forestry issue, viewed within the context of the United Nations Conference on Environment and Development (UNCED), an outcome -- a partial agreement -- was achieved despite very strong impediments and the opportunity for total impasse. The author explains the case analysis in relation to a conceptual framework that posits power and power asymmetry between the two major negotiating blocs as the principal catalysts in reaching a solution where the "weak" triumphs over the "strong."

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INTRODUCTION: BACKGROUND AND OBJECTIVES

The classical theory in political sciences usually associates the notion of power to possessing of a certain amount of resources. According to Raymond Aron, power is the capacity of a political unit to impose its will upon other political units in the international arena. The main factors which define power are the milieu - the space in which the state evolves, its dimension, its geographical location... -, the resources, which involve not only natural resources but also socio-economic development, technological advancement, the state of the military forces and finally the capacity of collective action: the political regime, the institutions, leadership, political organization, solidarity among citizens, the national feeling, stability, the cultural level, the ability to mobilize, to invent, to be creative ...

In the clearly defined world of the post-war years, power was first linked to the capacity of nuclear destruction. The arms race between the two great powers was at the very center of the international scene. Nowadays, with the end of bipolarity and the collapse of the communist regimes, power tends to be less and less defined in terms of military resources. This situation leads Stanley Hoffman to speak of the "diffusion of power" in the contemporary world: indeed, in the political field, the actors are more and more numerous; in the strategic-diplomatic arena, new States are emerging as "intermediate" powers; and in the economic field, the remaining great power, the United States, is currently being distanced by Germany and Japan (1). This diffusion of power through transnational interdependence leads Joseph Nye to describe the distribution of power in world politics as a "layer cake", with the bottom layer of transnational interdependence showing the diffusion of power. "Power, he writes, is becoming more multidimensional, structures more complex and states themselves more permeable" (2).

Of course this "diffusion" is not well accepted, particularly by the remaining great power - the United States - which tries to control the rise of intermediate powers, but also by intermediate powers such as France or Great Britain, which try to uphold their privileges. According to Raymond Aron, "on the international scene, it seems that the concentration of power reassures and that the idea itself of dispersion terrifies" (3).

Nevertheless, this "diffusion" of power can also be detected if we consider that in some areas of recent interest in international relations, the traditional concept of power does not seem to be so relevant. This is the case for instance in the area of the global environment protection. In this context, traditional power relations based on military power have no direct impact on the outcome of specific environmental conflicts. Issues related to the protection of global environment do not allow the exercise of traditional hegemonic power in the sense of Aron's definition of power as the ability of a State to coerce other states (4).

Indeed, this tendency is easily verified when one looks at the outcome of a few global environmental negotiations: even if military power might have an indirect effect on results, it is striking to notice that a great power like the United States does not have "the ability to coerce" other States into accepting its position on specific issues.

One recent example is the United Nations Conference on Environment and Development (UNCED) which took place in Rio de Janeiro last June. This event, also known as the "Earth Summit", was probably one of the largest conferences ever organized, and can be taken as a major step in a long term process of recognition and allocation of global commons. Actually, to limit national sovereignty in the name of global commons, and to establish property rights on these global commons is what was at stake (5).

The process which had led to the holding of the Summit represents an increased awareness of environmental problems and a change in thinking along a number of dimensions (6). First of all the process

has focused on a redefinition of the concept of development, which should be replaced by the concept of "sustainable development", defined by the Brundtland Report as a development "consistent with future as well as present needs" (7).

But the aspect that interests us most here is that the UNCED introduced a change in thinking about the nature of the world order and on the relationship between sovereign States. Over the last twenty years, the environmental issue has given rise to an intense debate on environmental policy options to be adopted by the States. Within this context, owing to the transnational nature of several environmental problems, one can speak of a sort of "Ecological order" (8). This can be defined by the proposed global treatment of certain problems, by the establishment of a supranational legislation in certain cases, and also by new conditions to be imposed by the international creditor milieu. This attitude, justified by the global nature of the environmental problems, has led some developed countries to suggest that certain nations should yield part of their sovereignty on environmental protection for the benefit of mankind as a whole.

As a result, many developing countries have viewed the interest of developed countries in global environmental issues as an attempt to control their economic development and to perpetuate the structural inequity of the world order using the argument of the protection of the environment, thus constituating, in the words of some southern governments, an "eco-imperialism" (9).

This is why North-South conflicts have been a major characteristic of the UNCED process, leading to a real "environmental war" (10). Developing and developed countries have put forward very different agendas for UNCED: they have different responsibilities in global change, different interests in protecting the environment and different resources on which they can count in order to face environmental negotiations. Most countries in the South argue that the North should accept the responsibility for the damage it has caused to the global environment and compensate the South for preserving its ecosystems.

At first glance, we notice that there is a strong asymmetry between North and South. This asymmetry is reflected not only in the use of strategy and power, but even in the possession of information, which nowadays represents one of the most essential resources in any negotiation (11).

Nevertheless, the environment has also been seen as a unique opportunity for the South to try to reduce this asymmetry. By pressuring towards the linking of the theme of the environment to the one of development, they have succeeded in turning a distributive bargaining - where any environmental restriction would have been seen as a loss by the South - into an integrative bargaining - where the North can win in the field of the environment while the South wins in the field of development. Moreover, southern countries have opposed a strong resistance to many of the North demands and have succeeded in changing the definition of many issues.

Environmental negotiations - and UNCED in particular - seem therefore an interesting field of investigation, since they are an unusual case of North-South negotiations. Particularly, if we consider the five categories which represent fundamental building blocks of the negotiation process - actors, structure, strategies, process and outcomes - (12), we can see that UNCED has some specificity when we look at the question of negotiation structure, i.e., how participants relate to each other. Looking at the gap between North and South, it is clear that resources are significantly unequal. But, as we pointed out, this unequity in resources can be overlapped and there are some conjunctural opportunities for the South. One of the major keys to understand the complexity of the North-South conflict within UNCED therefore seems to be to focus upon the structure of the negotiation - on the distribution of power among the parties.

The purpose of this paper will be to study the distribution of power in asymmetrical negotiations through the case of the UNCED forest negotiations in order to try to understand the linkage between power distribution and the outcome of a negotiation. My working hypothesis is that in asymmetrical negotiations,

the presumed weaker parties are likely to succeed in achieving their goals under certain conditions which are issue-specific. These conditions are related to the coverage of the issue by the media, to the pressure of public opinion and of Non-Governmental Organization, to the issue saliency, and to the commitment of the parties to the outcome.

In the case of forestry, these conditions are linked to the fact that it is the North that is in the position of demand, of asking for change. On a short term basis, developing countries have no advantage in limiting the exploitation of their forests, unless they can get significant financial compensation for not doing so. Also, the need for an agreement was very strong for developed countries. Indeed, tropical deforestation has proved to be a very sensitive issue for public opinion in developed countries. Moreover, the introduction of the forest issue in the international political agenda can be seen as the result of the political situation in northern democracies. And this has given developing countries a "leverage" in the outcome of the issue(13).

I will try to analyze the question of power asymmetry between North and South in environmental negotiations through the case of forests at UNCED. More precisely, the purpose of this research will be to try to answer to the following questions:

1. What was the bargaining power of each party? What resources were available - both directly or indirectly (through linkages for instance).

2. What was the distribution of power among the parties? Were there a strong need for an agreement? Who was the most vulnerable party? What were the causes of this vulnerability?

3. Did the distribution of power change during the negotiations? What was the real influence of the process on the power distribution?

4. Does the outcome reflect this distribution of power?

This paper is based on the study of UNCED official documents, from Resolution 44/228 which called for the conference, the several drafts and proposals of the four Preparatory Committees ("Prep Coms") to the final Rio documents. We have also used the texts of the regional meetings as well as the declarations made by States during these meetings. Articles in the press and particularly articles printed by newspapers during the Conference were also very helpful in reconstituting the process. We interviewed some persons directly involved with the negotiations. Finally, we have used documents from several non-governmental, inter-governmental and international organizations.

The study of a multilateral negotiation concerning more than a hundred and seventy States, which lasted two and a half years and touched such broad issues as "environment" and "development" is a highly complex one. We have privileged in our analysis the North-South aspect of the negotiation, choosing to see it as a global bilateral negotiation in which the major game was played by developed and developing countries. Of course this analysis has its limits, since there was not a homogeneous position neither in the North, neither in the South. In most cases, what could be seen was a temporary and more or less coherent coalition. Nevertheless, in the case which interesses us, the forest negotiations, the rupture between the two groups of countries was strong enough to justify this type of vision: each side had interests and values strong enough to give the coalition a certain unity. But this does not remove the enormous differences existing between countries belonging to continents, cultures and diplomatic traditions which are extremely varied.

In order to analyze the distribution of power in the UNCED forest negotiations, we will start with a discussion on the concept of power, showing how it is essential to consider it both as a structure (resources and issue-specific power) and as behavior (tactics) so as to understand the specificities of power distribution in asymmetrical negotiations. We will then turn to the case study, first defining the structure of the

negotiation - the international context - and the specificity of the forestry issue in terms of power distribution. We will then analyze the sources of the issue specific power balance in the forest case - based on the analysis of the relations of dependence between North and South. Finally, we will consider the impact of the relations of dependence on the outcome of the negotiation and we will evaluate the power structure of the issue revealed by the final result.

PART I. POWER AS A DYNAMIC CONCEPT AND POWER DISTRIBUTION IN ASYMMETRICAL NEGOTIATIONS

I. Traditional definitions: Structural power

The question of defining power has always given rise to intense political debate in the realm of political science. Indeed, we have to agree with Morgenthau when he writes that "the concept of political power poses one of the most difficult and controversial problems of political science" (14).

Power can first be defined in terms of capacity. For Max Weber, "power is the capacity of an individual to realize his will, even against the opposition of others" (15). The definition of Robert Dahl goes in the same direction when he affirms that power is the ability of a party to move another in an intended direction, or in his words, "the capacity of individual A to make individual B do something he would not have done without the intervention of A" (16).

Other authors consider power as a potentiality. To Raymond Aron, as a political concept, "we can define power as the potential which a man or a group has for establishing relationships according to their will with other men or groups"(17).

Therefore, we can consider with Crozier and Friedberg that whatever the sources, the legitimation, the objectives or the methods of exercise, the notion of power always implies the possibility of an individual or a group of individuals to act upon other individuals or groups (18).

For Morgenthau, power is the goal of all actors on the international scene, as well as the means chosen by these actors to achieve these goals. It is "man's control over the minds and actions of other men" (19).

According to this conception, power is closely related to possession. The power of a party is totally dependent upon the resources it has. During the days of the cold war, the most important resource was considered to be the military force. In 1972, Raymond Aron wrote that "today more than ever the security of a state, its existence itself depends on its will and on the means of strength which he disposes" (20). For Claude Inis, power can be seen as "essentially military capacity" (21). For Morgenthau, "in international politics in particular, armed strength as a threat or a potentiality is the most important factor making for the political power of a nation" (22). However, other resources also account for the power of a nation. Although strength is an important component of power, power does not merge with strength and even less with the use of strength (23).

Several authors have tried to classify and quantify the resources accountable for power. One of the most outstanding effort was certainly Cline's equation of power:
$$P = (C + E + M) (S + W)$$
where P is the power of a state, C is the critical mass (population and territory), E is the economic capability, M is the military capability, S is the strategic purpose and W is the will to pursue the national strategy (24).

According to these authors, the possession of these resources would determine the power of a state and therefore its position on the international scene.

This traditional definition of power in international politics has suffered strong criticisms from more recent works. First of all because power is defined as ability, i.e., by a synonym, which only qualifies the power, but does not explain the outcome of the relationship between these persons or groups, nor the

dynamics at work among the parties. It does not tell us the causes that lead a party to move in a particular direction and what enables this move (25). Power is seen as a permanent attribute of the States, as a static concept.

On the other hand, this definition addresses only part of the structural component of power - the part which relates to possessing resources. It provides a "picture" of the structure of the international system (26). But it does not include the power related to a certain context or situation, neither the power related to the behavior of the actor (in this case the state) or to the specificity of the relationship between actors. To be precise, it does not explain why the apparently weaker party in a negotiation can achieve its goals while the powerful side "loses" at the outcome.

To analyze asymmetrical negotiations, one needs a more dynamic definition of power taking into account not only the resources, but also the specificity of the context, as well as the behavioral aspect. Power can be better understood when one sees it as a process - a dynamic process characterized by change. Bertrand Russell's definition of power as "the production of intended effects" stresses this dynamic aspect of power (27).

II. A dynamic definition of power

Having a dynamic definition of power does not mean only taking into account the structural power - the aggregate power or position power which is the total resources held by a party, and the relevant power or issue power which is the resources that can be mobilized in a particular conflict or concern (28). It also implies considering the specific power developed during negotiation between the parties, the power which Habeeb has called the "behavioral power" and which explains the process by which results are obtained.

1) Relevant power

Relevant power or issue-specific structural power focuses upon the power structure of a relationship. Indeed, as we have already pointed out, power cannot be limited to the possession of resources. In his book Power and Tactics in International Negotiations, W.M. Habeeb underlines the analysis of issue-specific structural power of a relationship as particularly relevant to the analysis of negotiations, since negotiations are primarily a relationship (29).

In this case, the concept of power is based on the sources of power each actor derives from the relationship. The outcome is determined by the balance of power within the issue area, not by the aggregate balance of power between actors.

According to Habeeb, the balance of power of an issue-specific relationship is determined by three variables: alternatives, commitment and control.

Alternatives refer to the actor's ability to achieve its preferred outcome outside the negotiation forum. If an alternative exists, it increases the actor's issue-power by decreasing its dependence on the other actor and vice-versa.

Commitments mean the extent to which an actor desires or needs its preferred results. They are based on the values that each party attach to the various possible outcomes. Generally, greater commitment implies greater dedication to achieving the preferred outcomes. Commitment can be based on aspiration (a self-generated motivation), which increases your issue-specific power, and on need, which is a source of weakness since it creates a strong dependency on the other side. And, according to Keohane and Nye, "a less

dependent actor in a relationship often has a significant political resource, because changes in the relationship (which the actor may be able to initiate or threaten) will be less costly to that actor than to his partners (30).

Finally, *control* refers to the degree to which one actor can achieve its goal unilaterally, or to the actor's ability to obtain a greater share of its preferred outcome than the other side does.

One can see by looking at these three variables that the "relevant" power or issue power balance is essentially a balance of dependence: the variables assess the mutual dependence of actors. And asymmetric interdependencies may be seen as sources of power among actors (31).

2) Behavioral power

Finally, Keohane and Nye argue that power can also be conceived in terms of controlling the outcome. "Power in terms of resources or potential may look different from power in terms of influence over outcomes. We must also look at the translation in the political bargaining process" (32). And, according to Habeeb, this "translation" process is the behavioral power (33).

This power refers to the process by which the actors act and mobilize their resources in order to achieve their preferred outcome. In this assertion, power is seen as a relationship, not as an attribute of the actors (34). Despite the structural power balance, actor can always "reinterpret" the system and its rules in order to achieve his goals. The actor has some *"marge de manoeuvre"* which he can use to modify the structural power balance.

This behavioral power is revealed by the actor's tactics, which are the means through which an actor exercises power (35). The tactics aim at transforming the issue power balance (made of alternatives, commitments and control). As Faure and Klaousen argue, "if it can be considered that the existing system of power initially structures the negotiation, the implementation of tactical actions aims at modifying this structure. (..) The outcome of a negotiation is the end result of the interaction between structure and process, interaction through which games of power manifest themselves" (36).

Taking into consideration the three aspects of power implies having a dynamic definition of power. The process of negotiation can therefore be described as a process characterized by moving from one issue-power balance (the prenegotiation balance) to another issue-power balance (the outcome balance) by the mutual practice of tactics.

This transformation in the structural power balance is particularly interesting to study in the case of asymmetrical negotiations, where the resources are extremely unequally distributed. We will now turn to our case study to apply this dynamic definition of power.

PART II. ISSUE DEFINITION: THE AGGREGATE STRUCTURAL POWER BALANCE IN THE FORESTRY ISSUE

To understand the complexity of the questions raised by the forestry issue, it is essential to look at the interaction between the technical aspect of the specific issues on the agenda and the larger political and institutional context in which they must be negotiated (37).

In our case - a global bargaining case at the multilateral level - the international context is a central element in negotiations since it has a direct influence on the way the talks evolve. Actually, one can say that the true object of the negotiations was the international order - with the South pushing for structural reforms while the North tried to maintain the status quo. An analysis of power distribution in UNCED's forestry issue requires first an understanding of the global context of negotiations and of the recent evolution of North-South relations.

I. The structure of the negotiation: the international context of UNCED

1) The North-South relations since the seventies

According to Rothstein, "the North-South arena is dominated by a complex mixture of cooperation and conflict, of mutual needs and mutual antagonisms" (38). And this mixture varies a lot in time, since it depends upon several variables.

However, if global context changes on account of some conjunctural events - like the oil crisis, for instance - the setting of North-South relations is very rigid. This unflexibility in the North-South negotiating system is very difficult to overcome, since it is primarily due to structural, institutional and ideological factors (39). The two parties have to negotiate on the basis of very strongly held beliefs and principles : indeed, a positive bargaining relationship cannot be established when one of the parties questions the legitimacy of the system itself (40).

During the seventies, developing countries had a strong revindicative position on the international scene. The formation of the Group of 77 which happened during the first UNCTAD (United Nations Conference on Trade and Development) in 1964 was a strong attempt to increase their influence in the international arena, calling for a "new international division of labor". The formation of the G77 was the way the developing countries found to promote their interests jointly: they were determined to maintain a unified bargaining position in order to face the North (41).

Decisive change occurred in 1973 with the increase in the price of oil, which constituted a major turning point in North-South relations. Taking advantage of the opportunities created by the oil crisis, which weakened the developed countries, the developing countries grouped together all the political and economic demands that had been on the North-South agenda for the last decades (42). The result was the call for a major change in the world order through the United Nations General Assembly Declaration 3201: "Declaration on the Establishment of a New International Economic Order" in May 1974, which was intended to be *"one of the most important bases for relations between all peoples and all nations"* (paragraph 7). At that time, they believed that *"the developing world has become a powerful factor that makes its influence felt in all fields of international activity. These irreversible changes in the relationship of forces in the world required the active, full and equal participation of developing countries in the formulation and application of all decisions that concern the international community" (paragraph 2)* (43).

This call was to a large extent a response to the dominant ideology of the post war and the Bretton-Woods system. It illustrated a conflict between two different conceptions of how international economic relations should be governed (44).

Since then, the position of the South in the North-South bargaining has suffered a continuous deterioration. From the beginning of the eighties, the belief in the value of collective solidarity and the confrontation approach which characterized the positions of the Group of 77 have progressively vanished. In 1983, at the Delhi meeting of non-aligned countries in India, the firsts signs of disillusionment with the pursuit of a New International Economic Order were already detectable (45). Nowadays, the Non-Aligned movement seems to have lost its raison d'être and a great part of its identity, as we have seen during the recently held Tenth Summit of the Non-Aligned in Djakarta (46).

At the beginning of the nineties, the idea of a "New International Economic Order" seemed to have been completely forgotten. It was replaced by President's Bush "new world order", which should lead to "achieve the universal aspirations of men" (47). This order is only new in a realist perspective, in which the international order is considered a "product of stable distribution among the major states": in this approach, there is definitively a new order since the transformations in Eastern Europe and the end of the old bipolar order (48). But this "new order" has little to do with the revindications of the Third World. It does not meet the requirements of solidarity and shared development of the South.

At the same time, dark economic and social situation in most southern countries at present as well as the tendency towards marginalization have considerably reduced decision-making and bargaining power of the South in the international arena.

Nowadays, the South is more and more divided. The more nationalistic countries have had to review their policies under the pressure of international institutions such as the World Bank and the IMF, and adopt "structural adjustment policies". The time of revindications seemed forgotten.

2) The economic and political consequences of the end of East-West confrontation

a) the "threat of the South"

In addition to the economic context, drastic changes in the world political shape also have had strong impacts on the negotiations. After the collapse of the communist regimes and the end of the cold war, it can be stated that the North-South axis will be the new organizer of the international order.

The fear of the South has nowadays become a common feeling in the developed countries of the North. Extreme right wing parties in Europe, like for instance the "Front National" in France, put the blame of the economic and social crisis in Europe on the Third World immigrants and on the aid European governments grant to developing countries. At the same time, the recent discourse developed in the North on the "threat of the South" - an over populated South, threatening the North at a demographic level with immigration, at a military level with nuclear proliferation, and at an environmental level with pollution - shows the risk of growing marginalization of the South in a scenario that could be what the French author Jean Christophe Ruffin imagined in his book L'Empire et les Nouveaux Barbares. In this book, the author develops the thesis that, after the disappearance of the Soviet enemy, the North will tend to see the South as its only enemy, strengthening the rupture between the North, reunified and guardian of the values of the

Right (The Empire) and the South, chaotic and inhabited by Barbarians. This "invention of the South", he argues, constructs another image of the South and gives to it the unity, the power and the aggressivity required by its new role (49).

According to Didier Bigo, this discourse, which produces a feeling of distrust, serves interests but also restructures the visions of the world and engenders a closed system based on the belief that all the international events can be explained by the initial idea that the new enemy is in the South (50). And the War on the Gulf certainly increased this feeling of a "threat from the South", since the element which launched it is precisely a threat introduced by an "irresponsible" and "mad" dictator of the South. Since the War on the Gulf, this discourse is no longer exclusively limited to the extreme right wing milieu: it became a general discourse in the western press and literature. Recently, an article in the French newspaper Le Monde stressed that "the South is full of threats: epidemics, damages to the environment, uncontrolled migrations, wild urbanization, terrorism, drugs and arms traffic..." (51).

b) Environmental Security

The official end of the Cold War also introduced changes in the traditional conception of security based on competition in political-military power that are not irrelevant to the field of environmental negotiations. The basic principle in this conception is. that the security of one country cannot be increased without increasing the security of the others: therefore, you cannot increase your security in detriment of the others. The game is not a zero sum game but a distributive one (52).

According to this conception, the major threats nowadays are not caused by individual states but by global problems, basically environmental threats and nuclear war. Nowadays, the economic interdependence and the increasing global environmental threats such as global warming, loss of biodiversity etc.. are "shifting traditional security concerns to a focus on collective global security" (53). According to David Wirth, in the seventies, the oil crisis were perceived as a national security issue because excessive dependence on foreign oil could threaten the economy of developed countries; for the same reasons, he argues, issues like climate change should be given immediate attention, since they could be the cause of unpredictable "disruptions" in the balance of power and increase the risks of armed conflicts (54).

Several authors argue that to continuously ignore problems of scarce resources and population could lead to growing instability in the world. This because adapting to the consequences of climate change such as rising of the sea level and the effects of temperature increases on agriculture would impose a very high cost and require deep changes in the economy. And, "because of the multiple roots of ecological interdependence and their complex relationships, even the most wealthy and powerful countries cannot shelter themselves from the consequences of change" (55).

Norman Myers stresses the importance of issues such as water-supply, population and environmental refugees as sources of economic disruption and political tension, and argues that they are matters of security (56).

These new approaches to security are still marginal and opposed by many countries like the United States (57), mostly because the relationships between environment and instability are difficult to perceive and are not easily quantifiable (58). However, they could introduce new elements in the North-South arena, and their adoption would place environmental issues at a top priority level. Public opinion is becoming increasingly aware of the links between environment and security. In 1988, a survey showed that for 55% of Americans, acid rain was a threat as important to the security of the United States as a soviet aggression in the world, or the economic competition with Japan, and felt that acid rain was a greater danger than an eventual oil shortage which would give rise to an important increase in prices of energy (59).

These changes in the international global context are important in order to understand UNCED negotiations. Firstly because they mean that, with the change in the East-West relations, countries of the South can no longer count upon the division of the North, which often granted them a greater leverage on the international arena. Secondly, because the need for a clearly defined enemy has moved the opposition axis towards the Equator. Finally, because security has gained a new dimension with the focus on global issues such as the environment. Ecological problems are seen as factors capable of destabilizing political regimes and disturbing the international order (60).

3) The opportunities for the South

In this context, developing countries seek new ways to question the world order, and the issue of the global environment offers them this opportunity. Indeed, many countries in the South believed that the growing concern about the environment in the North gave them a bargaining leverage for their demands on global economic relations. UNCED has therefore been looked upon as a "conjunctural window" where a few cards may be played (61).

This feeling can be explained by the fact that the South realized that for the very first time its participation was essential. The decision on global environment could not be taken at a G7 meeting, the meeting of the seven most industrialized countries in the world, where important international economic and political decisions are usually adopted. In the long run, it is impossible to conceive ecological stability without the participation of the South. And one should consider the fact that the South has a high potential "nuisance capacity" in the world, through deforestation, pollution of the seas, the air, the soils...

According to some authors, it is this capacity of being a nuisance which gives the South a leverage power. This "nuisance capacity" only works when it affects directly the interests of developed countries; for example, the Maghreb countries can expect to have more resources to negotiate on the issue of the Mediterranean than on the issue of desertification. Even though the desertification is a much more tragic and urgent problem for them, the fact that European countries depend upon them to solve the problem of pollution in the Mediterranean gives them bargaining power and creates a relation of mutual dependence. In the case of desertification, the Maghreb depends upon Europe in order to obtain financial and technical assistance to fight desertification, but Europe does not depend upon the Maghreb since it is not directly concerned by the problem. But the possibility of affecting developed countries has well been perceived by most developing countries and has been used as a tool in global bargaining (62).

In addition, the South detains the largest part of the natural and biogenetic resources of the world. Tropical forests are of course located in the South, and they are the most diverse ecosystems on the planet. This gives some "resources" to the South when bargaining.

During the UNCED process the South has reintroduced in the international arena all the questions which had been eliminated from the international agenda. According to Jim Mac Neill, the Group of 77 "saw an opportunity to hold the environment hostage to the resolution of certain equity, debt, technology transfer , trade, and other economic development issues" (63). Therefore, the request from the North to hold a conference on global environmental issues met with resistance from the South, which sought to obtain a certain number of concessions on development in exchange for their consent to holding the conference. The compromise reached at the United Nations General Assembly was that the conference would be both on environment and development (see Resolution 44/228), and that the revindications of the South could be included later during the Preparatory process.

This favorable context has been well perceived by some southern countries. It has been explicitly stated by the South Center, the follow-up office of the South Commission, which prepared some recommendations for the South in the UNCED process. "The Conference, they say, provides an opportunity

for the South to call for the adoption of an integrated approach to resolve the many outstanding global environment and economic problem. UNCED also provides the South with an opportunity to exercise considerable leverage and bargaining power" (64). One of the "strategic considerations for the South" should therefore be "restructuring global economic relations in such a way that the South obtains the required resources, technology and access to markets enabling it to pursue a development process that is not only environmentally sound but also rapid enough to meet the needs and aspirations of its growing population".

The international context of UNCED is then very particular. Indeed, despite disadvantageous structural conditions which make the negotiation extremely asymmetrical, UNCED offers the South a conjunctural possibility which alters the structural balance of power between the parties. This opportunity was perceived by Southern countries from the very beginning when they opposed the institutional instruments imagined by developed countries for the conservation and development of forests.

II. The forestry issue

1) Status quo in forest management before the negotiations.

Forests play an essential role from the ecological as well as from the economic point of view. It is estimated that about 500 million persons, most of which are poor, live in or close to a forest and depend on it for food, energy, fodder, wood and income (65). Forests protect and stabilize soils and climates and constitute the habitat for a large number of populations, animals and vegetal species. The tropical rain forests represent an unreplacable reservoir of genetic richness. From the economic point of view, forests provide not only wood but also medical and agricultural material. Finally, forests act as "sinks" reducing the effects of CO_2 in the atmosphere, and help in the fight against global warming.

Forests cover approximately 3.625 million hectares, or 27.7 percent of the total ice-free land area of the world. Of the total forest area, 25.4 per cent is covered by boreal forests, 21.2 per cent by temperate forests and 53.4 per cent by tropical forests (66). But the fact that most boreal forests are located in fairly inaccessible regions such as Siberia, Alaska or Canada has put pressure on the zones which are more readily accessible such as South-East Asia and Latin America, i.e., on the tropical forests, of which the exploitation has been strongly accelerated during the past few years.

The question of management and conservation of forests is a problem of great complexity. First, the present knowledge in this field is still incomplete, and the scientific uncertainty makes it difficult to agree upon a truly sustainable model of development for forests. Second, as we have already pointed out, forests provide multiple functions at local, national and global levels. Finally, forests are dynamic, they are always evolving. It is therefore not surprising that there should be different views on how to manage them globally. Before such a complex and uncertain issue, how is it possible to decide to "conservate" or preserve forests, and at which stage? (67).

Moreover, the causes of deforestation are extremely different from one region to another, making it difficult to draw a global strategy to curb deforestation. They can be endogenous or exogenous, and therefore difficult to face. Among the causes of deforestation, it is agreed that the following play a major role: logging (less that 10%), infrastructure development such as building roads and dams (10%), agricultural demands and shifting cultivators (55%) and movements of settlers after logging (25%) (68). Other causes such as fuelwood, the greenhouse effect feedbacks and acid rain, and minerals exploration and production can also be mentioned (69).

The reasons for the importance acquired by the forestry issue in the UNCED negotiations are also multiple. First of all forests influence the situation of world climate and biodiversity. Second, the problem related to them - massive deforestation - is immediately visible and understandable, while other environmental issues are much more difficult to understand, since their effects are indirect or long run effects, and above all not immediately perceived.

This explains in part why tropical forests have become a very popular theme and a great concern for public opinion, particularly in the last few years. As tropical forests became an important subject, several attempts were made to strengthen the existing forest instruments and to create an international institutional framework for their management and conservation.

A) The Food and Agriculture Organization (FAO)

The FAO is the United Nations agency responsible for collecting and analyzing information on forests and forest products, as well as the major multilateral agency for technical assistance in forestry to developing countries (70). Forestry was introduced in the FAO in 1946, one year after its foundation. The FAO has established two intergovernmental committees, the Committee on Forestry (COFO) which deals with all forest problems and proposes actions to solve them, and the Committee on Forest Development in the Tropics (CFDT), which focuses exclusively upon the production, utilization and conservation aspects of tropical forests.

However, despite the fact that the FAO has existed for more than forty-five years, the problem of tropical deforestation was not raised until quite recently, during the early and mid eighties, when new initiatives were undertaken to tackle it (71).

B) the Tropical Forestry Action Plan (TFAP)

In order to provide an answer to the crisis of tropical deforestation, the World Resources Institute, the World Bank and the United Nations Development Program (UNEP), together with FAO, sponsored the Tropical Forestry Action Plan (TFAP) in June 1985. The TFAP was presented as a global forest conservation and development program, and its objectives were to increase the financial aid to forests, to act against deforestation and to promote the sustainable use of tropical forests (72). The Plan lays down guidelines to help countries with tropical forests in framing their own national forestry action plans (73). These countries were asked to draw proposals for their forests in five priority areas: forestry for land use, forest-based industrial development, timber and energy, conservation of tropical forest ecosystems and institutions, and then request financial support from donor countries (74).

The leading role in the coordination of activities of the TFAP was given to FAO. Since its creation, 86 countries representing around 93 per cent of the tropical forest area (Brazil excluded) have joined the TFAP process (75).

The TFAP has been heavily criticized by certain governments and by NGOs which see it as a "loggers charter", more concerned with forestry than with forests (76). The head of FAO's forestry department himself recognized that the TFAP had not paid enough attention to the "root causes of deforestation" and that "until the root causes are addressed and scaled down - poverty, weak institutions and economies, often due to debt burdens -deforestation will continue" (77). And some estimations showed that when TFAP started in 1985, about 13.3 million hectares of forests were destroyed every year. In 1990 the figure was estimated at 17 million hectares per year (78).

Other criticisms include insufficient attention paid to environmental issues such as climate change and biodiversity, involvement of local and indigenous communities and effective cross-sectorial approaches (79), a "technocratic view" that the first world has protected its forests and could now teach the Third World how to do it and an extreme market oriented view (80). Even the World Resources Institute, one of the founders of the TFAP in 1985, expressed its dissatisfaction with the TFAP, and called for "a new institutional framework, more systemic monitoring, and a more open and accountable management structure" (81).

C) The International Tropical Timber Organization (ITTO)

The origins of the International Tropical Timber Organization can be found in UNCTAD's Resolution 93 (IV) dated May 30 1976, in which the Secretary General of UNCTAD called for Preparatory meetings in view of international negotiations on certain products. Following this resolution, six preparatory meetings were held on tropical timber between May 1977 and June 1982. In March 1983, the Secretary General of UNCTAD convened the United Nations Conference on Tropical Timber, which was concluded in November 1983 by the establishment of the International Tropical Timber Agreement (ITTA) (82). The main goal of the agreement is to "offer an efficient framework for the cooperation and consultations between producing countries and consuming countries in all aspects relevant to the economy of tropical timber" (83).

The ITTO was then established in 1986 by the International Tropical Timber Agreement under the auspices of the United Nations Conference on Trade and Development (UNCTAD), in order to implement the decisions taken by the ITTA and to monitor it. It was established by the United Nations, but it is in fact an inter-state forum outside the UN system.

The ITTO describes its role in the international community as one based on "a combined objective of development and conservation of forests, an equal forum for both producing and consuming countries and a forum opened to the contributions of NGOs, industry and trade" (84).

It comprises twenty-two developing producing countries responsible for over 70% of the global tropical forests, and twenty-four consuming states. It accounts for over 95 per cent of the international trade in tropical timber, and it is based on the principle of unrestricted trade.

However, as the TFAP, it has been heavily criticized by NGOS for promoting trade instead of conservation. The organization is dominated by Japan, which is mainly interested in maintaining the trade of tropical timber since it is the world's major tropical timber importer (85). This concern is shared by most European Community states interested in continuously producing and exporting furniture and by the United States which is the largest importer of finished tropical harwood products (86). On the other hand, producing countries are basically interested in obtaining better prices for their timber exports and funds for updated equipment (87).

But despite these criticisms, which called for new fora for forest conservation, the ITTO is still the only existing institution dealing with the issue of forest conservation at global level, even if it does not seem to be an appropriate forum to coordinate the move towards a more sustainable management of forests.

D) Action at other levels

Due to the inefficiency of the institutions responsible for the global management of forests, the issue of forestry has also been raised in several other fora.

First of all it was addressed in the talks on climate, since forests are relevant to the world climate. During the Second World Climate Conference at a ministerial level, it was recognized that forests play a key

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social and economic role and that the States have the sovereign right to exploit forests and forest products. The conference also recognized the role of forests as reservoirs of carbon (which would turn out to be one for the most controversial issues at UNCED) and their role in the conservation of the biological diversity (88).

At the end of the eighties, huge media campaigns helped to increase the awareness of public opinion on the issue of deforestation. In 1988, the record fires in the Amazon forest and the influence of events like the murder of Chico Mendes helped in spreading the feeling that more effective measures had to be taken to slow down the rate of deforestation.

Finally, forests have been an area of major concern to NGOs, and environmental movements. The joint action of the media and of environmental groups promoted the forest issue to the forefront of the international scene and accelerated the decision to try to negotiate a legal instrument for the management and conservation of forests.

2) Forests in UNCED

Of all issues addressed in the UNCED process, forestry is one where the North-South conflict played a major role.

The issue of forest was hardly mentioned in the United Nations document which called for UNCED, Resolution 44/228 of December 22, 1989. The text "affirms that, in light of the foregoing, the following environmental issues, which are not listed in any particular order of priority, are among those of major concern in maintaining the quality of the Earth's environment and especially in achieving environmentally sound and sustainable development in all countries: (d) Protection and management of land resources by, inter allia, combatting deforestation, desertification and drought" (Part I, paragraph 12).

Nevertheless, the forest issue soon became one of the most controversial ones, after some developed countries expressed their desire to conclude a legally binding international Convention on tropical forests.

In 1990, an international steering committee was established for guiding TFAP, and asked to prepare a report containing new guidelines for action. The report was ready in May 1990 and is known as the Ullsten Report, after the name of the former Swedish Prime Minister who headed the committee.

The recommendations in the report were then approved by the developed countries and made public at the G7 Houston Summit, in July 1990, which backed the findings of the Ullsten Report. In their Economic Declaration, the seven most industrialized countries of the world stated: ""We are ready to begin negotiations, in the appropriate fora, as expeditiously as possible on a global forest convention, which is needed to curb deforestation, protect biodiversity, stimulate positive forestry actions and address threats to the world's forests. The convention should be completed as soon as possible, but no later than 1992" (89).

This language reflected the desire expressed by the United States, Canada, Japan and other developed countries for an agreement on forest exploitation and preservation. During the First Preparatory Committee of the UNCED, held in Nairobi in August 1990, the FAO proposed a convention for the protection of forests. But the developing countries, particularly the tropical forest States such as Brazil, Malaysia and Indonesia, opposed a strong resistance to it and formed a veto coalition to block the idea of a convention. They feared that an international code of conduct on forest which considered the forests as "global commons" and not as national resources would imply the imposition of conservation policies by the developed countries (90). Prep Com 1 ended up with no formal decision on the issue of forests.

At the September 1990 FAO meeting, a Brazilian delegate was reported to have told the meeting that such a code would be "wholly inappropriate". The Indian delegate insisted that the issue of forestry could not be considered isolated from the issues of climate change and gas emissions, where the contribution of developing countries was proportionally small (91). Even the Europeans perceived the stress made by the United States on tropical forests as a tactic to avoid setting precise compromises in the convention on climate change.

At the Second Preparatory Committee held in March 1991 in Geneva, the United States tried to approve the constitution of an intergovernmental panel to discuss on forests outside UNCED's framework, as it was already the case for the issues of climate change and of biodiversity (92). But the Group of 77, under the leadership of Malaysia, refused to negotiate outside the UNCED frame, insisting upon the recognition of UNCED as the "most appropriate forum" for the forest talks. Actually, this position reflected the fear of developing countries that discussions on forest would be "de-politized" if they were discussed outside UNCED and the "development" frame, thus eliminating the possibility of using forests as resources for promoting discussions on negotiations on the issues of "development" such as technology transfer and additional resources. Instead of an agreement on a legal instrument, Prep Com 2 saw the decision that the formulation of a convention of forest would be premature, and that UNCED would only elaborate a non-legally binding statement of principles on all types of forests, including boreal and temperate forests, and not only on tropical forests.

At the Third Session of the Preparatory Committee which was held in August 1991 also in Geneva, the Southern countries presented a stronger position unified around the Group of 77, and expressed their opposition to many of the developed countries demands. The Group of 77 obtained that its proposal, presented by Ghana, serve as basis for discussions. This document, entitled *"Non-legally binding authoritative statement of principles for a global consensus on the management, conservation and development of all types of forests" (A.CONF.151/PC/WG.I/L.22)* was maintained as the basis for discussions all through the negotiating process.

During the Fourth Prep Com held in New York in March 1992 the positions got even harder, the southern countries asking for more concessions in the field of development and refusing to include any mention of a future binding instrument on forests.

Finally, after over a hundred and fifty hours of negotiations spreading over two and a half years (93), UNCED ended up by coming out with a *"Non-legally binding authoritative statement of principles for a global consensus on the management, conservation and sustainable development of all types of forests"* (A.CONF.151/6/Rev.1 of June 13th 1992), which corresponded to the Group of 77's will.

This document, as its title well puts it, is non-legally binding, and contains only a very vague mention to the follow-up mechanisms after the Conference to address the problem of forest conservation. When compared to the text of the G7 Houston Summit Declaration, it shows clearly that the result does not correspond at all to the developed countries expectations - and therefore to what would have been expected from a normal power's perspective.

We will then now try to explain this outcome by focusing on the power distribution between North and South in the forestry issue and by trying to understand the sources of the issue specific power of the South.

PART III. THE "RELEVANT" POWER BALANCE AND THE RELATIONS OF DEPENDENCE BETWEEN THE PARTIES

Despite the aggregate structural power balance between North and South, which is highly asymmetrical, the UNCED process and the forest negotiations in particular have represented a singular opportunity for the South to reintroduce certain demands and to reopen the debate on the structural inequity of the world order.

According to Rubin and Zartman, "under conditions of unequal relative power among negotiators, the party with high power tends to behave exploitively, while the less powerful party tends to behave submissively - unless certain special conditions prevail" (94). These conditions have to do with the criteria that define the pertinence of the resources available to the actors and with what is at stake in the relationship (95). We will now try to analyze the "special conditions" which prevailed in the case of forestry - i.e., the specific power each side derives from the relationship.

As we have shown in part I, the power balance of an issue describes the nature of the interdependence between the parties and is function of the parties' respective alternatives, commitment, and control (96).

I. The Alternatives for North and South

By alternatives, we mean the possibility of the actor to achieve its goals from a relationship other than the one in the negotiation. In the case under consideration, the question would be to know if developed countries could succeed in concluding a legally binding international convention on the protection of forests without negotiating with developing countries.

In the case of UNCED, the impossibility of global action on the environment without the participation and collaboration of the South is clear. When it comes to forestry, the impossibility is even more evident. Most of the remaining forests are located in the South. And tropical forests, the ones on which the attention of the North focuses on, are of course located in the South.

Before the negotiations started, developing countries of the South had obviously a veto power over the North's ability to solve the problems related to deforestation. There were no ways for the North to achieve its objectives but to negotiate with the South.

For the South, negotiations on forests were not essential. On the contrary, for some countries like Malaysia for example (which would play a leading role in the bargaining process), the objective was to avoid limits to the exploitation of forests and trade of forest products.

It thus seemed that in terms of alternatives, the South had a clear advantage over the North, since the South would probably lose less than the North if the relationship was broken, or if they did not lead to any concrete result. Thus, due to a lack of alternatives other than to negotiate with the South, the North became very dependent on the South in order to achieve its goal.

In the specific case of forests, the structural power distribution between North and South was therefore already modified by the fact that, in the negotiation relationship, the North was far more dependent on the South for the obtention of its goals than the opposite. The forest negotiations created a particular relation of dependence which altered the structural distribution of power in terms of resources.

II. The sources of commitment

The commitment of an actor to an outcome depends on how important this outcome is for him. As Habeeb puts it, "commitment is a function of an actor's value structure: the more an actor value an outcome, the more committed it will be to achieving that outcome" (97).

It is therefore interesting to compare the degree to which each side - North and South - desired its preferred outcome in order to elucidate the nature of the relationship between the actors and the links of dependence between them.

1) The importance of the forestry issue for the North

We have already mentioned that among all the issues discussed in the UNCED process, forestry was probably one of the most sensitive ones for the North. In order to fully understand the strategic importance of forests for the North, one has to take into consideration both the pressure of media and public opinion, the economic reasons and the "global" reasons, related to the role of forests in the global natural cycles.

1.1. The formation of an "international public opinion" in the North on the issue of deforestation.

A) The pressure of public opinion

Over the last years, there has been a growing awareness of the importance of environmental protection. The issues related to the environment, like in the realm of human rights, have mobilized the political interest of a great number of individuals throughout the world, having clear impacts on a number of issues. According to Porter and Brown, public opinion has not played such an important role in the matters of security and economy, which have been much more dominated by bureaucratic elites and by specific interests (98).

This awareness developed jointly with the progress of scientific knowledge: scientists provide public opinion with the knowledge which orients it, stabilizes it and allows it to impose itself upon politicians and administrations. One can therefore define the interface between science and opinion as a strategic location (99).

Progress in the field of communications also played an important role in increasing the awareness of the public opinion. For Evan Luard, the modern world has a "reduced" size: progress in the field of communication has facilitated the emergence of a "shared conscience", of a feeling of common destiny. The communication revolution has caused a revolution of conscience, rendering events much more visible (100).

In the case of forestry, the impact of progress in communication in the shaping of public opinion is quite clear. The images from the Landsat satellite, for instance, provide means to control the spreading of deforestation in the Amazon: from 1975 to 1988 the deforestated surface grew from 0.6 to 12% of the territory of the Brazilian Amazon (101). The speed in the transmission of this information has certainly contributed to mobilize public opinion and to gain its support to the cause of rainforests.

In the northern countries, the issue of environment is becoming an important political stake. In the United States, surveys show that the environment is slowly becoming one of the major concerns of the population. In 1988, 65% of Americans considered that there were "not enough governmental regulation and intervention in the field of the protection of the environment", against 54% in 1983 and 49% in 1977 (102). In Japan, a survey carried out by the Prime Minister's office showed that about 60% of the people who

answered wanted the government to give priority to the protection of global environment, specially to the issues of the ozone layer, of tropical deforestation and of CO2 emissions. Less that one and a half year earlier, only one fifth of the answers pointed in the same direction (103). In France, the protection of the environment comes third in terms of priority (after education and security), and is the second priority for people between 18 and 34 years of age (104).

It is thus clear that in most countries of the North, the environmental protection is becoming an important stake of internal politics, and public opinion is pressuring governments to make it an important stake of foreign policy too.

Among several global issues, tropical forest is certainly one of the favorites of northern public opinion. Particular attention has been given to the deforestation of the Amazon. This can be first explained by the symbolic dimension of tropical forests. The Amazon is what one may call an ecological symbol: "the lungs of the world" for some people, "green hell" for others, it feeds the ecological imaginary of people in the northern hemisphere. The exotic aspect of the themes related to tropical forests are certainly one important reason for their success with the public. The importance of the issue of the protection of native forest populations and Indians reminds us of the myth of the "bon sauvage" and Rousseau's apology of the natural state. Indians are considered to be wise, superior, and their control over the environment is admired (105).

This interest of public opinion in the North for the protection of forests is certainly taken into account by governments and is the main source of commitment of developed countries in favor of a legal international instrument for the protection of forests.

B) The campaigns in the media

The campaigns in the press also have helped to increase the awareness of the problem of deforestation. The media play an structuring role in the constitution of the environmental issues and in their diffusion throughout the world. It contributes to create a link between societal conditions and opinions, giving priority to certain events rather than to others, thus participating in the formation of a national and international political agenda. It may be taken as one of the main conditioning factors in the shaping of public opinion on international issues (106).

The media have been giving a wide coverage of the issue of tropical deforestation over the last years. At the end of 1988, the murder of Francisco "Chico" Mendes, a brazilian rubber-tapper who fought for the protection of the Amazon forest, was largely covered by the media in the North, and gave rise to the concern for the protection of the Amazon. On the other hand, in 1988, Time magazine, which plays an important role in the shaping of public opinion in developed countries, declared the Earth "Planet of the Year". Since then, articles on tropical deforestation abound in the press, specially about two of the most concerned regions: the Amazon and Malaysia's Sarawak, putting pressure on governments of the North to undertake measures to fight deforestation.

C) The action of Non-Governmental Organizations (NGOs)

The Non-Governmental Organizations (NGOs) have an important role in the development and the divulgation of problems related to the environment. Their lobbying power close is increasingly significant.

On the issue of tropical forests, NGOs of northern countries have been particularly active. Their action range from organizing demonstrations to protest against the death of Chico Mendes in front of the

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Capitol in Washington in january 1989, to writing thousand of letters to the President of tropical States or organizing boycotts of forest products.

One example is the boycott organized by the Rainforest Action Network and Greenpeace against "Burger King"'s hamburgers, on the basis that the meat bought by the fast-food chain came from the conversion of rainforest to cattle ranching in Costa Rica, and therefore eating hamburgers encouraged deforestation. The action was efficient since Burger King stopped buying its beef from any tropical forest area (107).

Other NGOs organized boycotts of forest products and of tropical timber products: this has been the case in England, in Austria and in the Netherlands. They have also pushed for spreading the practice of recycling paper so as to avoid cutting down trees.

Finally, NGOs have created a mechanism aiming at reducing the developing countries' foreign debt in exchange of conservation projects. Through these debt for nature swaps, NGOs buy one part of the foreign debt of a country, and then return it to the indebted country in exchange for a precise forest conservation project. This type of swap, which has been carried out in Bolivia, Ecuador, Costa Rica and the Philippines among others, comprises an alliance with a local NGO which becomes the direct beneficiary of the operation and is responsible for the use of the amount of debt transferred to develop ecological projects (108).

NGOs participated actively in the UNCED process. Resolution 44/228 which called for the Conference, requested "relevant non-governmental organizations in consultative status with the Economic and Social Council to contribute to the Conference, as appropriate" (Part 2 paragraph 12). Indeed, due to article 71 of the United Nations Charter, the NGOs are susceptible of benefiting from a "consultative status", which establishes a type of cooperation between the "public sector" and the "private sector" of the "international society" (109). Their major revindications on the issue of forests was a convention to stop deforestation and install a sustainable management of forests.

These three aspects of the interest of the population in the North for the forestry issue - growing awareness of the problems of deforestation, campaigns in the media and the pressure of NGOs - illustrate the formation of an international opinion on the issue of forests in developed countries.

In the negotiation context, the existence of this awareness made governments of the North more committed to achieving a successful outcome in this issue area in order to satisfy domestic public opinion. Even before the Conference, some world leaders were trying to appear as protectors of the rainforests. In october 1991, Helmut Kohl spent three of his five days visit to Brazil in the Amazon in an attempt to promote the European Community conservation plan for the Amazon, the "Initiative Amazonia"; this had, of course, internal objectives and aimed at affirming his role of ecological leader of the world.

The importance of the issue for the public opinion in the North and pressure of the environmental movement made governments of developed countries very dependent on the South for an agreement, since they really wanted to please their electors and to appear as having "green hearts".

1.2. The economic stakes in the protection of forests

Another source of strong commitment of the North to an international instrument on forests is the economic interest, which reflects a certain perception of development. But before looking at the concrete interests of developed countries in trading forest products, it is important to stress the role played by the vision of development dominant in these countries and its impact on the position of developed countries during negotiations.

A) Vision of development

The positions adopted by a country on the issue of environment depends to a great extend on the vision of development which has guided economic activity. According to Tarik Banuri, "the attitude of various countries of the issue of environment and development is influenced by whether they live in a world with an expanding frontier or one with a shrinking frontier" (110).

In the North, there has been a growing feeling that resources are limited, and that we find ourselves in a "full world" (111). Both neo-classical and marxist economic theory, which viewed natural resources as unlimited and gave them no economic value, are now being reconsidered in order to take into account the limits imposed by nature. Nowadays, awareness of environmental risks has led to the questioning of the theory of the labor-value which states that natural resources are unlimited and that nature is a passive object stripped of value, value being exclusively the result of a social relation between persons which assumes a material form and is linked to the production process (112). It is now clear that, on the contrary, economic development can and does face limits due to the lack of natural resources. For Herman Daly, we are going from "an era in which human-made capital was the limiting factor to an era in which remaining natural capital has become the limiting factor" (113). It is the shift from an "empty-world" to a "full-world".

Of course, the perception of these limits is not the same in all societies. Here, two groups of countries must be separated. Some developed countries - Europe and Japan - which have a high population density, a totally occupied territory and a maximum exploitation of their natural resources, are more likely to perceive the "fullness" of the world. These countries see shrinking frontiers, with more and more natural limits imposing upon their economic development, which makes them more receptive to a conservationist message. Therefore, they are more and more conscious of the need to preserve what they consider the "natural heritage of mankind", like forests. Since very little remains in their region of what once was a totally forested area, European countries strive for an international instrument so as to protect the world's remaining forests.

For other developed countries, like the United States or Canada, the outlook is not quite the same. With a huge territory and many remaining forests and desert areas, the feeling of fullness cannot be the same. However, for a country like the United States, a very heavy polluter, the focus of public attention on tropical forests is particularly convenient: it puts the blame of environmental degradation on developing countries, and it allows them to say they are doing something to reverse climatic change when they push for a forest convention, since forests act as carbon sinks.

The attitude which stems from these visions of development is that it is essential to preserve the remaining forests (in the South), since in the North the world is becoming more and more finite and most of the forests have already been destroyed. The vision of development dominant in developed countries contributes to their commitment to a strict and efficient control of the deforestation going on in countries which see "expanding frontiers".

B) Developed countries and the trade of forest products.

Timber and timber products exports represented in 1989 an amount of 94.7 billion dollars. Of these exports, 81.4 billion were from developing countries.

Developed countries import close to 80 per cent of world imports for almost all the main forest products. They are also the chief importers of forest products (85% of the imports). Japan and the United States are the major importers of timber and timber products (114). Japan is the largest buyer of tropical timber (19 %), followed by Europe (12%) and by North America (3%) (115). Usually, developed countries import non processed timber from developing countries and export processed goods with higher added value.

In general, the major flows of forest products are from developing countries towards developed countries. Nevertheless, timber is also an important source of income for some developed countries, and there has been an increasing competition on international markets from the developed countries, both for softwoods and temperate hardwoods (116). Indeed, timber has become the first export product in all the countries of the arctic belt (Canada, Scandinavia, Siberia). The timber from the nordic countries is very successful on the markets, owing to its fine grain which makes it suitable for the sort of sawing used furniture making (117).

Timber is an important source of income in Canada, which is the world's largest exporter of forest products. Exports from the forest sector account for 17% of Canadian exports and 21% of the world's timber trade. The timber and paper sector employs 7% of the labour force (118). But Canadian exports have to face the competition of the products coming from Asia or Latin America.

It is then clear that some developed countries could have an interest in having the exports of tropical timber limited in order to increase their own exports. The importance of international trade in timber is then an important source of commitment for developed countries in the forest issue.

1.3. "Eco-security" reasons

Finally, the last major reason for the North's interest in a binding document on forests is linked to the role forests play in natural cycles.

A) forests as carbon "sinks"

According to the report "Conservation and Development of Forests" prepared by the UNCED Secretariat, "*the recent highlighting of the role of forests as carbon sinks to reduce the effects of CO2 in the atmosphere, and thereby helping to contain warming of the atmosphere, has extended the services rendered by the forests to a global level*" (119).

This recent scientific research has shown that green plants remove CO2 from the atmosphere through photosynthesis. Forests may be considered carbon "sinks" since they store atmospheric carbon for long periods as woody tissue. Thus, increasing the forested area in the world can be a way of reducing the level of CO2 in the atmosphere - carbon dioxide being the main greenhouse gas. The conclusion is that "forests can contribute to slowing down the rate of global climate change" (120).

Now what does this mean in terms of political implications? It means that forests are now considered "strategic" resources which act as stabilizers in the crisis caused by climate change. They can reabsorb and store the emissions of gases linked to the burning of fossil fuels. The existence of an important forested area in the world could thus mean that the effort to "clean" industrial activities responsible for greenhouse gas emissions - and the heavy investments it would require - could be postponed or even avoided. In a simplistic manner, one could say that this means that tropical forests of the South could clean the atmosphere polluted by the North free of charge.

The North is then interested in obtaining a recognition of this "global role" of forests, and in curving down the deforestation rate in order to guarantee the continuity of this "free cleaning of the atmosphere". This interest is magnified by the fact that the convention of climate change in UNCED turned out to be extremely vague and weak in terms of obligations with no binding timetable for the phasing out of emissions. For the North, focusing on forests could be a way of having some results in the area of climate change without having to bear the burden of the costs of developing more efficient energy options, and of

reassuring public opinion that something is being done. This was basically the approach of the United States, which have made forests a priority in UNCED.

According to Ola Ullsten, former prime minister of Sweden and "eminent adviser to UNCED", the issue of deforestation only showed up on the international agenda because it meant the loss of an invaluable natural resource for developing countries. "It was because of its role in checking the greenhouse effect, most of which is the result of excessive use of fossil fuels in industrialized countries" (121). This aspect of the role of forests would then be one of the major sources for the commitment of developed countries to an international arrangement on forests.

B) Forests and biodiversity

Tropical forests are also important to the North because they are the habitat of vegetal and animal species and because they are a source of genetic variety. Of the three great varieties of forests, tropical forests are the richest in terms of biological diversity. According to the UNCED Secretariat, "*tropical forests are the most complex ecosystems in the world in terms of species composition and interactions, structural variability and biological and ecological functions*" (122).

Deforestation therefore means reducing this biological diversity and the genetic materials which are the basic sources of medicinal and chemical products; it represents a potential lost for pharmaceutical remedies and other chemical processes, as well as agriculture (123). Even the future of medicine depends partially upon genetic resources (124). This of course creates a dependence of the pharmaceutical industries for example on the existence of tropical forests. This is why "gene poor" countries like the United States, Europe and other developed countries are heavily dependent upon the species' genetic resources from the tropics.

Nowadays, species extinction is taking place at a rate which is believed to be as much as one thousand times greater than the historical rate. Some people estimate that between one fourth and one half of the earth's total biodiversity could be lost over the next thirty years (125).

This risk explains the North's interest in maintaining tropical forests as sources of genetic materials for their industries. In this case too it is almost a question of security, specially because the process of biodiversity loss is irreversible. In his paper on "US interests and the global environment", Norman Myers points out that "remote as is this zone (the tropical forests) from the United States, the nation has a pronounced stake in the issue" (126).

2) Strong commitment in the South against a convention

2.1. "Symbolic importance"

The interest of the North for tropical forests has always given rise to strong resistance in the South. The main reason is that forests are considered matter of national sovereignty. Therefore, their management only concerns the State on whose territory they are located.

The theme of sovereignty has long been one of the favorite arguments of the South against the critics of the North of environmental degradation. Already at the Stockholm Conference it had been a major object of disagreement. But the Stockholm Declaration ended by coming up with a specific principle on the issue of sovereignty. Principle 21 stated that "*States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies, and the responsibility to ensure that activities policies, and the responsibility to*

ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction".

The same debate arose when UNCED was convened. Resolution 44/228 reaffirmed that *"States have the sovereign right to exploit their own resources"* (Part I paragraph 7). Nevertheless, UNCED was seen as an attempt to limit the sovereign right of States over part of their territory in the name of the global commons. It is true that UNCED is a discussion on global property rights which has effects on national property rights. According to Alain Lipietz, UNCED can be seen as a global "enclosure movement" aiming to regulate the rights on global commons (127).

When it comes to forests, the insistence on the theme of national sovereignty is a reaction of the tropical states to the intention of the North of "globalizing" the issue of forestry, i.e., to assure the protection of forests to guarantee their role as carbon sinks.

In Brazil for example, the largest tropical state, the conservative sector has viewed this interest as an attempt to "internationalize" the Amazon. Early this year, the debate in Brazil on UNCED provoked the anger of the military sector, which started a campaign called *"A Amazonia é nossa"* ("the Amazon is ours"), reminding the nationalist campaign in the fifties on oil (*"O petróleo é nosso"*), which led to the creation of the national oil company, PETROBRAS. One general went as far as stating that he was ready to take arms to defend the Amazon against a potential invasion by ecologists ...

The issue of sovereignty was underlined at every meeting of Southern countries. At the Beijing meeting of developing countries ministers in June 1991, they recalled that *"the developing countries have the sovereign right to use their own natural resources in keeping with their developmental and environmental objectives and priorities"* (128).

The following meeting of ministers from developing countries at Kuala Lumpur in April 1992 stressed again that *"forests ecosystems and resources are part of the national patrimony to be managed, conserved and developed by each country in accordance with its national plans and priorities in the exercise of its sovereign rights"* (129).

And even in Rio, the issue of sovereignty was still at the heart of the debate. According to Kamal Nath, the minister of the environment of India, "forests are an issue of national sovereignty, like oil resources" (130).

Attempts to impose an international regulation on the management of forests were seen as an "ecoimperialism". For Ambassador Tian Wen Lian of Malaysia, recognized as the more active delegate in the forests negotiations, tropical forests "have become pawns in the chess game played in the salons of the Northern Hemisphere (...). We are not prepared to accept such outright pressure, ignoring the fundamental principles of sovereignty (..) Forests have been pulled into the global forefront to distance attention from the industrial ills in developed countries" (131). The Prime Minister of Malaysia, Mr Mohamad Mahathir, also expressed himself strongly against the desire of developed countries to discipline the exploitation of tropical forests: "some white people still think that we do not know how to administrate our country", he says, recalling the colonialist heritage to give moral support to its rejection of an international instrument on forests (132).

The stressing of sovereignty shows that for most countries of the South, there was a feeling that justice was on their side. The North has destroyed all its forests; so now it is not fair that it should want developing countries to keep their forests standing. An international control on the exploitation of forests would mean for them an institutionalization of an unequal access to the world's natural resources between North and South.

And the fact that the South believed that its claims were just contributed to strengthen its commitment against a convention on the management of forests. In their opinion, they were only defending themselves against an injustice that the developed countries wanted to impose on them. This turned the forest issue into a moral issue in the eyes of developing countries, making it very difficult for them to move towards a more integrative game.

2.2. Economic reasons

A) Influence of developmentalist ideology.

One key element to the understanding of the South's position on the issue of forest is the vision of development that underlies policy. The vision which has guided development policies in many countries of the South is usually that of an unending and expanding frontier: land and natural resources were traditionally considered unlimited, and no constraints were seen on the use of resources (133). Of course this cannot be true or all the developing countries. But it is of significant importance in larger countries rich in natural resources, where the world is still considered as "empty". According to Porter and Brown, this system of belief can be called the "exclusionist paradigm" because it excludes human beings from the laws of nature (134).

Resource rich countries like Malaysia, Indonesia, Brazil ... are not ready to accept constraints in the use of their resources. Their major concern has always been to move from a "biomass-based economy" to an "industrial-technological economy" (135). Their tradition is highly "developmentalist", and environmental concern should never be an obstacle to the continuation of development policy. In a country like Brazil, the conquest of lands taken from the jungle and the destruction of forests for economic activity had always been considered a sign of "progress". This tradition corresponds to a "developmentalist" ideology, where development comes before everything else, and where environmental considerations cannot represent an obstacle.

Indeed, one of the main causes of deforestation in tropical States is the expansion of the "agricultural frontier", in regions where the problems of food security are difficult to solve and where the growing population does not have access to land. It is the case in the Amazonian region and in Indonesia for instance.

This developmentalist ideology is one of the sources of the opposition of developing countries against the elaboration of international regimes aiming at limiting the exploitation of natural resources. It strengthens the commitment of developing countries against such regimes.

B) Forests as sources of energy in developing countries

Another cause for the South's commitment is the importance of wood as source of energy. Indeed, wood is the first source of energy for heating and cooking for more than two billion people. Fuelwood and charcoal supplied 17% of the total energy consumption in developing countries in 1990, and even more in rural areas where they were the major source of energy. Wood is the main source of energy in many African countries like Burkina Faso, Mali, Niger, Nigeria, Soudan and Tanzania, where it accounts for more than 80% of the energy consumed (136).

In India, forests are also of strategic importance since they provide fuelwood to meet the needs of 500 million people and sustain 400 million head of cattle (137).

It is therefore understandable that developing countries oppose the concept of "globalization" of forests, which would define them more as instruments for cleaning the atmosphere than as basic energy and income suppliers at a local and national level.

C) The trading of forest products

Finally, the issue of trade also plays a role in defining the South's commitment against a convention. Forest products are important to developing countries for three major reasons: as earners of foreign exchange, as a contribution to GNP and as a source of employment (138). They are specially important for some tropical States, in which they are one of the most important sources of income.

Regionally, exports of tropical wood products represent 4 per cent in terms of value of total exports of all products in Asia, 3 per cent in Africa and 1,5 per cent in Latin America.

For countries like Malaysia and Indonesia, for example, the trading of tropical timber and by-products is of strategic importance. Indonesia is the largest exporter of wood panels, and Malaysia and Indonesia account for a significant proportion of sawnwood exports (139). Malaysia is the largest exporter of tropical timber (specially the states of Sarawak and Sabah). Malaysia is responsible for nearly 60% of the world's tropical timber exports. The Malaysian federal state of Sarawak itself is responsible for 58 per cent of the world's exports of tropical timber. Malaysia accounts for 80% of Japanese imports of tropical timber (140). The rate of deforestation in Malaysia is one of the highest in the world. In 1990, timber exports have brought 9 billion ringgits to Malaysia (more or less 100 billion dollars), which represents 13% of the overall export returns. The exploitation of forests represents almost 40% of the national income (141).

Under these circumstances, it is not surprising that Malaysia happened to be the state most strongly opposed to an eventual convention on the protection of forests. A limit on the exploitation of forests would have immediate effects on the economy of the country and would mean a significant loss of jobs and income.

The weight of forest products in the income of developing countries is then a major cause for their opposition to a convention limiting the exploitation of forests.

2.3. "Strategic" importance

Finally, forests have been considered by developing countries as bargaining tools for other negotiations and for obtaining additional resources and transfer of technology.

According to Mr Emil Salim, the Indonesian minister for Population and the Environment, forests are strategic resources for development, and "if we are to move to more sustainable utilization of our forest resources, the international community must develop economic incentives for the forest-owning countries. This means compensating them for fulfilling their role as global depositories of biological wealth and carbon sinks" (142).

During the negotiations, the southern delegates from tropical countries hardened their positions in an attempt to gain leverage in the negotiations on transfer of technology and financial resources (143).

This is why the forest talks have turned into one of the issues where the North-South divide was the most significant. According to the UNCED secretariat, "the main reason of the interest developed on the issue of forests was because developing countries noticed that developed countries had an enormous interest

in obtaining a convention and that they would be able to use this interest to rise the price. It is the syndrome of the oriental bazaar" (144).

The possibility of using the forest "resource" in order to obtain concessions on development issues has then hardened the developing countries opposition to a convention and their determination not to accept the demands of the North without the guarantee that their own demands in terms of compensation would be fulfilled.

3. Evaluation of the commitment of both sides

To summarize this section, it is clear that both sides - developed and developing countries - had real interests at stake and were strongly committed to their position - in favor or against a global forestry instrument.

The North has strong sources of commitment to an international arrangement in the forest issue for the following reasons: - it represents an important issue for the public opinion, and can have an internal political impact. - it is part of a vision of a "finite" world to control the access to natural resources.- it is important for economic reasons (trade ..).- it balances the emissions of gases in developed countries and constitutes a source of biological diversity.

The commitment of developed countries is then primarily based on the value of "global commons".

The South, on the contrary, has no direct interest in having constraints on the exploitation of forests because: - the exploitation of forest is an important source of income. - they don't see any natural limits to development - international environmental concern hurts national sovereignty.- there is a feeling that justice is on their side. - not concluding a convention on forests perpetuates their leverage power and gives them more resources to negotiate on other issues. The commitment of the South is based on the value of justice and of morality, on very strongly held beliefs.

The sources of the commitment of both sides to their preferred outcome were then multi-dimensional and complex, and linked to other issues being negotiated, as it is shown on table n°1.

TABLE 1

SUMMARY OF THE SOURCES OF COMMITMENT IN THE FORESTS NEGOTIATIONS

1	PRESSURE OF NGOS, PUBLIC OPINION, MEDIA
2	VISION OF AN "EMPTY WORLD" x VISION OF A FULL WORLD
3	SYMBOLIC IMPORTANCE OF FORESTS: SOVEREIGNTY AND JUSTICE
4	IMPORTANCE OF FORESTS FOR ECONOMIC REASONS: HABITAT, ENERGY, TRADE OF FORESTS PRODUCTS
5	GLOBAL ROLE OF FORESTS: FORESTS AS CARBON SINKS AND AS A RESERVE OF BIODIVERSITY
6	USE OF FORESTS AS A BARGAINING TOOL FOR LARGER PURPOSES

After analyzing these sources of commitment, it is clear that "the problems in the negotiations over forest principles are conceptual. The debate over the forests principles have illustrated the fundamental philosophical differences between North and South which have stifled the UNCED process" (145).

III. Control and Interdependence

1. The South's control over the outcome

"Control" can be defined according to Habeeb as the "degree to which one side can unilaterally achieve its preferred outcome despite the costs involved in doing so" (146). According to him, there is a direct relation between an actor's degree of control and its success in achieving its desired outcome. One of his findings is that "the greater a weak actor's proximity to the "field of play", the more enhanced are its attempts at increasing its control" (147).

In our case, the "field of play" is the forests, and we can consider that the South's proximity to it is greater than the North's. The South has then a greater control over the issue of tropical forest since the tropics are in the South.

For the developed countries, it is impossible to achieve unilaterally the goal of signing an international convention to regulate the management and conservation of forests. What interests them is to guarantee the existence of forests and the fulfillment of their "global" role as carbon sinks and reservoirs of biodiversity. This cannot be achieved without the participation of developing countries.

For developing countries, the situation is quite different. They have control over the resource being negotiated. They can achieve their preferred outcome - avoid the "globalization" of forests through the implementation of a legally-binding international instrument - unilaterally, by breaking the negotiations or by refusing to sign a document. Of course, the costs involved in doing so are extremely high, since it would mean the loss of a "resource" usable in other negotiations to obtain financial and technological advantages for their development, and less chances of cooperating with developed countries in the area of forests. But this is a possibility they can consider to avoid the convention, and they can threaten the North of refusing to sign the agreement.

This is why, in the issue of forests, the developing countries have a greater "control" on the results of the negotiation. This gives them a new leverage power which changes the initial configuration of the negotiation structure.

2. The nature of the relationship and the evaluation of the issue-specific balance of power

In this section, we have tried to evaluate each side's alternatives, commitment, and control in the forest issue. We have seen that some special conditions - related to the specificity of the issue - change significantly the initial situation. In particular, these special conditions have provided developing countries with a leverage power and a control over the results of the negotiation that they were far from having in structural terms. Some characteristics specific to the issue of forestry are responsible for changing the nature of the relationship between North and South is transformed, and the idea of "interdependence", which usually refers to nothing ore than the dependence of the South upon the North, becomes a more relevant concept.

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According to the interdependence paradigm, the balance of power within an issue area determines the outcome of the negotiation in spite of the aggregate balance of power. Indeed, there is a great difference between power in terms of capacity and power in terms of influence over outcomes.

We will now show how this "relevant" power specific to the forestry issue is present in the UNCED negotiating process and how it has influenced the final results.

PART IV. THE INFLUENCE OF THE NEGOTIATION PROCESS ON THE BALANCE OF POWER

Now that we have analyzed the "relevant" structural power in forest negotiations - the specificities in the definition of the issue which changed the aggregate balance of power in terms of resources - we will turn to the central question in the analysis of negotiations, which is the explanation for the outcome.

We will show how the relation of dependence between the parties influenced the outcomes by changing the balance of power between North and South in the issue of forestry.

The previous chapter highlighted the strong commitments of the parties to their preferred outcome. And it made clear that the preferred outcome of North and South were quite opposed, making the negotiation game more distributive than integrative.

During the process of negotiations, from Resolution 44/228 to Rio, and through the four Prep Coms, the issue of forestry raised a certain number of conflicts between North and South, and was in the opinion of many observers one of the most contentious one (148).

Among the major points of disagreement, we identify three main different fields. One is what we call "ideological" issues, meaning traditional issues in the North-South arena. The second involve economic issues, which have of course played an important role. The third group of issues is the institutional and legal aspect and the question of the follow-up mechanisms after Rio. Finally come the "strategic" issues, related to the global role of forests. Of course these issues are all linked to one another, but this separation in main areas helps clarifying the positions and evaluating the results point by point.

We will now show, for each issue, the status quo before negotiations started, the Group of 77's position, the North's position and the outcome. This will be based upon the following documents:

- for the South, we will use the Group of 77's draft of the statement of principles presented during Prep Com 3 in August 1991 *(A/CONF.151/PC/W.G.1/L.22)*, the "Kuala Lumpur Declaration on Environment and Development" (April 1992) and the Malaysia's position paper (Malaysia was one of the G77's leaders in the forest talks).

- for the North, we will use the proposals submitted by the United States *(A/CONF.151/PC/WG.1/L.20)* and Canada *(A/CONF.151/WG.1/L.24)* at Prep Com 3 and on the European Commission's position paper prepared for Prep Com 3.

We have tried to use mainly declarations and quotations elaborated during Prep Com 3. This was because before Prep Com 3, there was no "South's position" detectable. Only at the Third Session of the Preparatory Commission was the South able to come up with a common position, making the Group of 77 reemerge as a powerful coalition like in the times when Nyerere stated that "unity is our instrument - our only instrument - of liberation" (149). For the developed countries, we have found all the informations needed in data from Prep Com 3. For developing countries, some points of the final document were not raised in the proposals submitted during Prep Com 3; in this case, we used later statements (like the Kuala Lumpur Declaration for instance).

I. The negotiation process: the confrontation positions/results on the main issues discussed

1) Ideological issues

Some of the issues raised during the negotiations on forests have been on the North-South agenda for several decades and are invariably brought in the discussions by the South. These issues are linked to the essential character of North-South relations, which is inequity. Whenever the discussion is on common problems, the developing countries stress the differences in responsibilities and the structural inequity of North-South relations.

For Zartman, in North-South relations, "it is a conflict not only of relations but also of perspectives, for it is primarily seen by both sides in zero-sum terms" (150). This means that a gain for one side is seen as a loss to the other side, in what is called a "distributive bargaining".

During the forest talks at UNCED, the "ideological" conflict was related first of all to the issue of national sovereignty over natural resources - a matter of justice and morality for the South -, to the call for compensation of the South for maintaining its forests, to the issue of the existence of a "right to develop", and to the question of the effects of the massive level of consumption of the North on the environment.

On the issue of sovereignty, the group of 77 wanted the reassertion of the Principle 21 of the Stockholm Declaration which says that "*States (...) have the sovereign right to exploit their own resources (..)*". On this issue, one cannot say that the North was "opposed" to the principle of sovereignty. But the countries in the North argued that in some occasions, specially when it concerns "global commons", this principle is too narrow. The North wanted the recognition of forests as a "common heritage of mankind" , meaning that national sovereignty could be limited in the name of the interest of mankind as a whole. The South opposed very strongly this concept which it considered a form of ecological right of intervention or "*droit d'ingérence*". This "*droit d'ingérence*" on behalf of the environment has been upheld by several personalities in developed countries, such as Michel Rocard in France, for instance (151). The concept is also recognized in the recently published <u>Dictionnaire Constitutionnel</u> which stresses that sovereignty is more and more limited by "universal values which justify the droit d'ingérence" (152). Nevertheless, despite this growing concern for the need to impose limits on national sovereignty, the Rio document includes a reaffirmation of the principle of national sovereignty, as desired by the South.

The second source of "ideological" conflict was the issue of developing countries being "compensated" for "*their opportunity costs foregone and the comparatively higher cost entailed by increasing forest cover as well as sustainable management and conservation of their forest resources*" (153). The South argued that preserving their forests would involve some extra costs, and since it was for the benefit of "mankind", they should receive compensation. But the North did not accept the idea of compensation and the paragraph ended up being deleted in Rio.

The question of the existence of a "*right to develop*" also caused some bitter discussions. Actually, this issue contains the very basis of the disagreement between the two sides, since the intention of developing countries is to affirm that development comes before environmental considerations, while developed countries - and the United States in particular - would have preferred UNCED to have been a very technical conference where global political and economic issues were not raised. The position of the United States was very strong on this issue. For them, "*development is not a right. On the contrary, development is a goal we all hold*" (..). "*Economic development goals and objectives must be pursued in such a way that the development and environmental needs of present and future generations are taken into account*" (154). The issue was only solved in Rio at a ministerial level, when it was agreed to recognize "*the right to socio-economic development on a sustainable basis*" (Preamble, paragraph (a)).

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Finally, disagreement arose on the issue of levels of consumption. The "Plataforma de Tlatelolco" on Environment and Development, for instance, the result of the meeting of ministers members of the Economic Commission for Latin America and the Caribbean (ECLA) for the preparation of UNCED in march 1991, states that environmental degradation is "*linked to the unsustainable models of development that have prevailed mostly in developed countries*" (155). These models are based on over-consumption in the North. This is why the South asked for a "*change in the unsustainable patterns of production and consumption particularly in industrialized countries*" (156). The North was of course opposed to such a concept. The result was a call for "*the promotion of sustainable patterns of production and consumption*" (principle 7a).

All these issues had in common the fact that they reached the heart of the debate raised by UNCED, which is the feeling of injustice and inequity that developing countries have when facing the environmental issue. The central question is the one of burden sharing and responsibilities, and of who will provide the financial and technological resources in order to face the environmental crisis. This disagreement on the moral issues of responsibility and of compensation came up again during the more concrete discussions on economic issues.

2) Economic issues

Economic issues are not specific to negotiations on forests. Indeed, they were raised in most of the discussions, whether they dealt with forests, climate, biological diversity, the Rio Declaration or Agenda 21. Nevertheless, they were present all through the process, and were also a major source of disagreement. Indeed, global environmental problems are linked to international economic arrangements: the international economic context for example determines the prices of commodities which are the basis of many developing countries economies, and therefore indirectly influence their environmental policy.

For Porter and Brown, "North-South economic arrangements influence global environmental politics in three interrelated ways: they are a constraint on the ability and willingness of developing countries to participate in global environmental agreements, a source of ideological conflict between North and South, and the potential object of linkage policies by developing countries", thus playing an important role in the negotiations. (157).

a) Cross-sectorial issues: debt, poverty, transfer of resources and of technology.

Cross-sectorial issues were addressed in all UNCED negotiations and were at the basis of all agreements. They address structural economic problems, like the impact of debt and poverty on the environment and the need to transfer additional financial resources and technology for the sustainable development of forests.

The poverty issue was raised from the very beginning. Actually, it had already been raised at the Stockholm Conference in 1972, which stated that "in the developing countries most of the environmental problems are caused by under-development" (158). The famous speech of Indira Gandhi, which asked "are not poverty and need the greatest polluters" is still remembered (159). In the UNCED context, the South of course called again for the explicit mention of poverty as a major cause of environmental degradation. The final document states that efforts should be made towards "*the eradication of poverty and the promotion of food security*" (paragraph 7a).

Southern countries repeatedly insisted on the links between the debt burden of developing countries and the forest crisis. The indebtedness of the South leads it to try to encourage exports at any price, a situation which has, for instance, led the Brazilian government in the past to give incentives to cattle ranches in the Amazon in order to have resources for the payment of the debt, regardless of the deforestation involved in the settling of the cattle. The document ended up recognizing the "*importance of redressing*

indebtedness, particularly when aggravated by the net transfer of resources to developed countries" (paragraph 9a).

Another important issue in the whole UNCED process was the concept of "*additionality*". This means that the resources necessary for preserving the environment in the South should not be taken from the resources for development: there must be "new and additional" resources for protecting the environment. The report of the South Center recommends that the concept of additionality "must relate to the need to bridge the larger total resource gap that arises in the pursuit of environmentally-sound and sustainable development" (160). During the process, the concept of additionality was a key concept for the South which made it clear that it was one of the conditions for its participation . The North resisted - specially the United States, which was in favour of a more efficient use of the resources already available. But UNCED ended up approving the principle of additionality and stating that "*New and additional resources should be provided to developing countries to enable them to sustainably manage, conserve and develop their forest resources (..)*" (paragraph 10).

The issue of technology transfer was also extremely important for developing countries, which argued that they could only contribute to the efforts to achieve sustainable development if they obtained technology "*on concessional and preferential terms*". They succeeded in including it in the final document on forest and in all the major documents of UNCED.

Finally, another major concern of developing countries was to make sure that the environmental protection does not turn into a new condition for funding from multilateral agencies or developed countries governments. Indeed, institutions such as the World Bank finally realized that for years they have funded projects that were not environmentally friendly. This is why now they have decided to submit the concession of credits and funding to well-defined environmental conditions.

The position of the United States on this issue was clear. For them, it was essential to "*ensure that development assistance is consistent with sound forest use and stewardship*" (paragraph 18). This statement can be interpreted as an encouragement to the practice of conditionality. For the Group of 77, on the contrary, the conditionality should be banned. In the Kuala Lumpur Declaration, the G77 countries declared that the programs of protection of the environment "*should not form a new form of conditionality in access to development support or any attempt to review national policies or strategies*" (paragraph 10). But since this issue went far beyond the scope of forest principles, it was not included in this document.

b) The "conjunctural" issues: free trade in forest products and unilateral trade measures.

The second main area of conflict raised by the negotiations has to do with trade. This issue was specific in the forest talks since the trade in forest products has been submitted to a series of limitations since some countries in the North viewed trade measures as a way of disencouraging deforestation in the South.

Recently, the growing concern on tropical forests in the North has led to the adoption of unilateral trade measures aiming at controlling or stopping imports of tropical timber, either by direct government control, or by promoting boycotts. The NGO "Friends of the Earth - United Kingdom", for example, has organized a boycott of the malaysian timber aiming to reduce the rate of deforestation. Measures are also being taken at the government level. Over 1800 municipalities in Germany, and many in the Netherlands, United Kingdom and Belgium have already decided to ban or reduce the use of tropical timber within their jurisdictions unless it is proved to be produced in a sustainable way. And the government of the Netherlands has proposed to the parliament a plan banning imports of tropical timber not produced in a sustainable way. The same measures are being considered in Austria and in Denmark (161).

During the UNCED negotiations, the developed countries tried to make the G77 accept the use of such trade measures as a means to protect forests. The United States stuck until Rio to their position of understanding that "*trade measures may provide an effective and appropriate means of addressing environmental concerns, including long-term sustainable forest management concerns and environmental concerns outside national jurisdiction (..)*" (162).

The developing countries, on the contrary, saw such measures as discriminatory and against the principles of GATT, the General Agreement on Tariff and Trade. Some developing countries explained the desire of developed countries to reduce trade in tropical timber products by the fact that some developed countries are also exporters of timber and that a regulation in he trade in tropical timber could increase the demand in temperate timber. For Ambassador Ting Wen Lian of Malaysia, "there may be something more ominous in the almost missionary zeal shown by certain countries in their pursuit of a convention on forests, and it is our hope that it has nothing to do with the fact that these same countries happen to be leading exporters of temperate timber" (163).

An important point is the link between negotiations at UNCED and the negotiations in the GATT (General Agreement on Tariff and Trade). The Kuala Lumpur Declaration states that "*recognizing the importance of international trade to all countries and the need for far reaching reforms in the international economic relations, we call on the developed countries to ensure without further delay a balanced, meaningful and satisfactory conclusion of the Uruguay Round of Multilateral Trade Negotiations*" (paragraph 4).

Thus, the trade issue was of high importance for developing countries. The debate was hard during the negotiation process and the issue was only solved in Rio at a ministerial level. The result is that unilateral trade measures on timber products should be removed or avoided in order to attain long-term sustainable forest management" (Paragraph 14).

3) Institutional issues: follow-up mechanisms and legal forest instruments.

In general, the position of developing countries emphasized management of forests through the development national policies rather than through international agreements, while the North wanted to include strong references to the global role of forests and a clear commitment to negotiate a forest convention after Rio.

During the Second Prep Com in March 1991, it was decided that, given the opposition of the developing countries to the signature of a forest convention in Rio, States would only negotiate a non-legally binding statement of principles on forests. Nevertheless, the developed countries hoped that they would be able to include a clear mention of the need of a future international convention on forests in the Rio document. At the Third Prep Com, the European Community stated that "*the declaration should form the basis of the international legally binding Convention which is our ultimate aim*". The United States reaffirmed that it "*remains firmly committed to the negotiation of a free-standing global framework convention on forests*".

But for the developing countries, the idea of negotiating a convention was not acceptable. The Kuala Lumpur Declaration stresses that "*considering that the Statement of Principles would provide an adequate and sound basis for the greening of the world, including through reforestation, afforestation, regeneration and sustainable use of forest resources, the negotiations of a legally binding instrument on forests would notbe required*" (paragraph 16).

The discussions were only concluded during the last negotiating session in Rio, on the night of the 12th of June, around three o'clock in the morning, when the Environment Minister of Germany, Mr Klaus Töpfer, was entrusted with achieving a compromise solution. The language used is extremely vague and says that, "*in committing themselves to prompt implementation of these principles, countries also decide to keep under assessment for their adequacy with regard to further international cooperation on forest issues*" (paragraph d of the Preamble). This language dissatisfied most developed countries, since it does not make reference to the follow-up mechanisms after Rio, nor to the need for a legally binding forest instrument.

4) Global role of forests

Finally, the last controversial area is related to the "global role" of forests as carbon sinks and as reservoirs of biological diversity.

4.1. The role of forests as carbon sinks

We have already stressed the importance of preserving the "global role" of forests for the developed countries. As Canada puts it, forests constitute a significant reservoir of carbon and play an important role in the global carbon cycle (164). The United States is convinced of the need to "*seek to expand the use of forests as sinks and reservoirs for greenhouse gases* (165).

The Group of 77 was strongly opposed to the acknowledgement of the role of forests as sinks. All through the negotiating process, the developing countries expressed their rejection of the concept of "globalization" of forests - the fact of considering them as global resources to absorb carbon emissions instead of as habitat for indigenous populations or as essential resources for development - excluding the arab oil states, which do not have forests but have interest in finding ways of reverting climate change other than through a reduction in the consumption of fossil fuel... As stated by the Indian Minister of the Environment, "it is inconceivable why the forests alone should be a globalized commodity, while crude oil, which is the most crucial resource in any industrialized society today, should not be similarly globalized" (166). This is why the draft of the G77 did not include any mention to this "global role" of forests.

On this point as well, an agreement was extremely difficult to reach and only the final negotiations at the ministerial level were able to solve it. The paragraph drafted by the developed countries on the role of forests in climate change was deleted and replaced by a language which, stressing the importance of a sustainable management of forests to meet the social, economic, ecological and cultural needs of populations, mentions, among thirteen services provided by forests, the role of forests as "carbon sinks and reservoirs" : "*Forest resources and forest lands should be sustainably managed to meet the social, economic, ecological, cultural and spiritual human needs of present and future generations. These needs are for forest products and services, such as wood and wood products, water, food, fodder, medicine, fuel, shelter, employment, recreation, habitats for wildlife, landscape diversity, carbon sinks and reservoirs, and for other forest products*". (principle 2 (b)). It also states that "*forests are of value to local communities and to the environment as a whole*" (f of preamble).

4.2. Biological diversity

Finally, the issue of the role of forests in the preservation of biological diversity of the planet was hard to solve.

For the developed countries, forests "constitute a source of diverse habitat for a wide range of wild plant and animal species and serve as a rich reservoir of genetic resources for fibre, food and medicinal products" (167). The United States wanted to include the need "*to conserve, maintain, restore and enhance the biological diversity of forested ecosystems, including genetic, species, ecosystems and landscape diversity*" (paragraph 9).

But the main issue raised by biodiversity - which led the United States to refuse to sign the biodiversity convention in Rio de Janeiro - is that developing countries were claiming for the access to the biotechnologies conceived based on their natural resources in return for the access of developed countries to their biological diversity. It is the whole issue of intellectual property rights and of patents conceived on the basis of the genetic wealth of the South. On this point, the "success" of developing countries was quite significative. The Statement of Principles declares that "*access to biological resources, including genetic material, shall be due regard with the sovereign rights of the countries where the forests are located and to the sharing on mutually agreed terms of technology and profits from biotechnolgy products that are derived from these resources*" (principle g).

II. Evaluation of the outcome: the influence of the negotiation process on the distribution of power

1) Evaluation of the document and distribution of the benefits

According to the Earth Summit Times, the final document "represented a victory for the South". In the same line, in an article entitled "The United States loses in the forest talks", the Brazilian newspaper Jornal do Brasil observed that "the Third World has imposed a hard defeat on the United States" (168).

At the first stages of negotiation, the Southern countries had argued that the original draft reflected a northern perspective, emphasizing the global services forests provide, and ignoring the role of forests in the economies in the South.

But the final result was considered as fairly satisfactory by the developing countries. According to Mr Kamal Nath, "in these negotiations, we have been able to stem the globalization of forests and international monitoring of forests" (169). This relative success appears clearly in Table 2, which compares the status quo, the North's position, the Group of 77's position and the outcome for each issue (see table 2 below).

Table2: Status Quo, Negotiating positions, and results in the main issues of forests negotiations				
Issue	**Status Quo**	**G77**	**North Position**	**Result**
1) Ideology				
Sovereignty	Principle 21 of Stockholm declaration	Strict observance of principle 21	Limited sovereignty in name of "global commons"	Acknowledgement of principle 21
Right to development	Mentioned in NIEO declaration	Acknowledgement of the right to develop	Opposed	"Right to develop on a sustainable basis"
Consumption and production patterns	-	Condemnation of unsustainable patterns of consumption and production of the North	Opposed	"Promotion of sustainable production and consumption patterns"
Burden sharing	Undetermined	Common but differentiated responsibility	Common responsibility	"Common but differentiated responsibility"
2) Finance				
Additionality	-	New and additional resources. Target of 0.7% of GNP	Better use of existing resources - divised on the 0.7% target	New and additional resources - Target of 0.7% GNP
Conditionality	Practiced	Rejection of conditionality	In favour	-
Compensation of the South for protection of forest	-	Financial compensation	Opposed	Deleted in Rio
Institution for financial transfer	Global environmental facility (GEF) created by the World Bank in 1991	"Green Fund"	Through existing agencies: Global environmental facility (GEF)	GEF
3) Economy				
Linkage between environment and poverty	Recognized in the Stockholm declaration	Emphasis on linkage between poverty and deforestation	Not mentioned	"Eradication of poverty"
Linkage between deforestation and debt	-	Emphasis on the linkage	Not mentioned	"importance of redressing indebtedness"
Transfer of technology for sustainable development	-	On concessional and preferential terms	On commercial terms	On concessional and preferential terms
Unilateral trade mesures	Practiced by certain countries	Rejection of trade mesures	Defended by some governments and NGOs	"Should be removed or avoided"
4) Forest instrument				
Convention	Call for a convention by FAO	Rejection of the idea of an international binding instrument on forests	Emphasis on the need for a legally binding convention	Non binding statement of principles. No future agenda arranged
5) Global role of forests				
Carbon sinks	Forests are national resources	Opposed to globalization of forests	Globalization of forests	Only mentioned
Biodiversity	-	Link between access to biodiversity / access to biotechnology	Free access to biodiversity	Access submitted to sovereignty and to share of technology

The main "victory" for the developing countries is that the Statement of Principles does not include a reference to the call for negotiations of a convention, as the European Community, United States and Canada had hoped. The document also affirms the right to development, only "tempered" by a "on sustainable basis" which are by no means defined. Moreover, the document regards all kinds of forests, and not only tropical forests as developed countries would have liked, which constitutes another "point" for the developing countries (170). The text also states that the exploitation of forests is not incompatible with the objectives of preservation. Finally, the document acknowledges that forests are national resources and therefore a matter of national sovereignty.

The Malaysian representative, Mrs Ting Wen Lian, celebrated the outcome of the negotiations as a great victory for Malaysia and developing countries: for her, "the Third World won" (171).

Can we really speak in terms of victory? The objective analysis of the Rio outcome indicates that it is more a defeat for developed countries than a real victory for the South. Indeed, the developing countries are far from obtaining all the financial resources they were asking for. Their only clear "victory" is to have avoided a binding legal instrument on forests.

Nevertheless, one should not underestimate the value of the Statement of Principles signed in Rio. Even if non-legally binding, it can influence the development of rules and serve as guidelines for states in the adoption of a legislation on forestry. Indeed, the 1972 Stockholm Declaration has served as a basis for the establishment of policies in the field of environment, as the Universal Human Rights Declaration of 1948 still represents nowadays an indisputable reference. Finally, it is important to note that a statement of principles stresses the acknowledgement of the emergence of new values and a significative step in the direction of their consecration by society (172).

2) Explanation of the outcome

How can we explain this "defeat" of developed countries in an issue that many countries, and specially the United States, considered a priority?

Our hypothesis, and this is what we have been trying to prove throughout this paper, is that the "victory" of the South is due to two main causes. The first is linked to the specificity of the forestry issue, and the second to the negotiation process and its influence on the results.

As we have indicated in our third part, the specificity of the forestry issue has considerably changed the structural balance of power and the aggregate resources of each side. Indeed, the strong commitment of both sides - the North desiring a convention, the South defending the primacy of the principle of national sovereignty - as well as the lack of real alternatives to the negotiation and greater control of the South on the outcome, have changed the nature of the relationship between the parties and revealed the dependance of the North on the South to achieve its goals. The North was much more vulnerable than the South in the way that it gave more value to concrete results on forests than the South. This set of factors has considerably changed the initial distribution of power in favour of the South.

The second explanation of this apparently surprising result comes from the particularities of the negotiation process and from the behavior of negotiators during the sessions.

According to a negotiator (173), the developed countries made important tactical errors because "they made it too clear that the process was very important for them". It is also the opinion of the UNCED

Secretariat. The fact of showing the importance attached to the issue of forests rendered developed countries extremely vulnerable and increased their dependance on developing countries. If this value had not been known by the developing countries, these would not have asked for so many concessions in exchange for their participation to an agreement. It is, as we have already put it, the "syndrome of the oriental bazaar": "if you particularly like a carpet, don't show it or else its price will double" (174). In our case, the tactical error of the North - to show its interest - has led the South to develop a tactic of bargaining and to try to "raise the price" of its agreement.

These two explanations clearly demonstrate that, in a negotiation, power cannot be considered as given, as a structural attribute of the actors: in the case of the forest negotiations, the initial power distribution is very different from the one which results from the negotiations.

CONCLUSION

This paper has tried to show how, in an asymmetrical negotiations, specific conditions linked to the nature of the dependence relationship between the parties can modify the structural balance of power.

We have first underlined the need to consider the concept of power as a dynamic concept rather than as a permanent attribute of states. We have then turned to the case-study of the forest negotiations of the United Nations Conference on Environment and Development to illustrate our hypothesis.

After recalling the international context in which UNCED took place and the situation in North-South relations at the beginning of the nineties, we have introduced the forest issue and the status quo in international forest management before the negotiations started, giving a "picture" of the initial structure of the power balance.

This initial distribution of power was then transformed by the specificity of the forest issue: the strong commitment of the parties to their preferred outcome, the lack of real alternatives to negotiation, and the greater control of the South on the outcome contributed to make developed countries extremely dependent of the Group of 77. This relation of dependence gave the developing countries important resources to negotiate and strengthened its bargaining power in the discussions.

Finally, the analysis of the negotiating process and of its results showed the influence of the tactics used by the parties on the power structure. By revealing the scope of the value they gave to an international convention on forests, the developed countries made a tactical error which made them very vulnerable to the decisions of the Group of 77. The extreme asymmetry which characterized the relationship at the beginning of the negotiations was then transformed both by the specificities of the forest issue, which gave additional resources to the South, and by the negotiation process, which created particular relations of dependence, allowing the South to achieve its goals and to attain victory.

Of course, the limits of such a "victory" are clearly visible. The nature of the North-South relation remains the same, and the world order will not be modified by a United Nations Conference on Environment and Development.

Moreover, the idea itself of a specific power of the South in the international environmental negotiations can be questioned. Indeed, developing countries have always been able to influence the course of negotiations, whether through a negative leverage or a veto power - by not signing an agreement - through a procedural power - the power to call for a meeting and to start negotiations, or through a disruptive or nuisance power - the power of harming the other part (175).

Nevertheless, while several analysts feared that the environmental issues could become the new field of expression of an "eco-imperialism", the general impression which dominated after UNCED is that, on the contrary, the South has a lot to gain through the environmental issue. The North has not succeeded in achieving its goals on the forestry issue, despite its aggregate structural power. According to Jim Mac Neill, the notion of the North using its leverage to take advantage of the South fails because the global environmental problems are not responsive to military power. The North really needs the South to sign conventions and implement agreements, and there is no way to come to this result other than negotiating (176).

And it is this particularity of the environmental negotiations, well perceived by developing countries, which was at the basis of the "resurrection" of the Group of 77 and of the South's unity. The developing

countries realized that they had a rare opportunity if only they could temporarily overcome their internal divergences and formulate a common position.

And, according to many observers, one of the major characteristics of UNCED was precisely this "return" of the Group of 77. The press noted that "in ten years time, the world may remember Rio more for the reemergence of the G77 as a real force to be reckoned with than as an event which produced a cash to do the "job" (177). Is this return of the Group of 77 a sign of a new period of conflicts and revindications which would confirm the thesis of the polarization of the world along the North-South axis?

What is clear is that the particular characteristics of the international environmental negotiations - the "globality" of the problems, the limits to national sovereignty, the structural interdependence which is translated in punctual dependences on certain issues, depending on the responsibility of each party and on its capacity to face it .. - will tend more and more to change the traditional conceptions of power and to modify the classical asymmetries between the "North" and the "South".

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(162) Interpretative Statements for the Record by the United States, June 14.

(163) See Mrs Ting Wen Lian, "Intervention Notes", in "Technical Workshop to explore options for global forestry management". Bangkok, Thailand, 24-30 April 1991, p. 247.

(164) Canadian Proposal, Prep Com 3, August 28, 1991, "Roles and benefits", paragraph (h).

(165) US proposal, principle 11, August 14, 1992.

(166) In the Earth Summit Times, June 9, 1992.

(167) paragraph h Proposal submitted by Canada, A/CONF.151/PC/W.G.1/L.24, 21 August 91.

(168) in Jornal do Brasil, June 13, 1992.

(169) Quoted in the Earth Summit Times, June 13, 1992.

(170) See the article "Forêts: le grand marchandage", Vivre autrement, ENDA, June 11, 1992.

(171) in Jornal do Brasil, June 13, 1992.

(172) in Alexandre Kiss and Dinah Shelton, 1991. International Environmental Law. New York, Transnational Publishers. pp. 111-112.

(173) Interview with Mr M. Hugo Maria Schally, Permanent Mission of Austria, Geneva, July 6, 1992.

(174) Interview with Mr Bernardo Zentilli, UNCED Secretariat, July 6, 1992.

(175) It is the thesis developed by I.W.Zartman in Positive Sum, op. cit. p290.

(176) cf Jim Mac Neill, in Steve Lerner, Earth Summit. Conversations with architects of an ecologically sustainable future. Bolinas, California, Common Knowledge Press. p13.

(177) See the Earth Summit Times, June 14, 1992.

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APPENDIX 2

UNCED'S STATEMENT OF FOREST PRINCIPLES

A/CONF.151/6/REV.1

RIO DE JANEIRO - JUNE 13 1992

Agenda item 9

ADOPTION OF AGREEMENTS ON ENVIRONMENT AND DEVELOPMENT

<u>Non-legally binding authoritative statement of principles
for a global consensus on the management, conservation
and sustainable development of all types of forests</u>

PREAMBLE

(a) The subject of forests is related to the entire range of
environmental and development issues and opportunities, including the right
to socio-economic development on a sustainable basis.

(b) The guiding objective of these principles is to contribute to the
management, conservation and sustainable development of forests and to
provide for their multiple and complementary functions and uses.

(c) Forestry issues and opportunities should be examined in a
holistic and balanced manner within the overall context of environment and
development, taking into consideration the multiple functions and uses of
forests, including traditional uses, and the likely economic and social
stress when these uses are constrained or restricted, as well as the
potential for development that sustainable forest management can offer.

(d) These principles reflect a first global consensus on forests. In
committing themselves to the prompt implementation of these principles,
countries also decide to keep them under assessment for their adequacy with
regard to further international cooperation on forest issues.

(e) These principles should apply to all types of forests, both
natural and planted, in all geographic regions and climatic zones,
including austral, boreal, subtemperate, temperate, subtropical and
tropical.

(f)   All types of forests embody complex and unique ecological processes which are the basis for their present and potential capacity to provide resources to satisfy human needs as well as environmental values, and as such their sound management and conservation is of concern to the Governments of the countries to which they belong and are of value to local communities and to the environment as a whole.

(g)   Forests are essential to economic development and the maintenance of all forms of life.

(h)   Recognizing that the responsibility for forest management, conservation and sustainable development is in many States allocated among federal/national, state/provincial and local levels of government, each State, in accordance with its constitution and/or national legislation, should pursue these principles at the appropriate level of government.

PRINCIPLES/ELEMENTS

1.   (a)   "States have, in accordance with the Charter of the United Nations and the principles of international law, the sovereign right to exploit their own resources pursuant to their own environmental policies and have the responsibility to ensure that activities within their jurisdiction or control do not cause damage to the environment of other States or of areas beyond the limits of national jurisdiction".

(b)   The agreed full incremental cost of achieving benefits associated with forest conservation and sustainable development requires increased international cooperation and should be equitably shared by the international community.

2.   (a)   States have the sovereign and inalienable right to utilize, manage and develop their forests in accordance with their development needs and level of socio-economic development and on the basis of national policies consistent with sustainable development and legislation, including the conversion of such areas for other uses within the overall socio-economic development plan and based on rational land-use policies.

(b)   Forest resources and forest lands should be sustainably managed to meet the social, economic, ecological, cultural and spiritual human needs of present and future generations. These needs are for forest products and services, such as wood and wood products, water, food, fodder, medicine, fuel, shelter, employment, recreation, habitats for wildlife, landscape diversity, carbon sinks and reservoirs, and for other forest products. Appropriate measures should be taken to protect forests against harmful effects of pollution, including air-borne pollution, fires, pests and diseases in order to maintain their full multiple value.

(c)   The provision of timely, reliable and accurate information on forests and forest ecosystems is essential for public understanding and informed decision-making and should be ensured.

(d)   Governments should promote and provide opportunities for the participation of interested parties, including local communities and indigenous people, industries, labour, non-governmental organizations and individuals, forest dwellers and women, in the development, implementation and planning of national forest policies.

3.   (a)   National policies and strategies should provide a framework for increased efforts, including the development and strengthening of institutions and programmes for the management, conservation and sustainable development of forests and forest lands.

(b)   International institutional arrangements, building on those organizations and mechanisms already in existence, as appropriate, should facilitate international cooperation in the field of forests.

(c)   All aspects of environmental protection and social and economic development as they relate to forests and forest lands should be integrated and comprehensive.

4.   The vital role of all types of forests in maintaining the ecological processes and balance at the local, national, regional and global levels through, inter alia, their role in protecting fragile ecosystems, watersheds and freshwater resources and as rich storehouses of biodiversity and biological resources and sources of genetic material for biotechnology products, as well as photosynthesis, should be recognized.

5.   (a)   National forest policies should recognize and duly support the identity, culture and the rights of indigenous people, their communities and other communities and forest dwellers. Appropriate conditions should be promoted for these groups to enable them to have an economic stake in forest use, perform economic activities, and achieve and maintain cultural identity and social organization, as well as adequate levels of livelihood and well-being, through, inter alia, those land tenure arrangements which serve as incentives for the sustainable management of forests.

(b)   The full participation of women in all aspects of the management, conservation and sustainable development of forests should be actively promoted.

6.   (a)   All types of forests play an important role in meeting energy requirements through the provision of a renewable source of bio-energy, particularly in developing countries, and the demands for fuelwood for household and industrial needs should be met through sustainable forest management, afforestation and reforestation. To this end, the potential contribution of plantations of both indigenous and introduced species for the provision of both fuel and industrial wood should be recognized.

(b)   National policies and programmes should take into account the relationship, where it exists, between the conservation, management and sustainable development of forests and all aspects related to the production, consumption, recycling and/or final disposal of forest products.

(c)   Decisions taken on the management, conservation and sustainable development of forest resources should benefit, to the extent practicable, from a comprehensive assessment of economic and non-economic values of forest goods and services and of the environmental costs and benefits. The development and improvement of methodologies for such evaluations should be promoted.

(d)   The role of planted forests and permanent agricultural crops as sustainable and environmentally sound sources of renewable energy and industrial raw material should be recognized, enhanced and promoted. Their contribution to the maintenance of ecological processes, to offsetting pressure on primary/old-growth forest and to providing regional employment and development with the adequate involvement of local inhabitants should be recognized and enhanced.

(e)   Natural forests also constitute a source of goods and services, and their conservation, sustainable management and use should be promoted.

7.   (a)   Efforts should be made to promote a supportive international economic climate conducive to sustained and environmentally sound development of forests in all countries, which include, inter alia, the promotion of sustainable patterns of production and consumption, the eradication of poverty and the promotion of food security.

(b)   Specific financial resources should be provided to developing countries with significant forest areas which establish programmes for the conservation of forests including protected natural forest areas. These resources should be directed notably to economic sectors which would stimulate economic and social substitution activities.

8.   (a)   Efforts should be undertaken towards the greening of the world. All countries, notably developed countries, should take positive and transparent action towards reforestation, afforestation and forest conservation, as appropriate.

(b)   Efforts to maintain and increase forest cover and forest productivity should be undertaken in ecologically, economically and socially sound ways through the rehabilitation, reforestation and re-establishment of trees and forests on unproductive, degraded and deforested lands, as well as through the management of existing forest resources.

(c)   The implementation of national policies and programmes aimed at forest management, conservation and sustainable development, particularly in developing countries, should be supported by international financial and technical cooperation, including through the private sector, where appropriate.

(d)   Sustainable forest management and use should be carried out in accordance with national development policies and priorities and on the basis of environmentally sound national guidelines. In the formulation of such guidelines, account should be taken, as appropriate and if applicable, of relevant internationally agreed methodologies and criteria.

(e)   Forest management should be integrated with management of adjacent areas so as to maintain ecological balance and sustainable productivity.

(f)   National policies and/or legislation aimed at management, conservation and sustainable development of forests should include the protection of ecologically viable representative or unique examples of forests, including primary/old-growth forests, cultural, spiritual, historical, religious and other unique and valued forests of national importance.

(g)   Access to biological resources, including genetic material, shall be with due regard to the sovereign rights of the countries where the forests are located and to the sharing on mutually agreed terms of technology and profits from biotechnology products that are derived from these resources.

(h)   National policies should ensure that environmental impact assessments should be carried out where actions are likely to have significant adverse impacts on important forest resources, and where such actions are subject to a decision of a competent national authority.

9.   (a)   The efforts of developing countries to strengthen the management, conservation and sustainable development of their forest resources should be supported by the international community, taking into account the importance of redressing external indebtedness, particularly where aggravated by the net transfer of resources to developed countries, as well as the problem of achieving at least the replacement value of forests through improved market access for forest products, especially processed products. In this respect, special attention should also be given to the countries undergoing the process of transition to market economies.

(b)   The problems that hinder efforts to attain the conservation and sustainable use of forest resources and that stem from the lack of alternative options available to local communities, in particular the urban poor and poor rural populations who are economically and socially dependent on forests and forest resources, should be addressed by Governments and the international community.

(c)   National policy formulation with respect to all types of forests should take account of the pressures and demands imposed on forest ecosystems and resources from influencing factors outside the forest sector, and intersectoral means of dealing with these pressures and demands should be sought.

10.   New and additional financial resources should be provided to developing countries to enable them to sustainably manage, conserve and develop their forest resources, including through afforestation, reforestation and combating deforestation and forest and land degradation.

11.   In order to enable, in particular, developing countries to enhance their endogenous capacity and to better manage, conserve and develop their forest resources, the access to and transfer of environmentally sound technologies and corresponding know-how on favourable terms, including on concessional and preferential terms, as mutually agreed, in accordance with the relevant provisions of Agenda 21, should be promoted, facilitated and financed, as appropriate.

12.   (a)   Scientific research, forest inventories and assessments carried out by national institutions which take into account, where relevant, biological, physical, social and economic variables, as well as technological development and its application in the field of sustainable forest management, conservation and development, should be strengthened through effective modalities, including international cooperation. In this context, attention should also be given to research and development of sustainably harvested non-wood products.

        (b)   National and, where appropriate, regional and international institutional capabilities in education, training, science, technology, economics, anthropology and social aspects of forests and forest management are essential to the conservation and sustainable development of forests and should be strengthened.

        (c)   International exchange of information on the results of forest and forest management research and development should be enhanced and broadened, as appropriate, making full use of education and training institutions, including those in the private sector.

        (d)   Appropriate indigenous capacity and local knowledge regarding the conservation and sustainable development of forests should, through institutional and financial support, and in collaboration with the people in local communities concerned, be recognized, respected, recorded, developed and, as appropriate, introduced in the implementation of programmes. Benefits arising from the utilization of indigenous knowledge should therefore be equitably shared with such people.

13.   (a)   Trade in forest products should be based on non-discriminatory and multilaterally agreed rules and procedures consistent with international trade law and practices. In this context, open and free international trade in forest products should be facilitated.

        (b)   Reduction or removal of tariff barriers and impediments to the provision of better market access and better prices for higher value-added forest products and their local processing should be encouraged to enable producer countries to better conserve and manage their renewable forest resources.

        (c)   Incorporation of environmental costs and benefits into market forces and mechanisms, in order to achieve forest conservation and sustainable development, should be encouraged both domestically and internationally.

        (d)   Forest conservation and sustainable development policies should be integrated with economic, trade and other relevant policies.

(e)   Fiscal, trade, industrial, transportation and other policies and practices that may lead to forest degradation should be avoided.   Adequate policies, aimed at management, conservation and sustainable development of forests, including where appropriate, incentives, should be encouraged.

14.   Unilateral measures, incompatible with international obligations or agreements, to restrict and/or ban international trade in timber or other forest products should be removed or avoided, in order to attain long-term sustainable forest management.

15.   Pollutants, particularly air-borne pollutants, including those responsible for acidic deposition, that are harmful to the health of forest ecosystems at the local, national, regional and global levels should be controlled.