

ENVIRONMENTAL POLITICS IN THE UNITED NATIONS

ENVIRONMENTAL POLITICS IN THE UNITED NATIONS:
AN ANALYSIS OF THE ROLE AND INFLUENCE
OF THE LESS DEVELOPED COUNTRIES

By

STEPHEN KWASI NYAMEKYE, M.A.

A Thesis

Submitted to the School of Graduate Studies
in Partial Fulfilment of the Requirements
for the Degree
Doctor of Philosophy

McMaster University

May 1975

DOCTOR OF PHILOSOPHY (1975)
(Political Science)

McMASTER UNIVERSITY
Hamilton, Ontario

TITLE: Environmental Politics in the United Nations:
An Analysis of the Role and Influence of the
Less Developed Countries

AUTHOR: Stephen Kwasi Nyamekye, B. A. (University of Ghana)
M. A. (McMaster University)

SUPERVISOR: Professor Gilbert R. Winham

NUMBER OF PAGES: xvi, 540

ABSTRACT

The thesis presented here analyzes the role of the less developed countries in the environmental issues in the United Nations, evaluates their influence, and analyzes the determinants of this influence. Our study assumes certain goal orientations of spokesmen for the less developed countries. These goal orientations are derived from the underdeveloped condition of most of these countries and their continuing political and economic dependence. They attempt to reduce this dependence through demands for radical transformations in the international political economy. This is done through negotiations with spokesmen for the developed countries. The attainment of their objectives constitutes an exercise of influence over their counterparts from the developed countries. The outcomes themselves, for our study, are less important than the interactions, styles, and conversion of political resources into influence. Therefore, it is on the dynamics of the North-South set of international relations that this study focuses.

While the environmental negotiations confirm the persistence of a certain stable pattern of demands on the part of the less developed countries, behavioral discontinuities, in terms of methods or style of negotiation, are evident in a review of the negotiations. Spokesmen for the less developed countries seemed to prefer negotiated settlements to majority

voting, which is a significant departure from their past negotiating style. Bloc politics, therefore, need not always be incompatible with negotiations. Spokesmen for most of the developed countries were also unusually more accommodating in their responses to the demands of the less developed countries. The dispositions and interests of the former, the latter's preference for bargaining over majority voting, as well as the transnational character of most of the environmental issues, partly made possible the unusual negotiating behavior of both groups of countries. Another significant finding is that the less developed countries (the weak) have some influence on the developed countries (the strong) in negotiations. The determinants of this influence must be sought in factors other than economic, military, scientific-technological, and communication capabilities on the one hand, or majority voting on the other. This corroborates Professor Zartman's suggestion that the role of power must be analyzed in the context of negotiations.

Finally, the study presented here indicates that the concept of environmental quality is broader and more complex than the desire to prevent planetary collapse. There is more to be learned about environmental politics in the UN than can be gathered from popular literature. Scientists and advocates of environmental control tend to treat the world globally and ignore essential political differences. As much as the durability of planet Earth is being challenged by the ecological

issues, a scientific solution which is divorced from the political context of the issues is not likely to be a realistic response to the pressures in the contemporary international political system. The success of the UN environmental program substantially depends on the attitudes and policies of the developed countries. Unless they are prepared to assume additional moral, economic, and financial responsibilities for making the simultaneous pursuit of development and environmental protection goals possible in the less developed parts of the world, a lingering disagreement is more likely to characterize North-South dialogue on the environment.

PREFACE

This study is the result of a personal interest in the changing United Nations. Among the more spectacular changes in the recent political history of the United Nations has been the emergence of a group consciousness among delegations of Africa, Asia, and Latin America that they constitute a distinct political entity from the rich countries of Europe and North America. Varying in age, size, strategic importance, resource endowment, culture, levels of development, and length of international diplomatic experience, they, however, have similar perspectives on international politics. As Professors Roland Robertson and Andrew Tudor have pointed out, the countries of Africa, Asia, and Latin America have undergone similar deprivation experiences; they face similar deprivational problems; they are seeking similar solutions to their deprived position.

Gustavo Lagos writes that the deprived position of the less developed countries has given them "a type of index of national vision..., aspiration, or ambition." This index of national vision structures the international political role conceptions of leaders of these countries. Because of their dependency status, leaders of the less developed countries have different stakes in the result of international

decision-making. We are, therefore, assuming that the less developed countries can be treated as a unit for purposes of studying aspects of their foreign policies in the United Nations. This should not be interpreted to mean that they constitute a monolithic bloc. To a large extent, the current notions of crisis of confidence in the United Nations is rooted in the divergence of perspectives between the less developed and the developed countries. The former, most of whom lack economic, military, and scientific-technological capabilities, see in the United Nations a useful mechanism for bringing about such changes in the international political and economic status quo as would reduce their dependency status. The developed countries, most of whom are the targets of the less developed countries' diplomatic pressures, have tended to view the latter's demands for UN action in terms of their expectations concerning the Organization's ability to meet those demands on the basis of what they consider satisfactory. This divergence of perspectives on the UN accounts for many of the variations in value judgments and political priorities of the two groups of countries. Be it as it may, since the 1950s there has been a shift in UN institutional preoccupations toward the problems of the less developed countries.

The rich-poor dialogue in the UN is couched in high moral terms. The effects, however, are political. As

Professor I. William Zartman points out: "For however the debate may rage, what really matters is: Right or wrong, how is one side going to get or keep what the other side has or wants?" In looking for a specific case as an example of the pattern of demands and interaction processes characteristic of the rich-poor structure of conflict in the UN, my thesis supervisor, Professor Gilbert R. Winham, strongly recommended the Stockholm Conference to me. The study presented here attempts to determine the role of delegations from the less developed countries in the environmental politics in the United Nations. This is done through a description and analysis of the negotiations.

The negotiations are broken down into Pre-Conference, Conference, and Post-Conference phases. This threefold division permits us to provide a picture of the trends occurring within the negotiations. As well, we are provided with a more systematic procedure for exploring who wanted what from whom, and why. Our main concern is to relate the less developed countries' objectives in the environmental negotiations to their revisionist demands on the developed countries. Additionally, we also studied the effects of their behavior patterns on outcomes. We are interested in both outcomes and their determinants. In particular, we wish to fill some of the gaps in the existing data on the negotiation behavior of delegations from the less developed countries.

The purpose of this study, then, is to present a systematic empirical analysis of the role, interaction patterns, and sources of influence of delegations from the less developed countries in the environmental negotiations.

My debts are many. The completion of this study is the result of the advice and encouragement of my thesis supervisor, Professor Gilbert R. Winham. He commented in detail on earlier drafts and was always available to provide counsel when needed. I also wish to express my gratitude to Professors Howard H. Lentner of Baruch College, The City University of New York, and William MacKenzie of McMaster University, for their helpful comments on the first draft of this study. I wish to acknowledge my intellectual debts especially to Professors Winham and Lentner who have profoundly influenced my thinking about politics in the United Nations. Needless to say, any shortcomings present in this study are my own responsibility.

The completion of this study was made possible by McMaster Benefactors' Scholarship. A Research Grant from the School of Graduate Studies, McMaster University, helped finance trips to New York in the Summer of 1973 for the purposes of conducting research and interviewing selected UN diplomats and representatives from the UN Secretariat, and other non-governmental organizations. I am thankful to McMaster University for the scholarship and research grant.

I wish to thank my in-laws, Mr. and Mrs. Victor Dixon, Miss Gratel Forbes, and my friends, Paul Gyamfi and Eric Sarpong, for making my stay in New York a truly enjoyable one.

Special thanks go to my wife, Jeanette, who typed the first and final drafts of the thesis.

Finally, one special debt has to be acknowledged. This debt, which is perhaps the greatest debt of all, goes to my parents, who, in a real sense, have paid for my education. My Mother did not live long enough to see this study completed. To her affectionate memory, I have dedicated this work.

May 1975

Stephen Kwasi Nyamekye

TABLE OF CONTENTS

PREFACE.....	vi
LIST OF TABLES.....	xv
ABBREVIATIONS.....	xvi
Chapter	
I. THE ENVIRONMENT CONFERENCE AS A SOURCE OF ANALYSIS OF THE FOREIGN POLICY BEHAVIOR OF SPOKESMEN FOR THE LESS DEVELOPED COUNTRIES AT THE UNITED NATIONS.....	1
I. The Less Developed Countries and the Struggle Against Underdevelop- ment and Dependency.....	19
II. Political Process.....	27
A. Goals of Negotiations.....	28
1. Redistribution Negotiation... 28	
2. Innovative Negotiation.....	30
B. International Organization Factors.....	30
1. International Secretariats... 30	
2. Procedural Constraints.....	32
C. Issue Area.....	33
III. Delegates and Their Source of Influence.....	36
A. Exercise of Influence by Means of Ideas.....	37
B. Exercise of Influence by Means of Leadership.....	38
C. Exercise of Influence by Means of Bloc Political Approach.....	39
D. Issue Area as a Source of Influence.....	41
E. Exercise of Influence by Means of Parliamentary Tactics.....	41
F. Exercise of Influence by Means of Commitments and Obligations...	42

Chapter

	G.	Exercise of Influence by Means of Threats and Promises.....	43
	H.	Exercise of Influence by Means of the Role of the Secretariat...	44
II.		BACKGROUND TO THE ENVIRONMENTAL NEGOTIATIONS....	47
	I.	Development and Environment Debate.....	54
		A. Population.....	57
		B. Technology.....	59
	II.	The Environmental Problems and the Less Developed Countries.....	66
III.		The Political Dilemmas.....	71
	IV.	A United Nations Conference on the Human Environment is Initiated.....	74
III.		THE LESS DEVELOPED COUNTRIES AND PRE-CONFERENCE NEGOTIATIONS.....	80
	I.	Sets of Attitudes Toward the Environment Conference.....	85
		A. The Environmentalists.....	85
		B. The Developmentalists.....	95
		C. The Third Way.....	107
		The Founex Report.....	113
	II.	Negotiations.....	118
		A. Development and Environment.....	118
		B. Institutional Arrangements.....	138
		1. Size and Location of the Inter-governmental Body.....	144
		2. Financing.....	148
		a) Basic Cost of Secretariat and Action Programs.....	149
		b) Additional Financing for the less developed countries.....	150
		C. Declaration on the Human Environment....	154
III.		Summary and Analysis of Pre-Conference Negotiations.....	182

Chapter

- IV. THE LESS DEVELOPED COUNTRIES AND THE STOCKHOLM NEGOTIATIONS..... 204
 - I. Negotiations..... 220
 - A. Development and Environment..... 220
 - 1. Additional Aid..... 222
 - 2. International Trade and Environmental Protection..... 227
 - 3. Industrial Distribution..... 235
 - 4. Human Settlements..... 245
 - 5. International Fund for Housing..... 251
 - B. International Institutional Arrangements..... 263
 - 1. Size and Location of the Inter-governmental Body..... 266
 - 2. Site of the Secretariat..... 270
 - 3. Financing of the Secretariat..... 273
 - 4. Utilization of the Voluntary Environment Fund..... 276
 - C. Declaration on the Human Environment..... 281
 - II. Summary and Analysis of Conference Negotiations..... 306
- V. THE LESS DEVELOPED COUNTRIES AND THE FINAL PHASE OF THE ENVIRONMENTAL NEGOTIATIONS..... 323
 - I. Negotiations..... 324
 - A. Development and Environment..... 324
 - 1. Additionality..... 325
 - 2. Environment Fund..... 331
 - 3. Environmental Priorities..... 340
 - B. Declaration on the Human Environment..... 350
 - Environmental Cooperation and Information Exchange (Principle 20)..... 350
 - C. Institutional Arrangements..... 360
 - 1. Size of the Governing Council..... 365
 - 2. Location of the Environment Secretariat..... 386
 - Parliamentary Maneuvering..... 407
 - II. Summary and Analysis of the final Phase of Negotiations..... 427

Chapter

VI.	SOURCES OF INFLUENCE OF THE LESS DEVELOPED COUNTRIES IN THE ENVIRONMENTAL NEGOTIATIONS....	446
I.	Exercise of Influence by Means of bloc politics.....	449
II.	Negotiating Style of the Less Developed Countries as a Source of Influence.....	456
III.	Bargaining Tactics as a Source of Influence.....	466
A.	Initiation of Resolutions.....	466
B.	Exploitation of Economic Weakness.....	471
C.	Passivity as a Source of Influence.....	475
D.	Parliamentary Maneuvering as a Source of Influence.....	477
1.	Secrecy.....	477
2.	Procedural Manipulation.....	481
3.	The Use of Counter-Proposals as a Source of Influence.....	484
E.	Exploitation of the Egalitarian Ideology of the Charter of the United Nations.....	486
IV.	Issue Area as a Source of Influence.....	489
V.	Disposition and Interest of the Developed Countries as a Source of Influence for the Less Developed Countries.....	492
VI.	The Role of the Conference Secretariat as a Source of Influence for the Less Developed Countries.....	496
	CONCLUSION.....	504
	APPENDIX	
	Methodology.....	516
	BIBLIOGRAPHY.....	524

LIST OF TABLES

TABLE I	Nonrenewable Natural Resources	56
TABLE II	Estimated Population (in Billions), 1960-2000	58

ABBREVIATIONS

AID	Agency for International Development, United States
CESI	Centre for Economic and Social Information, United Nations
ECOSOC	Economic and Social Council, United Nations
EEC	European Economic Community
FAO	Food and Agricultural Organization
FED	European Development Fund
GATT	General Agreement on Tariffs and Trade
IAEA	International Atomic Energy Agency
IBRD	International Bank for Reconstruction and Development
ICAO	International Civil Aviation Organization
ILO	International Labour Organization
IMF	International Monetary Fund
IOC	Intergovernmental Oceanographic Commission
ITU	International Telecommunication Union
IUCN	International Union for the Conservation of Nature
NATO	North Atlantic Treaty Organization
OECD	Organization of European Cooperation and Development
SUNFED	Special United Nations Fund for Economic Development
UNCTAD	United Nations Conference on Trade and Development
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNIDO	United Nations Industrial Development Organization
WHO	World Health Organization
WMO	World Meteorological Organization

CHAPTER I

THE ENVIRONMENT CONFERENCE AS A SOURCE OF ANALYSIS OF THE FOREIGN POLICY BEHAVIOR OF SPOKESMEN FOR THE LESS DEVELOPED COUNTRIES AT THE UNITED NATIONS

The recent environmental negotiations at the United Nations offer a continuing opportunity to analyze the scope and peculiar conflict processes that are generated by the set of relations variously referred to as rich-poor, north-south, developed-less developed, weak-strong dimension of international relations. As a distinctive structure of international relations, this dimension is relatively new. It has gained visibility only after the 1960s with the advent of the demise of European colonial empires in Africa, the Caribbean, and Asia and the subsequent influx of these states into the United Nations. By 1964 a bond of unity based on the consciousness of being poor and therefore constituting a separate entity from the rich nations, had emerged between the new states and the comparatively older states of Latin America. The first United Nations Conference on Trade and Development (UNCTAD I), held in Geneva in 1964, marked the consolidation of this group of countries into a

kind of international pressure group. The Group of 77--¹ their institutionalized pressure group--was formed in that year to consistently advocate a transformation in international trade in the direction of better trade terms and more stable commodity prices for them. This confrontation between the poor and the rich has increasingly hardened into an important structure of international relations. The scope of conflict and instruments of influence are different from the East-West structure of international relations.

Unlike the East-West political conflicts, the North-South conflicts are not about military security or social systems. Rather, they are about economic security and political prominence of the South vis-à-vis the North.² The

¹Comprising more than a hundred less developed countries now, the Group of 77 is considered as the poor nations' class organization. It is more a coordination machinery than an authoritative decision-making body. It meets as often as is necessary to coordinate their policies on economic and trade questions. In the three successive UNCTAD meetings, in the Second (Economic and Financial) Committee of the General Assembly, and on the UNCTAD Board, the group has oftentimes operated as a homogenous bloc. See Joseph S. Nye, Jr.; "UNCTAD: Poor Nations' Pressure Group," in Robert W. Cox and Harold Jacobson (eds.); The Anatomy of Influence (New Haven: Yale University Press, 1973), pp. 334-370; Banislav Gosovic; "UNCTAD: North-South Encounter," International Conciliation, No. 568 (May 1968) and Johan Kaufmann; Conference Diplomacy (New York: Oceana Publications, Inc., 1970), pp. 144, 150.

By "less developed countries" we include all the countries of Africa (except South Africa), the Middle East and Asia (except Israel), the Caribbean, and Latin America.

South seeks to be injected more fully into the international political system. The attainment of the necessary material and technological base for maintaining the survival of their political communities and for playing a meaningful role in world affairs constitute the fundamental aspirations of spokesmen for the South. In this endeavor, spokesmen for the East and the West are perceived alike as defenders of the international status quo. They control both the instruments of violence and the levers of economic influence. The impact of the structure of the international political economy has been primarily responsible for the hardening, since 1964, in the self-conception among spokesmen for the South.

The assumption of unity among the less developed countries is obviously exaggerated for their differences are as large as their similarities. Some are better endowed with

In other words, it includes all the members of the Group of 77, except Yugoslavia.

²The UN Charter, as well as several authors, have noted a link between economic vulnerability and threats to international peace and security. The threat is said to inhere in the fact that frustrated economic aspirations can turn into a revolt in the poor nations with potential risks of escalation. See The Charter of the United Nations, preambular paragraphs 4, 8, Article 1, para. 3, Chapters IX and X; Barbara Ward; Spaceship Earth (New York: Columbia University Press, 1966), p. 54; Inis L. Claude, Jr.; Swords Into Plowshares, 3rd ed., revised; (New York: Random House, 1964), Chapter 17 and also his "Economic Development

resources, have higher literacy rates and levels of employment. They have different colonial and post-colonial experiences. Naturally, these differences have an impact on foreign policy emphases and styles. But for all their diversities, common foreign policy perspectives and aspirations, at higher levels of generality, can be found if absolute solidarity and uniformity of foreign policy behavior are discounted. There are similarities in their over-all ideological framework of foreign policy. In fact, their own spokesmen speak in collective terms. "Essentially," insists the Brazilian Ambassador, Araujo Castro, "the less developed countries are seeking to transpose into the international field certain principles of social justice and redistribution of wealth...."³ It would seem that a more fruitful line of inquiry is not the rejection of these assertions but the investigation of the degree of unity they demonstrate in their foreign policy behavior. One of the assumptions made in this paper is that the success of spokesmen for the less developed countries in negotiations with spokesmen for the developed countries is related to the degree to which the former are

Aid and International Political Stability," in Robert Cox (ed.); The Politics of International Organizations: Studies in Multilateral Social and Economic Agencies, (New York: Frederick A. Praeger, Inc., 1970), pp. 54-56.

³ Joao Augusto de Araujo Castro; "The UN and the Freezing of the International Power Structure," International Organization, vol. 26, no. 1 (Winter 1972), p. 162.

able to harmonize their individual interests. It is similarly an exaggeration to talk about the foreign policy behavior of spokesmen for the developed countries for they are characterized by even less unity. Holding differing views on how to accommodate demands by spokesmen for the South and not blessed with an all-encompassing caucusing organization like the Group of 77, they tend to take differing positions on some of the demands made on them.

These caveats cast doubt on the utility of assuming the existence of two distinct blocs of nations. Notwithstanding the methodological inadequacies of such conception of the political world, for purposes of studying aspects of the environment conference, it is a useful assumption to make. The causes and nature of the environmental problems tend to permit such a dichotomous approach. Differences in attitudes and objectives towards the environmental issues by both groups tended to be related to levels of socio-economic and technological development. On this point, Dr. Dubos and Barbara Ward have written:

Experience shows...that societies have become pre-occupied with long range ecological consequences only after industrialization had provided them with a high level of economic affluence.⁴

One could in fact offer the generalization that on economic development negotiations as evidenced, for example, by

⁴Barbara Ward and René Dubos; Only One Earth, (New York: W. W. Norton and Co., Inc., 1972), p. xiii.

The Special United Nations Fund for Economic Development (SUNFED), the Special Fund, successive UNCTAD meetings, and negotiations between Africa and the European Economic Community (EEC), a configuration of political attitudes distinguishes spokesmen for the developed and less developed countries.⁵

The environmental conference has been selected for study for three reasons. First, it is assumed that it can be analyzed as a case study of the rich-poor set of international relations. While this set of relations is less well studied than the East-West one, it is particularly relevant to the aspirations of two-thirds of humanity. Questions concerning the political future of the less developed world should be of interest to students of international politics. How this future is resolved would critically affect the international political system. Additionally, there is need for more empirical data on the North-South political processes. Are there stable patterns of interaction between the two groups or are there some emerging trends? Does perceived dependency status predispose spokesmen for the less developed

⁵On SUNFED and the Special Fund negotiations, see John G. Hadwen and Johan Kaufmann; How United Nations Decisions are Made, (New York: Oceana Publications, Inc., 1962), Chapters V and VI. On UNCTAD negotiations, see references cited under footnote 1 and also Sidney Weintraub; "After the UN Trade Conference: Lessons and Portents", Foreign Affairs, vol. 43, No. 1 (October 1964), pp. 37-50, and Vincent A. Maffeo; "UNCTAD III," Harvard International Law

countries to radicalism in negotiations? Can they exercise any influence in negotiations over their counterparts from the developed countries, given their limited economic, military, scientific-technological, and communication resources? Is bloc politics compatible with negotiations? These questions need to be investigated more and more through case studies.

Secondly, relatively little has been written on the environment from the political point of view--the means and ends of influencing international decision-making. But politics influences the definition of international problems as well as the range of solutions acceptable to member-states. A political analysis of the environment conference, as is proposed here, will indicate how the pressures for change arose and the role expectations that developed. Such an approach, hopefully, will provide a basis for understanding the role played by spokesmen for the South. It will help to discourage the illusion that the environmental goals sought by spokesmen for the North must also be sought with equal urgency by those for the South. The latter's approach to the conference must not be regarded as subversive.

Journal, vol. 14, No. 3 (Summer 1973), pp. 548-555. On Africa and EEC negotiations, see I. William Zartman; The Politics of Trade Negotiations between Africa and the European Economic Community: The Weak Confront the Strong, (Princeton: Princeton University Press, 1971).

indulgence or inability to think and plan in long-term perspective. The political truth is that spokesmen for the South perceive their environmental problems and the international political economy differently. As we shall see later, more profound social, economic, and political forces support the role played by them. In the field of the environment, therefore, we are dealing with an area of inquiry which is broader than a fight against industrial pollution.

Finally, the environment conference is chosen for analysis because it seems to have broken a new ground in negotiations between spokesmen for the North and South. The old order in North-South relations may not be changing as a result of the so-called environmental crisis but the style of negotiation between them may be changing. More specifically, it is generally asserted that while the foreign policy goals of spokesmen for the South are a realistic reflection of their dependency status, their negotiation style tends to reduce the chances for any dialogue between them and their counterparts from the North. The South's less than 'gentle' diplomacy and their superiority complex based on the feeling that they alone speak for reason, human welfare, and human dignity in international affairs are generally believed to pose obstacles to negotiations.

This approach to negotiations has certainly been true of
⁶SUNFED, successive UNCTAD meetings,⁷ and the decolonization
⁸politics at the UN. The environmental negotiations, on
the other hand, were characterized by a skillful blend of
harassment and bargaining politics. Naturally, this aspect
of the environmental negotiations raises an important
question: Has the Stockholm Conference inaugurated a new
spirit of compromise in relations between spokesmen for
the North and South? Because spokesmen for the South have
not been known in the past to tread the path of compromise
on their key demands, an analysis of the environment
conference may add a certain amount of empirical data to
what is already known about their international politics.

From what has been said so far, it is assumed
that the environment conference is an important case study
in the relations between the less developed and developed
countries. As will be shown in Chapter II, the issues are

⁶See Hadwen and Kaufmann, Op. cit.,

⁷See Nye, Gosovic, Weintraub and Maffeo, Op. cit.

⁸The literature on the politics of decoloniza-
tion is very large and only a few are cited here.
Rupert Emerson; "Colonialism, Political Development and the
United Nations", International Organization, vol. 19 (1965),
pp. 484-503; David A. Kay; "The Politics of Decolonization
The New Nations and the United Nations Political Process,"
International Organization, vol. 21 (1967), pp. 786-811,
Inis Claude, Jr.; The Changing United Nations (New York:
Random House, 3rd Printing, 1968), especially Chapter 3.

of general political and economic interest to all countries. But more specifically, the concern about environmental quality will significantly affect the cost, kinds, and speed of development programs possible in the less developed world. Given this constraining factor, it is assumed that before consensus is reached on an international environmental protection program spokesmen for the less developed countries will have played a part. Their role is the focus of this study. But this role is only meaningful if it is understood against the context of their attack on aspects of the state of the international political economy, especially economic and political dependency. The working hypothesis is that spokesmen for the South approached the environment conference from the perspective of their need to reduce this dependency. As a derivative of this, they conceived their role in terms of prying more socio-economic development resources out of the developed countries. Therefore, it is upon the dynamics of the North-South conflict-process that this study focuses.

In summary, our study assumes certain goal orientations of spokesmen for the less developed countries. The goal orientations are derived from the underdeveloped condition of most of these countries and their continuing political and economic dependence. They attempt to reduce this dependence through demands for radical transformations in the international political economy. This is usually

done through negotiations with spokesmen for the developed countries. When they attain their objectives they are viewed as having exercised influence over their counterparts from the developed countries. The outcomes themselves are less important than the interactions, styles, and conversion of political resources into influence. States are assumed to be the primary actors in international politics. It is upon the foreign policy behavior of delegated representatives of states that this study focuses. We, however, include international organizations because member-states' policies are in part shaped by these organizations.⁹ Transnational organizations or non-governmental organizations are excluded because of the limited scope of their concerns and because in the UN they operate through member-states and international organizations.

The foreign policy behavior of national leaders is affected by various domestic forces, the nature of the decision-making system, psychological factors, and ideological orientations of decision-makers, the nature of the issues at stake, and constraints imposed by the state of the broader international system. Students of foreign

⁹ Robert E. Riggs; "The UN as an Influence on U.S. Policy," International Studies Quarterly, vol. 11, No. 1 (March 1967), pp. 91-109.

policy behavior of spokesmen for the less developed countries have, however, tended to explain that behavior by focusing on one of two broad factors-- aspects of the international political economy or idiosyncracies of foreign policy decision-making elites. Those who take a global perspective insist that the sources and constraints impinging on foreign policy decision-making in the less developed countries tend to be system-wide. Advocates of this mode of explanation tend to stress the process of underdevelopment and the impact of international stratification and dependency. The world is assumed to be composed of center and periphery nations. This division and the differentiated roles it implies are underpinned primarily by economic and technological development. An economically and technologically developed country enjoys greater international prestige. Additionally, it has greater

¹⁰Gustavo Lagos; International Stratification and Underdeveloped Countries, (Chapel Hill: The University of North Carolina Press, 1963); Johan Galtung; "A Structural Theory of Imperialism," Journal of Peace Research, vols. 8-9, (1971-72), pp. 81-117; Andre Gunder Frank; Capitalism and Underdevelopment in Latin America (New York: Monthly Review Press, 1967); Immanuel Wallerstein; "Dependence in an Interdependent World: The Limited Possibilities of Transformation within the Capitalist World Economy," African Studies Review, vol. 17, No. 1, (April 1974), pp. 1-26.

¹¹James N. Rosenau; "Pre-theories and Theories of Foreign Policy," in R. Barry Farrell (ed.); Approaches to Comparative and International Politics, (Evanston: Northwestern University Press, 1966), pp. 27-92; Henry A. Kissinger; American Foreign Policy: Three Essays, (New York: W. W. Norton & Co., Inc., 1969), p. 42.

resources with which to control the impact of the external milieu. It enjoys a larger element of choice with respect to formulation and implementation of its national objectives. Thus, development provides countries with a greater margin of decisional latitude.¹² Although a country can acquire some prestige and wield some influence because of its high moral principles, the dependency theorists maintain that any enduring prestige and influential role in international affairs must rest on high levels of economic and technological development. Gustavo Lagos has described this characteristic:

When coercive dimensions in the power of a nation begin to depend more and more on its economic stature and are allied with technological advancement, the process of differentiation between the nations that distinguishes the actual system of international stratification is initiated.¹³

Dependency theorists postulate that underdevelopment and dependency constitute the foreign policy milieu of decision-makers of the less developed world. While they make no sharp distinctions between external and internal sources of foreign policy behavior, the accent of analysis is on external factors. Internal choices are presumed to be conditioned or shaped, historically, by external factors. In terms of this perspective, there are crucial linkages between international stratification

¹²David Vital; The Inequality of States: A Study of the Small Power in International Relations (Oxford: Clarendon Press, 1967), p. 1.

¹³Lagos, op. cit., p. 10.

and dependency, perception, and policy choices in the less developed countries. It is to this gap in analytical attention that Kissinger seems to refer when he argues that when the international system itself becomes the source of dissatisfaction, it, rather than decision-makers,¹⁴ becomes the major issue in international politics. To the extent that aspects of the structure of the international political economy constitute the source of spokesmen for the less developed countries' dissatisfaction, it is on those that we are asked to focus in explaining their behavior. As dependent societies, they have little meaningful autonomy in the pursuit of national objectives. The role of leadership--a domestic variable--is to maximize choices within the constraints set by the structure of dominance and dependency.

But for all the important attention that the dependency perspective draws to the impact of external factors, it does not show enough empirical concern for the interrelations between foreign policy goals, issues, actor interactions, institutional framework of interactions, and foreign policy outcomes, that is, the dynamics of process. These complex interactions constitute the dynamics of the context of foreign policy and, for that matter, all public decision-making. This dynamic process is all

¹⁴Kissinger, op. cit., pp. 52-58.

the more important in the context of UN conference diplomacy. Here, we are dealing with not only national actors and their goals but also international institutions with certain capacities to affect national policies. Further, UN conference diplomacy takes place within certain organizational structures. The constraints which the structures and activities of international organizations impose on negotiations are assumed to have a bearing on delegate maneuverability in international negotiations.

A competing conceptual framework focuses upon the role of leadership idiosyncracies as an explanation of foreign policy behavior of leaders of the less developed world.¹⁵ Professor Rosenau has justified this explanatory category largely in terms of the fact that there are "fewer...restraints which bureaucracy and large-scale organizations impose in more developed economies."¹⁶ This perspective tends to emphasize the role of the president or prime minister, his office, and the ministry responsible for external affairs. The psychological and personality characteristics of leaders, as well as their ideological commitments, are assumed to be the more potent independent variable explaining foreign policy behavior in these areas.

¹⁵Rosenau, op. cit., p. 47.

¹⁶Ibid., author's footnote 45, p. 47.

For instance, President Nyerere's policy of self-reliance for Tanzania would be explained largely in terms of internal perceptions, ideologies, and value preferences of the decision-making elite. But this explanatory category raises some serious problems for the analysis of foreign policy behavior in the less developed countries. It neither pays sufficient attention to the total foreign policy milieu of decision-makers nor the ¹⁷uses of foreign policy in these countries. While Nyerere's policy of self-reliance is, admittedly, his personal creation, it is nonetheless basically influenced or shaped by prevailing external pressures, namely, insufficient and inappropriate capital investments, inadequate aid, debt-servicing problems, deterioration in primary commodity trade, and ¹⁸problems of political control. Tanzania's policy of self-reliance is, therefore, primarily a policy of adaptation to external conditions. In other words, the policy is, historically, determined by external factors.

Additionally, the idiosyncratic perspective tends to de-emphasize the role prerequisites of policy-makers of the less developed countries. Policy-makers' obvious concern about political and economic viability of their societies, as well as their subordinate role in

¹⁷For a conceptual framework based on the uses of foreign policy, see Franklin B. Weinstein; "The Uses of Foreign Policy in Indonesia;" World Politics, vol. 24, No. 3, (April 1972), pp. 356-381.

international affairs, tends to introduce broad and basic goals which may operate independently of their idiosyncracies. Developmental needs and strategies in the less developed countries are so strong that leadership idiosyncracies could not be the most potent variable accounting for the motives underlying foreign policy decision-making. The limitations of the idiosyncratic explanatory category have been noted in a recent study of Senegal's foreign policy by Professor Skurnik. Using Rosenau's issue area concept and sets of variables into which he casts all foreign policy analysis, Skurnik concludes that:

Systemic variables are found to be most potent in three of...five examples, and domestic variables are most potent in the other two. Contrary to the expectations of the Rosenau model, idiosyncratic variables rank least in importance in each case.¹⁹

Idiosyncratic factors are important in all political systems but they do not give all the answers to foreign policy decision-making in the less developed world. In the

¹⁸Timothy M. Shaw; "African States and International Stratification: The Adaptive Foreign Policy of Tanzania." Reprinted from vol. XXV of the Colston Papers, being the Proceedings of the Twenty-fifth Symposium of the Colston Research Society held in the University of Bristol, April 4-7, 1973, p. 217.

¹⁹W. A. E. Skurnik; The Foreign Policy of Senegal, (Evanston:Northwestern University Press, 1972), p. 260. For a broad analysis of the level-of-analysis problem in international relations, see J. David Singer; "The Level-of-Analysis Problem in International Relations" in James N. Rosenau (ed.); International Politics and Foreign Policy: A Reader in Research and Theory (New York: The Free Press, 1969), pp. 20-29.

context of UN politics where most delegates have more or less rigid instructions from their governments, such factors are likely to be even less important.

The limitations noted of the two dominant explanatory modes in the analysis of foreign policy behavior in the less developed countries point to the importance of intelligent eclecticism in the approach to conceptual elaboration. The scheme of analysis adopted for studying the role of these spokesmen in the environmental negotiations focuses upon three levels of explanation. First, aspects of the state of the international political economy, especially underdevelopment and dependency, are assumed to be the primary determinant of foreign policy goals of leaders of the less developed countries. The second level focuses upon patterns of interaction between actors. These interactions determine the outcome of foreign policy objectives. Here we are concerned with the dynamic interactions between goals, issue area, and international organizational or institutional structures through which such interactions occur. The second level of explanation, therefore, deals with the dynamics of process and their outcomes. It, in effect, identifies the constraints within which the first level of explanation operates. The final level of explanation focuses upon sources of influence. Most interactions are directed towards goal attainment and, therefore, the factors accounting for success and/or failure

must be analyzed. For purposes of this study, analytical focus is on the empirical question of how countries weak in military, scientific-technological, economic, and communication capabilities can force the hand of those better endowed with respect to these resources and obtain something from them. We are assuming that the wielding of influence is a relational and situational variable and that there are influence strategies available to the weak in negotiations with the strong.

20

I. The Less Developed Countries and the Struggle Against Underdevelopment and Dependency

Economic and technological capabilities have been assumed to enhance a state's desire and capacity to participate in international affairs and strengthen its influence with other states. They constitute the main ingredients in the continued existence of any political community. Since the mid-1950s leaders of the less developed countries have conceived the achievement of accelerated economic and technological development as the remedy against underdevelopment and dependency status. In spite of bilateral and multilateral efforts, the economic

²⁰ For a fuller discussion of this conceptualization of influence, see K. J. Holsti; International Politics: A Framework for Analysis, (Englewood Cliffs, N. J: Prentice-Hall, Inc., 1967), Chapter VII; Robert A. Dahl: Modern Political Analysis, (Englewood Cliffs, N. J: Prentice-Hall, Inc., 1963), Chapter V; Charles A. McClelland; Theory and the International System, (New York: The Macmillan Co., 1966),

prospects of most of these countries seem to be getting darker and darker. This view is confirmed by the report of the first round of review and appraisal of the Second United Nations Development Decade. It asserts bluntly that the cause of development of the less developed world "has lost momentum."²¹

The inability of leaders of these countries to effect any significant changes in their economic position is explained by dependency theorists in terms of the continuing unequal exchange relations between them and the developed countries, particularly Western Europe, Japan, and North America, to whose economies they are tied structurally.²² This phenomenon, in turn, is related to the structure of the international capitalist economy. It encourages them to remain producers of primary commodities, the market for which is controlled by the major western developed countries and Japan. Prices for these commodities tend to fluctuate according to the economic interests of

Chapter 3; and I. William Zartman, op. cit., Chapter 6.

²¹United Nations: (Center for Economic and Social Information), features, SDD/11, 14 May 1973, p. 2.

²²Andre Gunder Frank, op. cit.; Harry Magdoff; The Age of Imperialism, (New York: Monthly Review Press, 1968; Pierre Jalée; The Pillage of the Third World, (New York: Monthly Review Press, 1968); Galtung, op. cit., Wallerstein, op. cit.; Kwame Nkrumah; Neocolonialism: The Last Stage of Imperialism, (New York: Monthly Review Press, 1965); Samir Amin; Neocolonialism in West Africa, (Harmondsworth: Penguin Books, 1973).

those who control the exchange relationships. But while primary commodity prices have been highly unstable, prices for manufactured goods have been increasing steadily. These kinds of relations create trade inequities, the result of which is the reduction in the ability of most of the less developed countries to finance their socio-economic development through trade. In recent years the drive towards manufacturing has increased in the less developed countries thereby blurring somewhat the traditional division of labor in the international capitalist economy. But cigarette manufacture, beer brewing or car assembly plants in the less developed countries do not constitute significant structural changes. Much of the technology, raw materials and high-level managerial skills are imported. In effect, this is dependent development which increases rather than decreases the phenomenon of dependency.

On the basis of this unequal exchange relations, dependency theorists conclude that the processes involved in building the industrial North also produce the less developed South. It is this process which, over time, has institutionalized structures of dominance and dependency in the international political economy. The principal task of foreign policy in the less developed world therefore consists of attacking the economic core of this structural phenomenon. In the vocabulary of Johan Galtung, if the primary foreign policy preoccupation of most of the developed

countries is the avoidance of violence, that of the less developed world is the avoidance of structural violence. The latter "shows up as unequal power and consequently as unequal life chances."²³ Most leaders of the less developed world are in less danger of external attack than of external manipulation and internal dissidence. Such dissidence springs primarily from the leadership's inability to produce the goods and services without which life is not only brutish but short. "National political cohesion," contends a contemporary student of the less developed world, "will continue to depend largely on... rapid economic progress."²⁴ There is thus a heavy economic content to much of politics in the less developed world, and a fuller explanation of foreign policy behavior of their spokesmen must reflect this economic background. Regime legitimacy and development of effective political institutions are all complicated by lack of socio-economic progress.

The merit of the dependency perspective rests on the attention it draws to the importance of analyzing foreign policy behavior in the less developed world in terms of

²³Johan Galtung; "Violence, Peace, and Peace Research," Journal of Peace Research, vol. 6, (1969), p. 171.

²⁴Maxwell Owusu; Uses and Abuses of Political Power: A Case Study of Continuity and Change in the Politics of Ghana (Chicago: The University of Chicago Press, 1970), p. 332.

25

"systems of action" oriented to enhance their real status in a stratified system underpinned by economic and technological development. In fact, there is evidence to suggest that this orientation is the driving force behind foreign policy decision-making in these countries. The proliferation of economic development agencies and organizations since the mid 1950s, under the United Nations institutional umbrella, attest to the kinds of demands which have been levied on the Organization by spokesmen for the less developed world. The fundamental goal of economic development and political prominence affects their leaders' conception of international problems and perception of choices. Increasingly, most international problems are viewed not simply in terms of their individual merits but, more importantly, in terms of their impact upon development requirements of the less developed countries. Thus, for example, their leaders have been actively involved in disarmament negotiations not simply because of a desire to contribute towards a general relaxation of international tension but, even more importantly, because it "would increase the possibilities of providing additional resources to developing countries."

²⁵The phrase is Lagos', op. cit., p. 9.

²⁶General Assembly Resolution 2831 (XXVI) of 16 December 1971, preambular para. 3. See also General Assembly

Admittedly, all countries seek economic development and political prominence in international affairs. However, significant differences between the developed and less developed countries exist. Most of the developed countries have reached a stage of "high mass consumption" and self-sustaining growth while most of the less developed countries are now beginning the "take-off" stage.²⁷ Most of the citizens of the former are now seeking quality in social and material progress while, for most of the citizens of the latter, what is at stake is not the quality of life but life itself. As a Tanzanian official put it: "For us surviving tomorrow is not the critical question. Surviving today is."²⁸ In most of the developed countries the poor are primarily victims of distributional injustice. The problem is less generation of wealth than equitable redistribution of wealth. In the less developed world, however, while there is evident distributional injustice, the problem is basically one of increasing the per capita national income. For these reasons economic development evokes different emotions in both groups of countries. For

Resolution 2667 (XXV) of December 7, 1970, preambular para. 5. All are cited in UN: Economic and Social Consequences of the Arms Race and of Military Expenditures: Report of the Secretary-General (1972), Document A/8469/Rev. 1, p. X and also Annex 1, p. 39.

²⁷W. W. Rostow; The Stages of Economic Growth, (New York: Cambridge University Press, 1960).

²⁸Quoted in Jim Hoagland; "The Dilemma: Conservation or Growth?" The Washington Post, March 20, 1972, p. A12.

leaders of the less developed world, it is a moral imperative. It is a condition of regime survival, too.

The subordinate role played by most of the leaders of the less developed countries does not set them apart from all the leaders of the developed countries. They share this role with some of the leaders of the relatively more developed smaller states of Europe.²⁹ But even in this respect compensating differences can be found. Most of the smaller developed European states enjoy high living standards. They have not suffered the humiliation of colonialism. They do not therefore need to seek active participation in international politics as confirmation of independent statehood. As Professor Werner Levi points out, and with some validity, most of them have adapted themselves to a subordinate role in international politics "without experiencing this as an infringement upon national independence or 'honor'".³⁰ With respect to the less developed countries, however, most of their leaders have drawn attention to the importance of

²⁹ For a discussion of the general problem of the role of small states in international relations, see August Schou and Arne Olav Brundtland (eds.); Small States in International Relations, (Uppsala: Almqvist and Wikesell Forlag AB, 1971) and Vital, op. cit.

³⁰ Werner Levi; "Third World States: Objects of Colonialism or Neglect?" International Studies Quarterly, vol. 17, No. 2, (June 1973), p. 227.

increasing their contribution to international decision-making.³¹ Comprising two-thirds of mankind and yet experiencing political exclusion from discussions of major political issues, it is perhaps natural that political prominence is accorded such high priority. Whether we explain this cult of participation in international affairs in terms of the need to compensate for colonial humiliations or the desire to keep pressure on the developed countries to alter the international status quo or to distract attention from unmanageable domestic problems, political prominence in international affairs constitutes one of the most basic political outlooks of leaders of the less developed world.

To recapitulate, then, dependency and underdevelopment constitute the foreign policy milieu of decision-makers of the less developed world. Because of insufficient material and technological progress, they experience several deprivations in the international system. Hence, a rational foreign policy must aim at reducing the economic core of structural violence. The dependency perspective, thus, identifies causal factors and elaborates goals. However, while it alerts us to choices and the rationale for them, it does not explain the processes through which goals are

31

Francis O. Wilcox; "The Nonaligned States and the UN," in Laurence W. Martin (ed.); Neutralism and Non-alignment: The New States in World Affairs, (New York: Frederick A. Praeger, Inc., 1962), I. William Zartman; International Relations in the New Africa, (Englewood Cliffs,

attained. It is to this level that we now turn.

II. Political Process

Political process is discussed in the context of negotiations under UN institutional framework. By political process, we mean the interactions between actors and their goals in the negotiations, issue area, and the institutional context of negotiations. This process may be viewed principally as a struggle to exercise influence. Influence is distinguished from power. Power is based on capabilities, especially military, economic, scientific-technological, and communication capabilities. Influence, however, is the modification of the behavior of one actor or group of actors by another.³² It is a relational and situational phenomenon: relational in the sense that it emerges out of the political process of adjusting competing and often conflicting national or individual interests, situational in the sense that it has specific scope and context. No actor can be influential over every issue or in different contexts. While capability can confer influence on actors, the conversion process is always subjected to cost-benefit analysis. Capability analysis alone is not

N. J.: Prentice-Hall, Inc., 1966); Levi, op. cit., p. 229; Kwame Nkrumah; Africa Must Unite, (London: Heineman, 1963).

³² See references cited under footnote 20.

sufficient to account for the actual dynamics of influence relationships in politics. Looking at interactive processes provides a better means of answering questions about outcomes and influence relationships. These interactive processes are shaped by actor goals, institutional factors, and issue area.

A. Goals of Negotiations

Attainment of goals, be they substantive or propagandistic, motivates states and individuals to enter the negotiation process in the first place. Fred Iklé has classified the aims or objectives of governments in international negotiations into five types-- extension, normalization, redistribution, innovative agreements, and effects unrelated to agreements. ³³ Our study primarily falls into the redistribution and innovative negotiation types. It is, however, assumed that all negotiations involve bargaining for side-effects unrelated to the immediate negotiation issues.

1. Redistribution Negotiation

It has been indicated that spokesmen for the South approach negotiations with their counterparts from the North in terms of demands for redistribution of wealth. Consistent with this goal, their negotiation proposals tend to be cast not in terms of adjustment of interests but in terms of the

³³ Fred Charles Iklé; How Nations Negotiate, 2nd printing, (New York: Frederick A. Praeger, 1968), pp. 26-42.

granting of concessions by the North to the South. The upshot of this approach to negotiations has been a feeling on the part of the South's spokesmen that they must feel no strong obligation to compromise on their demands. This structure of conflict tends to generate aggressiveness on their part and defensiveness on the part of their counterparts from the North.³⁴ Compromises in redistributive negotiations tend to be difficult to work out. Given the large economic content of the environmental negotiations, we would expect leaders of the South to approach the negotiations in terms of redistribution of wealth. Typically, their behavior patterns would demonstrate both negative and positive concerns. Negatively, they would have a significantly lower evaluation of pursuit of environmental quality goals primarily because of perceived adverse impact that environmental policies would have on their economies. They would seek assurances from spokesmen for the North not to improve their environment at the cost of development of the South. We would further expect them to bargain for side-effects which serve their political interests.

³⁴ This structure of conflict has characterized economic negotiations involving the two groups. See references cited under footnote 5. See also Johan Kaufmann; Conference Diplomacy, pp. 150-151

2. Innovative Negotiations

Innovative negotiations assume the presence of a common interest in the issues at stake. The environmental negotiations possessed this quality. Most of the issues, as will be made clear in Chapter II, cut across national political and administrative boundaries. Because innovative negotiations can be less polarizing, we would expect spokesmen for the North, who introduced the issues to the UN, to approach the negotiations in terms of innovation and not redistribution. However, spokesmen for the South are expected to accord higher priority to redistributive than innovative negotiations. These goal orientations would have a certain impact on the negotiation process and outcomes.

B. International Organization Factors

1. International Secretariats

National actors and their foreign policy behavior must be conceived of in a way that includes linkages with international institutions and actors. Failure to do so ignores a crucial aspect of decision-making in UN conference diplomacy. While international organizations are difficult to deal with conceptually, it is generally agreed that the UN system has an institutional capability to play certain roles in conference diplomacy. The executive head of an international machinery and his bureaucracy participate in the political process by which decisions are arrived at in conference diplomacy. For example, the UNCTAD secretariat

champions the interests of the less developed countries. It is a non-neutral international organization. It initiates studies into trade problems, the results of which enable spokesmen for the less developed countries to improve the quality of their arguments as well as aggregate their demands and press them more effectively on spokesmen
35
for the developed countries.

Additionally, international organizations provide essential conference services, especially documentation and development of substantive agenda items. All UN conferences require a large amount of documentary preparation which is usually done by an international secretariat. Its documentary preparation, in terms of its quantity and quality, makes an important difference to the conduct of discussions and, in part, to outcomes. For example, UNCTAD I (1964) was generally believed to have been "over-documented". For this reason, the Conference Secretary-General, Dr. Raul Prebisch, provided his own analytical summary which, significantly, became the basis for discussion by delegations.
36
Obviously, his personal biases advantaged and disadvantaged some delegations in the negotiation process. Other specialized UN agencies, such as the World Bank, The World

³⁵Robert S. Walters; "International Organizations and Political Communication: The Use of UNCTAD by Less Developed Countries," International Organization, vol. 25, No. 4 (Autumn 1971), pp. 818-835.

³⁶Kaufmann; Conference Diplomacy, p. 48.

Health Organization (WHO), and the Food and Agricultural Organization (FAO), have technical expertise which enables them to affect member-states' policies in relevant problem areas. In fact, some students have argued, and with justification, that the World Bank is one of the instruments used by the core countries of the international capitalist economy to perpetuate the unequal exchange relations between them and the less developed countries. Through their dramatization of international problems, provision of conference services, and role in searching for compromises, international secretariats have an impact upon the negotiation process and outcomes.

2. Procedural Constraints

Negotiations within the framework of international organizations entail other important organizational constraints on member-states. There are established rules of procedure for reaching decisions. While a great many decisions are arrived at by a process of consensus, others are arrived at by voting. The constitutional principle of "one state one vote" (except for the Soviet Union in the UN) makes it imperative that states supporting a particular resolution must be able to mobilize a majority sufficient to

³⁷See David A. Baldwin: "The International Bank in Political Perspective," World Politics, vol. 18, No. 1, (October 1965), pp. 68-81 and Cheryl Payer; "The Perpetuation of Dependence: The IMF and the Third World," Monthly Review, vol. 23, No. 4, (September 1971), pp. 37-49. Also see Teresa Hayter, Aid as Imperialism (Harmondsworth, Middlesex: Penguin Books Ltd, 1971).

adopt it. This constitutional requirement acts as a constraint on all states but less so on those who dominate any UN organization numerically and also tend to vote together. Group formation and coalition management in UN diplomacy, therefore, constitute important aspects of the negotiation process.

C. Issue Area

The final component of the interactive processes in negotiations is the nature of the issues. The impact of the issue area concept on policy outcomes has only been recently incorporated into analysis of public decision-making.³⁸ Although the limits of the boundaries are difficult to define with precision, in its general usage, the issue area concept assumes that the nature of an issue sets certain boundaries to the processes by which it is resolved. It determines how pressures for change arise and the role expectations that are developed. Therefore, to treat any issue in an undifferentiated way is to confuse how issues influence participation in the political process and policy outcomes. Patterns of interaction are assumed to vary from issue to issue. The issue area determines the scope and quality of actor participation and the means available to them.

³⁸For the pioneering study of dimensionality of influence based on the concept of issue area, see Robert A. Dahl, Who Governs? (New Haven: Yale University Press, 1961).

By 'scope' is meant the extension of an issue through linkages with other issues. 'Means' refers to usable, as opposed to potential range of, resources or capabilities. We assume that certain issues, by their nature, preclude the use of certain means. For example, Iklé contends that in an innovative type of negotiation, the only credible bargaining instrument available to parties is the threat of exclusion.³⁹ Even this pressure tactic is weak, as Iklé notes, if the participation of those in opposition is necessary to ensure success.

The issue area concept must apply with equal force in analysis of foreign policy behavior at the UN. For example, it is generally agreed that spokesmen for the less developed countries have played less roles in East-West related questions at the UN.⁴⁰ This has partly been due to the major protagonists' desire to treat them as instruments in these conflicts, thereby denying them any scope for independent action. In part, it has also been due to the difficulties experienced by spokesmen for the less developed countries in harmonizing their policies on such questions. On the other hand, the quality of the latter's participation in decolonization, economic development, and

³⁹Iklé; How Nations Negotiate, pp. 36-37.

⁴⁰Hayward R. Alker, Jr., and Bruce M. Russett; World Politics in the General Assembly, (New Haven: Yale University Press, 1965); Robert L. Riggs; US/UN: Foreign Policy and International Organization, (New York; Appleton-

seabed issues has been significantly different. On these questions they have not only tended to supply the ideas and leadership energies but they have also demonstrated remarkable tenacity of purpose and unity. They are generally believed to have influenced the pace of the decolonization process, economic development activities of the UN, and the emerging trends in the Seabed Committee and the 1974 Law of the Sea Conference, particularly the concept of exclusive national economic zone of two-hundred miles, distribution of resources of the seabed beyond the limits of national jurisdiction and, finally, the emergence of consensus type decision-making.⁴¹ How member-states' spokesmen perceive the importance of an issue before international organizations, therefore, has an important impact upon the priority they are prepared to give to the exercise of influence in that body. We would expect the

Century-Crofts, 1971).

⁴¹On decolonization, see references under footnote 8. On economic development activities, see Robert E. Asher; "International Agencies and Economic Development: An Overview," International Organization, vol. 22, No. 1, (1968), pp. 432-58; Sudhir Sen; United Nations in Economic Development: Need for a New Strategy, (New York: Oceana Publications, Inc., 1969. On debates in the Seabed Committee, see Daniel S. Cheever: "The Role of International Organization in Ocean Development," International Organization, vol. 22, No. 3 (1968), pp. 629-48. The conclusions on the Third Law of the Sea Conference (1974) have been based upon discussions held by the writer with Professor Brian Fleming of the Dalhousie University Law School and Captain Edgar Gold who is working on national marine policy in the developing world at the Department of Maritime Studies, University of Wales

nature of the environmental issues to interact with the other factors discussed to generate certain pressures for action and to develop certain role expectations in delegations. We would further expect it to have an impact upon the means used in arriving at agreements. These interactive processes were aimed at influencing outcomes in the negotiations. It is to this final level of explanation that our framework now focuses.

III. Delegates and Their Source of Influence

This level of explanation is concerned with the execution of national objectives through the application of instruments and techniques. Consistent with the general scheme of analysis used earlier, we conceive of application of instruments and techniques as linked to aspects of the on-going negotiation process. That is, the wielding of influence is a dynamic process and, therefore, instruments and techniques must be relevant to the structure of the on-going negotiations in order to achieve the desired effects. For example, excessive moral appeals are not likely to be effective in a situation where the target delegations perceive the problems as political rather than moral. Similarly, group pressure is likely to yield minimal results if the target of pressure is determined to resist it.

Institute of Science and Technology. Both discussions were held in Halifax, Nova Scotia, on September 26, and 28, 1974.

For now, however, this golden rule of conceiving of instruments and techniques in the context of the ongoing negotiation process will be violated for purposes of descriptive convenience. We will discuss these instruments and techniques as though it were always possible to isolate them and as though they were always available to delegates. Attempts will be made to specify some conditions under which they are likely to be effective and/or less effective. Given the resources at the disposal of delegations, some use them more effectively or skillfully than others do. Because Chapter VI is devoted to an empirical analysis of the sources of influence of spokesmen for the less developed countries in the environmental negotiations, only a general treatment is undertaken now.

In attempting to seek support for their foreign policy goals at the UN, delegates may use ideas, leadership, bloc approach, exploit constraints imposed by negotiation issues, make use of procedural points, create and exploit commitments and obligations, make use of threats and promises, exploit the role and attitudes of international secretariats.

A. Exercise of Influence by Means of Ideas

Delegates do not usually alter their bargaining positions because of the impact of the ideas of other delegates. However, fresh ideas injected into negotiations at critical points can alter the negotiation situation. They can either break or create deadlocks. In either case, delegates might

have to seek new instructions from their governments in order to adapt to the changed situation. Ideas may be based on political, scientific or moral considerations. Successful exploitation of ideas depends upon research, informational, and communication capabilities. A delegate must also be adept at parliamentary maneuvering in order to improve prospects of selling his ideas. In the context of UN decision-making, a majority must be receptive to the ideas. Ideas are likely to be most effective if they have historical precedents or are derived from widely accepted scientific, ethical, or Charter principles. Further, they are likely to be most effective if their proponents are generally regarded with less hostility by major delegations and groups of delegations.

B. Exercise of Influence by Means of Leadership

Opportunities exist in UN political processes for the exercise of political initiative. But leadership roles, unlike those of party or executive dominated national parliaments, are of special kinds requiring particular skills and knowledge of UN parliamentary processes and practices. Here, there are no formalized and accepted leadership structures. The 'whip mechanism' is not easily wielded. Member states enjoy formal equality (except in the Security Council) and can follow independent courses, thereby complicating the input pressures. Further, because international organizations constitute a structure within the larger international political system, aspects of the latter structure put limits

to leadership capacity. Resolutions have to be structured in such a way as to minimize conflicts. If important delegates cannot be persuaded to go along, at least they should be persuaded to abstain on it rather than oppose it. Building a supporting coalition from a sufficient proportion of the constituent members is largely a leadership function. A delegate attempting to wield influence by means of political initiatives must know which individual and/or coalitions of delegations to court. He must be mobile, especially in informal diplomatic activities. Such informal activities must cover segments of the appropriate international secretariat. He must evince confidence. Sufficient homework must be done. Timing is of especial importance for nothing is more divisive than untimely political initiatives. Within these constraints, influence by means of leadership is an important political resource in UN political processes.

C. Exercise of Influence by Means of Bloc Political Approach

Because voting is a part of UN political process, coalition building constitutes an important source of influence. If one bloc dominates the process and pursues its group

⁴²For a discussion of various caucusing groups, see Thomas Hovet, Jr.; Bloc Politics in the UN, (Cambridge: Harvard University Press, 1960); Robert O. Keohane; "Political Influence in the General Assembly," op. cit., and Alker and Russett; World Politics in the General Assembly.

interest together, each member increases its potential influence. Even more so, is the influence of those members who supply the intellectual, moral, and political leadership. Their views will, presumably, be sought more often by minority members. But bloc politics has its limitations. First, it is not believed to enhance conciliation and consensus-building, both of which constitute the Charter conception of the UN. Therefore, it is said to undermine the legitimacy of UN resolutions.⁴³ Secondly, as a methodological approach to negotiations, it is regarded as an obstacle because it tends to introduce inflexibility into the bargaining process, thereby de-emphasizing the importance of reciprocal concession-making as a way of achieving consensus. In other words, bloc politics appears to be incompatible with negotiations. A more general problem concerns the politics of developing and keeping the bloc together. Despite its limitations, bloc politics constitutes the single most important source of influence of delegations of small countries and others with limited economic, military, technological, and communication resources. It permits exchange of information and encourages some measure of cooperation.

⁴³Ruth B. Russell; The General Assembly: Patterns/Problems/Prospects, (New York: Carnegie Endowment for International Peace, 1970), pp. 53-57; Louis B. Sohn; "Expulsion or forced Withdrawal from an International Organization," Harvard Law Review, vol. LXXVII (June 1964), p. 1424.

D. Issue Area as a Source of Influence

It was pointed out earlier that an issue area has an important impact upon the relationship between interaction, influence attempts, and possibilities of wielding influence. If an issue is of less importance to a delegation or group of delegations, it may forego its potential influence and keep a low profile in the negotiations. An issue area affects the attitudes towards, and the emotions invested in, the negotiations. Such attitudes and emotions can improve the chances for wielding influence by forcing others to grant concessions. They can also create deadlocks thereby reducing capacity for influence if other parties approach the negotiations with similar attitudes and emotions. Obviously, the input pressures that an issue area creates act as constraints on influence attempts. A delegation may also minimize its capacity for influence if it has no fund of expertise on an issue.

E. Exercise of Influence by Means of Parliamentary Tactics

Exploitation of rules of procedure to secure national goals is a general practice in UN political processes. More often than not, procedural controversies tend to be more important than the substantive issues with which they are associated.⁴⁴ This tends to be so because the outcomes

⁴⁴ Robert O. Keohane; "The Study of Political Influence in the General Assembly," p. 233. Keohane notes that in the Twentieth General Assembly session, crucial

of certain procedural points pretty well settle the outcomes of substantive questions. The adoption of a simple majority or a two-thirds majority voting principle is an example. Although normative limitations on the abuse of procedure are weak, Professor Keohane has identified three kinds of limitations. First, the interests and ethical standards of some delegations would not permit flagrant manipulation of procedures. Secondly, twisting the "rules of the game" to the disadvantage of others creates bitterness, the upshot of which may be the damaging of existing working relationships. Finally, anticipated problems of implementing a resolution based on questionable procedural tactics may deter delegates from widespread use of such tactics.⁴⁵ Notwithstanding these limitations, knowledge of the rules of procedure and effective procedural interventions all affect outcomes in the debates.

F. Exercise of Influence by Means of Commitment and Obligations

Commitment and obligation are a process of tying the hands of one party in the negotiations. Professor Zartman has argued that negotiators can increase their influence more

votes on parliamentary procedures were more closely contested than the substantive votes. For a short description of general UN rules of procedures, see Kaufmann; Conference Diplomacy, op. cit., pp. 50-52.

⁴⁵Keohane, Ibid., pp. 236-37.

by obligating others than in committing themselves. By pleading incapacity on a particular issue, the pleader limits his alternatives and shifts the burden of concession-making to reach agreements to the opponent.⁴⁶ But the negotiation process itself builds up a structure of commitments and obligations. To reach an agreement on a favored issue, a party may assume obligations on another issue. Similarly, the prospects of obligating others in the future may persuade some parties to assume certain obligations in an ongoing negotiation. But success at obligating or committing others depends upon credibility of communication and responsible use of such techniques. Part of the difficulties experienced by spokesmen for the developed countries in economic negotiations with their counterparts from the less developed countries is explainable by the latter's unwillingness to believe that the former are really incapable of granting economic concessions. Inflexible postures have often been caused by the absence of responsible behavior on both sides.

G. Exercise of Influence by Means of Threats and Promises

The exercise of influence through offers and threats is a characteristic of most negotiations. Offers

⁴⁶ Zartman; The Politics of Trade Negotiations Between Africa and the EEC; pp. 208-11; Fred C. Iklé; How Nations Negotiate, pp. 201-204 and Thomas C. Schelling; The Strategy of Conflict, (New York: Oxford University Press, 1960), p. 34.

may be economic (for example, labor, capital, including technical assistance, personnel training); political and diplomatic (for example, skilled personnel, extension of diplomatic recognition, withdrawal of political propaganda); and military (for example, skilled personnel and materials and training). Threats may take the form of withdrawal of all or most of these resources, political propaganda, economic blockade, or direct military attack. Obviously, the success of offers depends upon the availability of the goods and services and the target states' willingness to accept them.⁴⁷ Threats must be perceived to be credible in order to have the desired effect.

H. Exercise of Influence by Means of the Role of International Secretariats

We have already noted that international secretariats participate in the political processes by which UN decisions are taken. The initiatives the secretariat takes, its documentary preparations, and participation in agenda development, can all increase the relative influence of delegations. The executive head's appeals to domestic groups and their receptivity can affect the negotiation objectives of some delegations and their potential for wielding influence. There are important limits to the secretariat's

⁴⁷For a fuller discussion of these instruments, see Howard H. Lentner, Foreign Policy Analysis, (Columbus, Ohio: Charles E. Merrill Publishing Co., 1974), pp. 215-44.

role as a source of influence. Most secretariats are limited by their role as impartial and objective participants in the negotiation process. Their appeals over the heads of governments must not be seen as inciting domestic groups against their governments. By and large, however, their attitudes, expertise, initiatives, and ideologies may be advantageous and disadvantageous to some of the parties to the negotiations.

In conclusion, throughout this chapter, our approach to conceptual framework has been guided by the principle that the utility of a framework lies in the extent to which it draws attention to the most important explanatory factors in a particular historical situation. By describing the foreign policy milieu of leaders of the less developed world, it is hoped that we have identified their central foreign policy goal and the rationale behind it. In linking that milieu with political processes, we have underscored the constraints which are inherent in the attainment of foreign policy goals. By conceiving of influence in a way which focuses more on sources of influence than on outcomes, it is hoped that we have linked this aspect of our framework to the most interesting questions in negotiations involving the weak and the strong. This framework will be applied to describe and analyze the key relationships in the foreign policy behavior of spokesmen for the less developed countries, as evidenced in the environmental negotiations. Their role

in the negotiations must not be seen as an entirely different role but as consistent with their single-minded concern about economic development and political prominence.

However, the development of the environmental issues into international political issues must first be discussed. Chapter II provides the background to the negotiations.

CHAPTER II

BACKGROUND TO THE ENVIRONMENTAL NEGOTIATIONS

The human environment is not merely another subject to be isolated, defined and stuffed somewhere into the organization charters of the international body, but a powerful force that, unless controlled by an unprecedented display of global cooperation, will be no less destructive in the long run than any nuclear holocaust.

Maurice F. Strong,
Executive Director
United Nations Environment
Programme (UNEP)

The concern expressed here by Mr. Strong is more than a personal or organizational propaganda. In recent years the concern about the feasibility and desirability of continued economic, technological, and population growth has been increasingly assuming central political importance. At the heart of the new concern is the realization that past patterns of economic and population growth and the application of technology to development are seriously impairing the basis of continued human existence. Evidence is being produced each day by the scientific community to the effect that the earth is not an open but a closed system and that its ability to provide raw materials, absorb wastes, and withstand the impact of the massive application of technology to development

is limited.¹ It has even been suggested that the crisis might be more serious than we seem to think.²

The concern about continued growth is in no way a new one. Both Plato and Aristotle had related the quality of democracy to population levels.³ In 1798 Thomas Malthus viewed with pessimism the classical economists' belief in population growth. Malthus saw population as increasing geometrically while food production tended to increase at an arithmetical rate. Thus, the inability of agricultural production to maintain similar rates of growth as population, Malthus thought, would inevitably defeat the purpose of

¹ Jay W. Forrester; World Dynamics, (Cambridge, Mass. Wright-Allen Press, Inc., 1971); Dennis L. Meadows, et al; The Limits to Growth, (New York: The New American Library, 1972); Barbara Ward and René Dubos; Only One Earth, (New York: W. W. Norton and Co., 1972); Edward Goldsmith, et al; Blueprint for Survival, (Boston: Houghton Mifflin Co., 1972); Barry Commoner; The Closing Circle, (New York: Alfred A. Knopf, 1971); Report of the MIT Study of Critical Environmental Problems, Man's Impact on the Global Environment: Assessment and Recommendations for Action, (Cambridge, Mass.: MIT Press, 1970); Paul R. Ehrlich and Anne H. Ehrlich; Population, Resources, Environment: Issues in Human Ecology; (San Francisco: W. H. Freeman and Co., 1970).

² The Club of Rome's The Limits to Growth predicts that "If the present growth trends in world population, industrialization, pollution, food production, and resource depletion continue unchanged, the limits to growth on this planet will be reached sometime within the next one-hundred years." See p. 29.

³ The Laws of Plato, translated into English by A. E. Taylor (London: J. M. Dent & Sons Ltd., 1934), Book V, pp. 119, 123; The Politics of Aristotle, translated by Ernest Baker (London: Oxford University Press, 1946), Chapter IV, pp. 289-292.

economic growth and social reform. He believed mankind need not rely on the misery caused by famine to bring about harmony between the rates of population growth and food production and, therefore, advocated the implementation of population control policies.⁴ However, technological improvements, which Malthus never seriously considered, helped to increase food production and thus avert the disaster he had visualized. This technological solution, paradoxically, is now believed by some scientists not to be a permanently viable one because of the threat to human life which its side-effects produce.

More than a hundred years ago, John Stuart Mill also urged mankind to limit its population and economic growth and seek "the stationary state."⁵ While he believed economic growth was necessary to achieve the stationary state, Mill favored a cut-back on population and economic growth once the stationary state was attained. Admittedly, there were aristocratic motives in Mill's attitudes towards population growth:

A population may be too crowded, though all be amply supplied with food and raiment....Solitude, in the sense of being often alone, is essential to any depth of meditation or of character; and

⁴ William J. Barber; A History of Economic Thought, (Harmondsworth, Middlesex: Penguin Books, 1967), pp. 55-75.

⁵ J. S. Mill; Principles of Political Economy, Vol. II, cited in Barber, Ibid., p. 102.

solitude in the presence of natural beauty and grandeur is the cradle of thoughts and aspirations which are not only good for the individual, but which society could do ill without.⁶

Mill was convinced, however, that the quality of civilization would suffer if such aristocratic tastes were not met. For this reason, he hoped that men "will be content to be stationary, long before necessity compels them to it."⁷

These dissenting views about continued population and economic growth, however, never entered the realm of serious political debate and action. The recent environmental concerns, on the other hand, have become the subject of intense discussion and study in most of the developed countries. T. C. Sinclair suggests that three-hundred books were published in 1972 on the subject of the environment in the United States alone.⁸ The seriousness with which the new environmental problems are viewed by the developed countries is demonstrated by the proliferation of governmental departments, agencies, and research institutions devoted to the subject. In April 1969 President Nixon invited the North Atlantic Treaty Organization (NATO) to reconcile modern industrial man with his environment. In November of that year

⁶Cited in K. L. R. Pavitt; "Malthus and Other Economists, Some Doomsdays Revisited," Futures, vol. 5, No. 2, (April 1973), p. 168.

⁷Cited in Blueprint for Survival, op. cit., p. 159.

⁸T. C. Sinclair; "Environmentalism: A la recherche du temps perdu-bien perdu?" Futures, vol. 5, No. 2,

a committee on the challenges of modern society was established under the authority of the North Atlantic Council.⁹ In July 1970 the Organization of European Cooperation and Development (OECD) also created its own committee to deal with environmental questions. The Council of Europe and the European Economic Community have also become actively involved in environmental questions.¹⁰

Institutional proliferation in the developed countries has been matched by large projected expenditures of money on environmental clean-up. In the United States alone, the Council for Environmental Quality estimates an expenditure of \$105 billion on environmental clean-up between 1970 and 1975.¹¹ The Soviet Union spends an estimated \$6 billion a year on water pollution costs alone.¹² Such high expenditures are occurring in almost all the developed countries.

Bilateral arrangements also reflect the new concern. In May 1972 the United States and the Soviet Union signed an environmental agreement in Moscow which enjoins them to undertake cooperative efforts on environmental policies. Canada

(April 1973), pp. 195-211.

⁹ Pierre Drouin; "The Gathering Doubts," The Guardian, (May 13, 1972), p. 14.

¹⁰ Ibid., p. 14.

¹¹ Commerce Today, (May 1, 1972), p. 8.

¹² Peter C. Stuart; "Ecology Treaty: On Full of Potential," Christian Science Monitor, (May 26, 1972).

and the United States have also signed a Great Lakes Water Quality Agreement which commits them to cooperate to reduce the present levels of pollution in the Great Lakes and in the international section of the St. Lawrence River. These bilateral arrangements reflect the increasing awareness that pollutants do not respect national political and administrative boundaries.

According to conventional wisdom, man has throughout history been concerned with growth-- growth in population and in living standards. ¹³ It has been assumed that modern industrial-technological societies require large population both for their human and capital basis. High population, industrial and technological growth, as well as high mass consumption, have been thought to be the goal of development. So pervasive has been this assumption that it has

¹³According to Lynn White, Jr., the commitment to perpetual growth and progress is embedded in Judeo-Christian theology. Consequently, the ecological crisis is a religious crisis. It involves man's attitude of domination over nature. See "The Historical Roots of Our Ecological Crisis," Science, vol. CLV, (March 10, 1967), pp. 1203-07.

Clarence J. Glacken maintains, however, that the concept of "man against nature" or "man's mastery over nature" is not typical of the history of thought as a whole. See his article "Man Against Nature: An Outmoded Concept," in Harold W. Helfrich, Jr. (ed); The Environmental Crisis: Man's Struggle to Live With Himself, (New Haven and London: Yale University Press, 1970), pp. 127-42. Rhoads Murphey discerns a radical break in traditional Chinese notions of harmony and adjustment of man and nature as a result of the contemporary communist notions of dialectical conflict and struggle of the 'permanent revolution.' See his "Man and Nature in China," Modern Asian Studies, vol. I, No. 4, (1967), pp. 313-333.

become the iron law of development.

In recent years, however, "the once positive word 'growth' has taken on dark, disturbing connotations. Various voices, some of them hard to ignore, have warned us that continued worldwide growth will lead to a hell of degradation and collapse."¹⁴ Several scientific reports insist that our traditional model of growth is not sustainable indefinitely and that only zero population growth and a radical cut-back on economic growth can save the world from catastrophe.¹⁵ The titles of these reports and monographs reveal the alarm with which the environmental problems are viewed-- The Limits to Growth, Blueprint for Survival, The Closing Circle, This Endangered Planet, etc.

This chapter attempts to discuss the intrusion of the environmental issues into the United Nations. It is intended to contribute to a political understanding of the scope of the environment concept. We provide a brief summary of the scientific evidence insofar as it helps to understand the politics of the environmental negotiations. By "environmental" or "ecological" (the two terms are used

¹⁴ Henry C. Wallich; "How to Live with Economic Growth: Some Safety Devices to Ward off Doomsday," Fortune, (October 1972), p. 114.

¹⁵ See the Erliches, Meadows et al., Goldsmith, et al., op. cit.

16

interchangeably in this study) we mean the interactions between human beings and their non-human systems.

I. Development and Environment
Debate

European and North American writings on problems of the human environment identify the new perils to mankind as resource depletion, population explosion and pollution.¹⁷ The thrust of the ecological concerns tends to posit a conflict between economic, population, and technological growth on the one hand and long-term ecological stability on the other. The pursuit of economic growth, which has been made possible in the developed countries through technological innovation and control of the world economic system, according to the scientific community, is depleting essential nonrenewable resources such as petroleum and other minerals. Technological innovation, which has partly made continued growth possible, is said to be causing serious damage to human health through its effects on marine and plant life, soil, air, and water. The imbalance which technological processes are causing

¹⁶This usage is consistent with that employed in recent works by political scientists. See Harold and Margaret Sprout; Towards a Politics of the Planet Earth, (New York: Princeton University Press, 1974); Richard A. Falk; This Endangered Planet: Prospects and Proposals for Human Survival, (New York: Random House, 1971).

¹⁷See references under footnote 1.

to natural systems, it is feared, may be adversely affecting long-term planetary stability.

According to the Club of Rome's The Limits to Growth, much of the earth's reserves of nonrenewable mineral resources are running out much faster than we know because the rate of exploitation is increasing exponentially. Table I indicates the number of years known reserves of nonrenewable resources would last at current rates of consumption.

TABLE I NONRENEWABLE NATURAL RESOURCES

RESOURCE	Projected Average rate of growth (% per year in Use)	Number of Years Known Reserves Will last at this Rate of growth	Exponential Index Calculated using 5 Times known Reserves would last
Aluminium	6.4	31	55
Chromium	2.6	95	154
Coal	4.1	111	150
Cobalt	1.5	60	148
Copper	4.6	21	48
Gold	4.1	9	29
Iron	1.8	93	173
Lead	2.0	21	64
Manganese	2.9	46	94
Mercury	2.6	13	41
Molybdenum	4.5	34	65
Natural Gas	4.7	22	49
Nickel	3.4	53	96
Petroleum	3.9	20	50
Platinum Group	3.8	47	85
Silver	2.7	13	42
Tin	1.1	15	61
Tungsten	2.5	28	72
Zinc	2.9	18	50

Source: Meadows et al; The Limits to Growth, Table 4, pp. 64-67.

According to the authors, nonrenewable resources would become extremely costly one-hundred years from now if present resource consumption rates continued. For them, recycling would not even solve the depletion problem if resource demand continued to grow at its exponential rate.¹⁸ They propose, therefore, that population growth be cut back and industrial activity stabilized at levels equal to the rate of investment depreciation.¹⁹

A. Population

Population growth is cited by most of the critics of growth as one of the most serious pressures underlying the environmental crisis.²⁰ It is the rapid population growth, according to them, which impels governments to step up the rate of industrialization in order to increase employment opportunities. Increased industrial growth involves further technological innovation which in turn increases levels of pollution.

The seriousness of the population problem is said to lie in the fact that not only is it growing absolutely but also at a rising rate. Further, the fastest rate of

¹⁸ The Limits to Growth, p. 175.

¹⁹ Ibid., pp. 169, 177; Blueprint for Survival, pp. 23-65.

²⁰ Paul R. Ehrlich; The Population Bomb (New York: Ballantine Books, 1971), Paul and Anne H. Ehrlich; Population, Resources, Environment.

increase is occurring in the less developed countries which, at the moment, constitute about 80 per cent of the world's population but share less than 20 per cent of its available wealth.²¹ The table below shows the demographic patterns of the world:

TABLE II

Estimated Population (in Billions), 1960-2000

	1960	1969	2000 (Low)	2000 (Medium)	2000 (High)	Constant Fertility
World Total	3.0	3.6	5.4	6.1	7.0	7.5
Developed Countries	1.0	1.1	1.3	1.4	1.6	1.6
Less Developed Countries	2.0	2.5	4.2	4.7	5.4	5.9

Source: Edward J. Woodhouse; "Re-visioning the Future of the Third World: An Ecological Perspective on Development," World Politics, vol. 25, No. 1 (October 1972), p. 16.

On the basis of these increases, the critics of growth insist that the world would not be able to support these population growth trends at current rates of consumption. The physical impossibility of supporting such growth, it is argued,

²¹GATT (Geneva, 1972), International Trade 1971, The most recent statistics indicate a drop of the less developed countries' share in the volume of world trade. From its high of 21.4 per cent in 1960, it stood at 17.7 per cent in 1971. See Ibid., p. 3. Barbara Ward; The Rich Nations and the Poor Nations (Toronto: The Hunter Rose Co., Ltd., 1965).

requires immediate attempts to control further population growth.

B. Technology

The magnitude and speed of technological innovation is one of the reasons blamed for the environmental problems. Barry Commoner has dubbed this process as "the technological flaw." Commoner, in fact, disagrees with those who place the environmental blame on population growth. For him, the fault lies with the misuse of the new technology available to mankind.²² The implications of the widespread use of technology in human affairs have been the subject of intense debate in Western Europe and North America. However, this debate was largely concerned with the effects of technology on social institutions and processes of government. Of immediate concern was its perceived threat to human autonomy²³ and the values of self-government and the right to privacy. Recent concern about technological innovation, however, involves the realization that it is destroying the life support systems of mankind.

Some of the more typical technology-related environmental problems may be identified. The use of inorganic

²² Barry Commoner; The Closing Circle, pp. 134-35, 178-79.

²³ For a critique of the effects of technology on human values, see Jacques Ellul; The Technological Society, translated from the French by John Wilkinson, (New York: Random House, 1964).

phosphate and nitrate fertilizers, the mainstay of much of the improvement in agricultural productivity, is now believed to be accompanied by not only high crop yields but also the destruction of natural soil fertility. It is feared that increased use of these chemicals might pose serious problems of water pollution because the phosphates and nitrates end up in rivers and lakes (through runoff) where they produce algae. When the algae decompose, they consume oxygen causing fish to die and making lakes incapable of supporting marine life. Water containing large amounts of algae also poses problems for municipal water supplies.

The chlorinated hydrocarbons--of which DDT is the best known--are regarded to be most dangerous because of their mobility and tendency to concentrate in the tissues of living organisms. Their concentration in certain bird and fish species are believed to have caused reproductive difficulties. 24

Industrial effluents discharged into the sea are also said to be endangering marine and human life. Between 1935 and 1960, forty-three persons reportedly died in Japan as a result of eating fish contaminated by mercury which had been discharged with industrial waste. 25

²⁴ D. A. Ratcliffe; "Decrease in Eggshell weight in certain Birds of Prey," Nature, vol. CCXV (July 8, 1967), pp. 208-210.

²⁵ Jeremy Main; Man's Home: "Pollutants: Poisons

Levels of methane gas in the atmosphere, according to the scientific community, are increasing. It is believed that these increases may be impeding the reformation processes of ozone--the basis of our protection from the sun's ultraviolet rays.

26

While these side-effects of technological innovation are only a sample of the environmental consequences of widespread application of technology to development, they serve to illustrate the potential threat which technology is believed to be posing to the systems upon which continued human life depends. It is the combination of these factors which has led some members of the developed countries to suggest the necessity of cutting back on economic, technological, and population growth. Those who believe that the planet could not support current rates of growth call for a "state of global equilibrium"--one in which population and capital are essentially stable, with the forces tending to increase them in a carefully controlled balance."

27

Around the World." Man's Home is one of five series of pamphlets prepared by the Conservation Foundation with the cooperation of the Secretariat of the United Nations Conference on the Human Environment, (Washington, D. C.: Conservation Foundation, 1972), p. 8.

²⁶Ibid.

²⁷The Limits of Growth, p. 177. Emphasis is original. Others who have called for such a state include the editors of Blueprint for Survival; Forrester; World Dynamics; the

These analyses and prescriptions have not gone unchallenged, particularly by businessmen, economists, and the poor. According to economists, the cause and effect relationships which have been isolated by the critics of growth do not take into account compensating factors. These economists contend that the environmentalists' conclusions have been derived from the technique of geometrically projecting figures into the future. For them, this is unrealistic since knowledge of scarcities quickly brings about modifications in price which in turn stimulates the search for substitutes. The reasons why there is an environmental crisis, they argue, is precisely because we have traditionally regarded the ocean and the atmosphere as non-costed factors of production.²⁸ Therefore, if an effluent taxation system were devised and efficiently implemented, it is contended,²⁹ less pollution-causing technologies would be designed.

President of the European Economic Community, Mr. Sicco L. Mansholt. See John Lambert; "EEC Chief urges no-growth economy," Christian Science Monitor, April 18, 1972.

²⁸ For a critique of this tendency, see Kenneth E. Boulding "Fun and Games with the GNP," in Harold W. Helfrich, Jr., op. cit., pp. 157-70. Boulding suggests that commuting and pollution, among other social costs, should be netted out of the GNP. See p. 161.

²⁹ For the economists' arguments, see Peter Passell; Retreat from Riches: Affluence and its Enemies, (New York: Viking Press, 1973); Wilfred Beckerman; "Economic Development and the Environment: A False Dilemma," International Conciliation, No. 586 (January 1972), pp. 57-71;

The fear of resource depletion is also questioned on the grounds that it does not take adequate account of future growth in human knowledge and the opportunities such growth might imply in terms of discovery of new resources. To limit growth, therefore, insists economist Henry Wallich, would amount to committing "suicide for fear of remote death."³⁰

Economists insist that the environmental crisis could be solved only through continued growth. They argue that if growth were limited, every available income would be used to meet consumer needs after which there would be little or nothing left for environmental clean-up. It is only through growth, therefore, that the clean-up job could be financed.³¹ Additionally, any cut back on economic growth, they warn, would only worsen the condition of the poor in national communities and, at the international level, the less developed countries. While they admit that economic growth does not necessarily help the poor, economists insist that it is the only feasible way to redistribute wealth.³²

Henry C. Wallich; "How to Live with Growth," op. cit.
 Wallich; "A World Without Growth?" New York Times,
 February 12, 1972; Hazel Henderson; "Ecologists versus
 Economists," Harvard Business Review, (July-August 1973),
 pp. 28-36, 152-57.

³⁰ Wallich; "A World Without Growth?" Ibid., p. 29.

³¹ Ibid.

³² Sterlin Brubaker; To Live on Earth (Baltimore, Md.:

Some of the arguments of the economists raise more questions than they solve. How quickly pricing policies would move to reflect scientific warnings is not at all certain. Indeed, Wallich, one of the severest critics of those who have proposed limiting growth, concedes that pricing policies may not always be helpful because of their tendency to lag behind scientific warnings.³³ Price changes involve the making of hard choices. Continuous or sudden price swings are likely to undermine orderly governmental processes because of the social unrest they tend to create.

It is equally debatable whether effluent tax systems would in fact reduce the rate of resource depletion and pollution emission. First, the state of knowledge of the exact damage industries are causing to the environment is, at best, imprecise and, hence, it is unlikely that such taxation would accurately reflect the extent of damage being done. It would require large investments in research and further technological innovation to monitor the environmental consequences of industrial activity. It would also require international and regional cooperation to the extent to which

Johns Hopkins University Press, 1972), Wallich, op. cit., Peter Passel and Leonard Ross, op. cit.; Beckerman, op. cit.,

³³ Wallich; "How to Live with Economic Growth," op. cit., p. 121.

certain pollutants transcend national geo-political boundaries. While some of these points merely reinforce the economists' position, what we wish to point out is that, in the absence of a worldwide environmental concern, such investments are not likely to be attractive to businessmen because of the limited markets for such technologies.

The most serious aspect of the effluent taxation system is, of course, its effects on the international trade position of the country adopting it. Any country that attempts to travel the environmental quality road alone risks pricing its products out of the world market. The consequent trade deficits such a country would incur would affect its investments prospects and employment opportunities. Resort to restrictive trade practices in the name of environmental protection might merely lead to similar practices elsewhere, in which case, an already unstable international economic system might well break down. On the other hand, if the developed countries, particularly Western Europe, Japan, and North America, to whose economies the economies of the less developed countries are structurally linked, raised the costs of their products (particularly machinery) as a result of environmental standards, Kenneth Boulding's prediction might well come true that "in all probability the presently underdeveloped countries are not going to develop."³⁴

³⁴Boulding: "Fun and Games with GNP", op. cit., p. 166.

While it is most unlikely that continued growth would be limited along the lines prescribed by the critics of growth, the environmental concerns in the developed countries seem to have become serious policy issues. The problem of identifying what constitutes "healthy growth" or "development" would remain serious political issues. The concern about industrial pollution in these countries has acquired such a political base that it is unlikely that national decision-makers can ignore it. The rate of energy consumption, particularly in the developed countries, has been of such magnitude that the threat of future scarcities will always loom large in business circles.

II. The Environmental Problems and The Less Developed Countries

The trend of the preceding discussion seems to lead to the probability that the movement to introduce some balance into our traditional notions of growth and development would grow stronger in the developed countries. As it grows, it would have political, economic, and financial consequences in the less developed countries because of their economic and financial dependence on the developed countries. The desire to correct some of the past damage done would consume larger and larger amounts of private and public funds in the developed countries. But even if it is argued that environmental action is more necessary in the developed

³⁵For projected future energy consumption, see Blueprint for Survival, pp. 88-89.

countries where the assimilative capacity of the environment seems to be overtaxed, it remains true that in an interdependent world, both physically, politically, economically, and financially, such actions have immediate wider consequences.

But the developed and less developed countries have different immediate interests as far as environmental policies are concerned. As we saw in the first chapter, the immediate concern of the leaders of the less developed countries lies in the reduction of their political and economic dependency status. What appears salient, as far as they are concerned, is not ecological instability but the instability of two-thirds of the world's population as a result of lack of adequate economic opportunity. In the words of an Asian statesman, the less developed countries will not be distracted "by dreams of landscapes innocent of chimney stacks."³⁶ Environmental consequences of industrialization are, therefore, not likely to deter these leaders from pursuing those material rewards which have made the current levels of development of the developed countries possible and which alone are likely to solve their environmental problems.

The implications of the conflict of objectives with respect to development versus environment or development and

³⁶ Quoted in Ward and Dubos: Only One Earth, p. xiii.

environment are fraught with serious political consequences. Most of the less developed countries depend upon the export of primary resources for foreign exchange earnings necessary for importing industrial machinery. If it proves to be true that certain nonrenewable resources are running out, then, in all probability, some of those countries would run out of resources long before a decent standard of living for their growing populations was achieved. The alternative of cutting back on current rates of exploitation of their resources carries uncertain international political implications. At the national level, it would mean in the absence of compensating export earnings or locally produced substitutes, a drop in import requirements and inability to manage the economy at levels high enough to meet employment needs of the population. Widespread domestic instability might well occur.

The concern about environmental consequences of DDT, expressed by the developed countries, has important social and economic implications for the less developed countries. Most of the less developed countries use DDT to fight malaria-causing mosquitoes. Socially, banning the use of DDT and other persistent organo-chlorine insecticides could well increase incidence of malaria in the tropical areas. Economically, such a ban would lead to reduced agricultural productivity, the mainstay of the economies of most of the

less developed countries. Already, stiffened U. S. regulations on allowable amounts of DDT in food is believed to be harming Argentinian and Brazilian beef exports.³⁷ Even if less dangerous substitutes were developed, their likely high cost would put further pressures on the limited export revenues available to the less developed countries. National budgets that depend upon revenues from agricultural exports are likely to shrink and thus cause severe social and political pressures in those countries. These problems would become even sharper in the event that pollution-free, but capital-intensive, technologies were developed to replace current ones.

We indicated elsewhere that, traditionally, large population is seen as necessary from the point of view of economic, political, and military efficiencies. Certain minimum levels of population density are necessary to support efficient production and consumption. Recently, however, individuals, groups, and government officials have impressed upon the less developed countries the importance of cutting down their rate of population growth.³⁸ A recent U. S.

³⁷ Barry Commoner; "Motherhood in Stockholm," Harper's Magazine, (June 1972), p. 50.

³⁸ For a good summary of these views, see Miguel A. Ozorio de Almeida; "The Confrontation Between Problems of Development and Environment," International Conciliation, No. 586, (January 1972), pp. 43-46.

State Department brief prepared for President Nixon underscores how fast the population question is entering the international political realm. The document asserts:

"[T]he United States and other nations providing aid are disappointed because rapid population growth consumes and nullifies two-thirds of our aid."³⁹ James Bonner, the American critic of population growth trends, has even made the incredible suggestion that we try "non-voluntary methods of population control. For example...putting antifertility agents in salt."⁴⁰ The concern shown by some leaders of the developed countries in the population question in the less developed countries is bound to cause future political friction between them.

While absolute levels of population range widely in the less developed countries, the rate of increase is generally high. In some of these countries such increases are a precondition for any sustainable rate of economic growth. The critical problem remains how fast industrialization would grow to provide jobs and decent life standards for the growing numbers of people in the less developed countries before popular patience gets exhausted leading to possible wide-spread violence. Thus, for these countries,

³⁹Commoner, op. cit. p. 50.

⁴⁰Cited in Almeida, op. cit., p. 44. Emphasis added.

accelerated economic growth is the only reasonable answer to their condition of underdevelopment. To curtail it would not only place them in a state of permanent underdevelopment but would amount to "growing underdevelopment."⁴¹

The environmental concerns, therefore, while they represent a rational way of adding a qualitative dimension to development can, potentially, conflict with development goals. No modern nation can discharge its obligations by forsaking growth. Even governments of the developed countries, while they are pressed to maintain quality environment, are also expected to maintain high economic growth rates and to increase employment opportunities. But it is clear that their environmental concerns would lead to certain shifts in emphasis in development planning. In an interdependent world such shifts, even slight ones, have wider ramifications.

III. The Political Dilemmas

The preceding discussion indicates that the environmental quality concerns pose difficult and complex political problems for all governments: Would a government that demands high environmental protection standards not end up losing investments capital to another that demands less?⁴² Should the less developed countries be expected to make the

⁴¹Op. cit., p. 39.

⁴²Brazil has openly invited businessmen to invest in Brazil if they want to escape from high pollution taxes.

same outlays for environmental protection standards as developed countries? What are the implications for the economic growth of the less developed countries in the event of depletion of vital resources? If resources are diminishing, how and on what terms should nations compete for those diminishing resources? How would rises in cost of capital investments goods, as a result of environmental protection standards, affect the development prospects of the less developed countries? How would the new concerns affect the aid policies of the developed countries? If one country's industrial effluents cause harm to the population of another country or if one country's inland dam reduces the quantity of fish in international waters, how are such problems to be solved? How would the environmental issues affect traditional alliance patterns now that a traditional ally could also be the source of a deteriorating national health standard? Would a common military security interest survive the stress of dwindling vital resources? Would common producers of a strategic raw material constitute themselves into an economic bargaining bloc even when cultural, ideological, and military-strategic interests dictate otherwise? Would the overriding need to eliminate a common health hazard collapse the ideological boundaries between nations?

These are hardly abstract questions. The current politics of oil underscores how significant certain aspects

of the environmental issues can become in foreign policy. In his nomination hearings before the House Judiciary Committee, the then Vice-President designate of the United States, Gerald Ford, was reported to have said that the United States should be prepared to examine the possibility of placing an embargo on food and technological exports to the Arab nations to counter the Arab oil cutoff.⁴³ "We cannot give away our assets," insisted Ford, "without some quid pro quo if the chips are down and the other side does not cooperate."⁴⁴ The environmental issues are, therefore, at heart, political issues. They are embedded in the basic political, economic, and social conflicts between nations. At the same time, they are "the most intrinsically international of all the issues that the world community has ever faced."⁴⁵ All nations are affected, in varying degrees, by the physical, political, social, and economic pressures of the environmental issues. The environmental issues project onto the international plane the old problem with which Rousseau once grappled in the context of domestic

43

From the Associated Press and Reuter News Agency (Washington, D.C.) and reported in The Globe and Mail (Toronto), Friday, November 16, 1973, p. 10.

44 Ibid., p. 10.

45 "Maurice F. Strong: Stockholm-- A Year Later;" Research Review by Sally Jacobsen; Science and Public Affairs, (June 1973), p. 35.

politics: Can it be assumed that every nation knows best what its own interests are and what is in the interest of all nations?⁴⁶

IV. A United Nations Conference on the Human Environment is Initiated

The desire to face up to the complex problems which the environmental issues pose for national and international politics inspired the decision to convene a United Nations conference on the human environment. Industrial effluents do not respect national geo-political boundaries. Further, trade, aid, economic development, population, and technological innovation policies might all have to be adapted to the requirements of environmental protection. But the extent to which these problems can be tackled depends upon two factors. First, governments must recognize the presence of environmental problems. Finally, they must be willing to reach agreements on how to solve them. It was these factors which motivated the Swedish delegation's initiative, in 1968, to request that the question of convening an international conference on the problems of the human environment be inserted in the agenda of the Forty-fifth Session (1968) of the Economic and Social Council (ECOSOC). By that initiative,

⁴⁶Jean J. Rousseau; The Social Contract, translated by Ernest Baker (London: Oxford University Press, 1947), Book IV, especially pp. 384-387.

the Swedish delegation hoped to mobilize international awareness of the nature of the environmental problems.⁴⁷

The Swedish delegation's desire to discuss the environmental problems in the United Nations was a logical one. To the extent that the implications of the problems were world-wide, it was reasonable to discuss them in the only forum with the broadest national representation, the widest decision-making functions, and the organizational structures and experience to coordinate and supervise any action program that governments might authorize. It should also be added that the Swedish delegation's preference for the United Nations in this matter was consistent with that country's leaders' well-known desire to have the United Nations used as the forum for solving world problems. By its Resolution 1346 (XLV) of 30 July 1968, the ECOSOC unanimously endorsed the Swedish delegation's proposal and recommended that the General Assembly, at its Twenty-third Session (1968), consider the desirability of convening a UN conference on the problems of the human environment. The General Assembly endorsed the ECOSOC recommendation and by its Resolution 2398 (XXII) of 3 December 1968, it initiated

⁴⁷UN Doc. E/4466/Add.1 (1968). For a discussion of the aims of the Swedish initiative, see Lars-Goran Engfeldt; "The United Nations and the Human Environment: Some Experiences;" International Organization, vol. 27, No. 3, (Summer 1973), pp. 393-412.

a conference on the human environment to convene in Stockholm, Sweden, in 1972. The conference was to direct the attention of governments and public opinion to the importance and urgency of the problems of the human environment and to identify those areas that could only or best be solved by international cooperation and agreement.

Events since 1968 changed the conference objectives. Increased public familiarity and concern with the environmental problems, particularly in the developed countries, led the General Assembly to shift the conference aims to concentrate on the means available to rectify environmental deterioration rather than on mobilizing public opinion:

[I]t should be the main purpose of the Conference to serve as a practical means to encourage, and to provide guidelines for, action by Governments and improve the human environment and to remedy and prevent its impairment, by means of international cooperation, bearing in mind the particular importance of enabling the developing countries to forestall the occurrence of such problems.⁴⁸

It was in this context that the negotiations took place. Description and analysis of the negotiations will be split into pre-conference, conference, and post-conference negotiation phases. This three-fold division is defensible. Customarily, United Nations conference diplomacy evolves out

⁴⁸General Assembly Resolution 2581 (XXIV), 15 December 1969, operative para. 2.

of these three phases. Historically, this is the way the environmental negotiations evolved. Pre-conference negotiations define the issues and attempt to narrow perceptual, attitudinal, and policy differences between governments. The negotiations are usually carried on through a series of meetings of a preparatory committee. These more formal meetings are supplemented by informal diplomatic contacts between governments and the conference secretariat, particularly its Secretary-General. Both formal and informal contacts serve the same purpose: to achieve a common conceptual approach as well as to resolve as many policy differences as possible. Within the limited time available for the full-dress conference itself, there are severe time constraints on the extent to which issues can be explored and acted upon. Therefore, substantial pre-conference agreements on most of the difficult issues are important prerequisites for a successful conference. For most delegations, the pre-conference phase is an important one. It affords opportunities to identify "friends" and "enemies" and allows proper design of strategies at the full-dress conference. Concessions and commitments successfully

⁴⁹Johan Kaufmann notes that the Bretton Woods conference of 1944, where the statutes of IBRD and the IMF were drafted, did not follow this three-phase negotiation process, especially that of IBRD. He argues that IBRD negotiations were characterized by few prior negotiations between governments. Obviously, Kaufmann does not deny

extracted in the pre-conference phase tend to take on an obligatory character during the conference phase because of delegates' desire to avoid charges of negotiating in bad faith. Additionally, the rules of procedure, under which most conferences operate are usually prepared during the pre-conference phase. Ability to influence its preparation in ways favorable to one's or a particular group's interests may have some effects on the outcome of debates at the conference phase.

The conference negotiation phase presents its own unique context and characteristics. Negotiations are not merely concerned with rubber-stamping pre-conference recommendations, although the bulk of the process does just that. Not all issues are satisfactorily resolved during the pre-conference phase. Further, new issues may be raised. Therefore, there are spirited debates and negotiations at the full-dress conference. Basically, however, the crucial function of the full-dress conference is to endorse, amend, or reject pre-conference recommendations.

The post-conference phase is the final stage in the chain of negotiations. The General Assembly, as the supreme organ of the United Nations system, must endorse conference recommendations before they can be recommended to governments

that some prior negotiations took place except that they were few. See his Conference Diplomacy, (New York: Oceana Publications, Inc., 1970), p. 47.

for action. Its endorsement is also required before the international component of the recommendations can be implemented by the appropriate United Nations agencies and organizations. It should not be inferred from the above that the post-conference phase is merely procedural in character. If the post-conference phase offers an opportunity to solidify gains made at the conference phase, it can also reopen disagreements if delegates decide to make use of their right to seek revisions in recommendations deemed unfavorable to them. But even much more difficult problems can be presented if delegations which boycott a conference decide to seek substantial discussion of conference recommendations instead of abstaining or not participating in the final act. Essentially, though, the primary function of the post-conference phase consists of legitimizing recommendations submitted to the General Assembly by the full-dress conference. The post-conference phase is usually carried on through a series of discussion meetings of an appropriate committee of the Assembly. The Committee's report is generally approved by the Assembly without much debate.

While the negotiation issues remained the same during the various phases, the contexts were different. But, hopefully, the three phases will permit an understanding of the total environmental negotiations. The next three chapters describe and analyze the dynamics of those negotiations.

CHAPTER III

THE LESS DEVELOPED COUNTRIES AND PRE-CONFERENCE NEGOTIATIONS

The pressures leading to the introduction of the environmental problems into the United Nations were discussed in the last chapter. This chapter describes and analyzes attitudes, policy choices, and process of negotiation among delegations. While we will be isolating and discussing the most important alignment patterns, attempts will be made to indicate and explain variations in attitudes and behavior within them. Consistent with the scope of this study, attention will be primarily focused on the behavior of delegates of the less developed countries.

The study cannot, nor is it intended to, cover the whole of the environmental negotiations. It cannot because a conference which required four years of intensive preparations is, understandably, wide-ranging and complex. In fact, one of the conclusions that emerged out of the Stockholm Conference is that the concept of the human environment has no clearly established and acceptable limits. The study is not intended to cover the whole conference because it has a specific theoretical focus. Because of these considerations, three issue areas have been selected to form the basis of the study into the role of the less developed countries and

process of negotiation between them and their counterparts from the developed countries. The issue areas are:

(i) Development and Environment, (ii) International Institutional Arrangements, and (iii) Declaration on the Human Environment. The criteria suggested by Professor Fred C. Iklé have been applied to this selection process. According to Iklé, "two elements must normally be present for negotiation to take place: there must be both common interests and issues of conflict. Without common interest there is nothing to negotiate for, without conflict¹ nothing to negotiate about."

The Development and Environment issue area is selected because it was the logical focus of the conference. It was the area of primary concern to delegations from the less developed countries. Under this issue area are questions of international trade, financial and technical assistance to the less developed countries, and environmental standards. These are typical North-South issues and should therefore offer opportunities for studying the structure of conflict and the process of wielding influence which are characteristic of this dimension of international relations.

¹ Fred C. Iklé; How Nations Negotiate, 2nd printing (New York: Frederick A. Praeger Publishers, 1968), p. 2.

The Institutional Arrangements issue area is important for a number of reasons. A permanent international institution is needed to provide leadership on environmental matters and to implement environmental goals on which delegations agree. The interconnections and nature of the environmental issues make certain conflicts between nations inevitable. An international focal point for environmental conflict prevention and dispute settlement is therefore necessary. As well, the creation, location, functions and financing of the institutional structures are matters in which governments are expected to be politically interested. Four aspects of this issue area are of particular political importance. The first is the size of the intergovernmental body to give political direction to the secretariat to be set up. The second aspect deals with the location of the secretariat within the United Nations framework. The third aspect concerns the site for the environment secretariat. In the past, delegations have not shown much political interest in this question but this began to change in 1966 when the decision to site the United Nations Industrial Development Organization (UNIDO) secretariat in Vienna, Austria, was taken. The final aspect is financing. How the secretariat and environmental programs are financed has an important impact upon goals pursued and priorities assigned to them. This issue area, therefore, has a large role to

play in the environmental program. It will have to set goals and establish priorities. These will be affected by the structure of political control agreed upon by delegations. For delegations of the less developed countries, the institutional issue could be made to complement their interest in protecting and promoting their development goals. For their counterparts from the developed countries, the structure of political control would determine whether or not programs of immediate importance to them would be accorded the high priority they require.

Finally, the Declaration on the Human Environment is selected because it is a code of environmental ethics which, while not legally binding on member-states, is generally believed to contain enough important philosophical and legal precepts to eventually form the basis of future global environmental law. All delegations are therefore expected to have an interest in the principles that are set forth in the document. Because most delegations of the less developed world have consistently argued that current norms of international behavior were evolved before they attained sovereign statehood, it is reasonable to assume that they will be particularly interested in this issue area. In effect, the final issue area is a kind of law-making by conference which is similar to the 1958, 1960, and 1974 Law of the Sea Conferences.

It can be seen that the choice of these three broad issue areas is defensible. The specific questions addressed by each of them are important in themselves. But more importantly, they cover the scope of the North-South dimension of international relations, that is, the politics of economic development and political prominence. As a result of this, negotiation processes should provide illustrations of the current state of the North-South structure of conflict.

International negotiation, as was indicated in the first chapter, is an interaction process. Outcomes are largely determined by this process. But the nature of the process itself comprises the characteristics of actors, especially their goals, attitudes, and resources, issue area, and international institutional factors. International negotiations are, therefore, a complex web of interaction processes. But before describing and analyzing the negotiations, we must first discuss the patterns of attitudes toward the concept of problems of the human environment. Attitudes, according to Professors Guetzkow and Sawyer, "are crucial to the process of negotiation because-- distorted or not-- they influence substantially both (a) the actions one party takes toward the other, and (b) the interpretations he places upon

the acts of the other."² It is sets of attitudes that we shall discuss.³

I. Sets of Attitudes Toward the Environment Conference

A. The Environmentalists

Three sets of attitudes were evident at the inception of the environmental discussion at the United Nations. The first set of attitudes to be described is that of those delegates who felt most strongly that social and material progress could no longer be measured only in statistical terms. As Swedish Ambassador Åström put it:

Rapid economic development remains, of course, one of the primary goals of all governments. It is not an end in itself. It should serve ultimately to satisfy fundamental human needs and to allow the peoples, in dignity and justice, to enjoy basic human rights. Therefore, working and living conditions must consciously be made safer and

² Jack Sawyer and Harold Guetzkow; "Bargaining and Negotiation in International Relations," in Herbert C. Kelman (ed.); International Behavior: A Social-Psychological Analysis, (New York: Holt, Rinehart and Winston, 1965), p. 503.

³ For studies based on similar methodological assumptions, see Robert L. Friedheim; "The 'Satisfied and Dissatisfied' States Negotiate International Law," World Politics, vol. 18, No. 1 (1965), pp. 20-45; Joseph S. Nye, Jr.; "UNCTAD: Poor Nations Pressure Group," in Robert W. Cox and Harold K. Jacobson, The Anatomy of Influence: Decision-making in International Organization, (New Haven: Yale University Press, 1973), pp. 334-370.

better suited to the aspirations of modern man. The cravings for spiritual and cultural fulfilment must be satisfied⁴

This attitude, which reflected the recent concern in the developed countries about the side-effects of social and material progress, was widely shared by other delegates of the developed countries. While their concern about the quality of the human environment was cast in broad and often philosophical terms, the problems most frequently mentioned were marine pollution, urban pollution, population explosion, and resource depletion. Most of them admitted that these problems were particularly more acute in their societies than in the less developed countries, but they felt that the global dimensions of some of the problems justified giving the environment debate "a common outlook and direction in order to achieve maximum efficiency."⁵ That common outlook called for the acceptance of the need for changes in values. Development at whatever cost was to be rejected because it was not a viable approach.

In addition to achieving a new concept of development, delegates of the developed countries favored the taking of some measures to rectify environmental damage that had been

⁴Mr. Åström (Sweden); UN General Assembly: Official Records, Twenty-third session, 1732nd Plenary Meeting, 3 December 1968, p. 4, para. 33.

⁵Ibid., p. 5, para. 48.

caused by poorly planned industrialization processes. Therefore, for these delegates, an important component of the environmental discussions was agreement on implementation of certain immediate and long-term correctional measures and defensive strategies. Examples of the latter included monitoring of environmental changes, environmental education, training of environmental administrators, and exchange of national experiences in the environmental field. Other long-term goals were resource conservation practices, preservation of certain unique scientific and cultural areas for the whole of mankind, and institutional development at both the national and international levels to give leadership and administer environmental programs. Examples of immediate objectives included the acceptance of certain minimum environmental standards, particularly with respect to marine pollution, some action on growing world population and an international secretariat with adequate funding and authority to give leadership and carry out environment-related functions for the global community.

Thus, the primary concerns and attitudes of delegations from the developed countries were oriented at focusing attention on environmental deterioration, as defined by them, and agreeing on measures to rectify them. To the extent that they thought this goal was of importance to delegations from the less developed countries, at all, it was "to enable [them]

to avoid making the same mistakes which have made parts of the environment in the industrial countries unhealthy, unpleasant and ugly."⁶ These attitudes and more specific concerns about environmental deterioration lead us to characterize the delegates of the developed countries as the "environmentalists." They are so called not because they were against traditional development goals but because they wanted to restrict discussions and policy recommendations to more narrowly defined problems of the environment. To put it differently, they were the spokesmen for the cause of environmental quality and rational resource management practices. While they recognized the linkages between development and environment, their initial statements showed an absence of concern about the economic, financial, and trade implications of the environmental quality consciousness. As one delegate from the United States disclosed in an interview:

We did not conceive economic development issues to be the proper focus of the projected environment conference. Such issues belong to UNCTAD and other appropriate agencies and organizations of the UN family.

It must be pointed out that the Environmentalists were not an organized group in the sense that they were in regular

⁶Op. cit., p. 3, para. 29.

consultation, practised bloc voting or bloc-sponsored proposals. What united them most was a common set of attitudes towards the Conference.

The approach to the Conference adopted by the Environmentalists was not immediately affected by even the Secretary-General's Report which had been requested by the General Assembly when it voted to convene the Stockholm Conference.⁷ The Report emphasized the importance of both development and the enhancement of the human environment:

Industrialization is of vital importance to nations which seek to elevate the living standards of their people....However, the side-effects of poorly planned or uncontrolled industrialization and of the one-sided application of technology have been a direct cause of many serious environmental problems.⁸

Uncharacteristically, the Report conceived of familiar under-development-related problems such as malnutrition, water supply, and education as environmental problems. But this extension of the concept of environmental problems did not have an immediate impact upon the attitudes of delegates from the developed countries. Thus, at the first Preparatory Committee session which was held from March 10-20, 1970, they recommended only three broad subject categories for the conference-- human settlements, management of natural resources,

⁷General Assembly Resolution 2398 (XXIII), 3 December 1968, operative para. 2(b).

⁸UN Document E/4667, 26 May 1969, p. 5, para. 4.

and pollutants and nuisances. These subject categories were consistent with their conceptual approach to the conference. Completely absent from their list of concerns were economic, financial, and trade implications.

Quite apart from the developed countries' desire to have these issues discussed in other UN forums, their attitude towards economic, financial and trade questions were influenced by two additional considerations. First, there was a desire to reduce impediments to a successful conference. As one Canadian delegate privately explained it: "Economic and trade questions tend to create divisiveness in debates at the UN, and we did not want to wreck the conference by meshing such questions with the environment." Secondly, there was considerable doubt, particularly strong among delegates of Western developed countries, about the effectiveness of the United Nations to resolve environmental policy and trade matters. The remarks by Mr. Christian A. Herter, Jr., Special Assistant to the U.S. Secretary of State on Environmental Affairs, substantiate our point:

We felt that it was in this forum [Environment Committee of Organization of European Cooperation and Development (OECD)] that we would have a greater measure of success in trying to harmonize, if you like, environmental policy between industrialized nations to avoid trade distortions than in working through the forum of the UN.⁹

⁹Hearings Before the Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs. House of Representatives. Ninety-Second Congress, Second

Thus, concern for organizational jurisdiction, for minimization of confrontation politics and uneasiness about the United Nations ability to resolve environment and trade policies, reinforced the narrowly defined aims with which delegates of the Western developed countries were more immediately concerned. Having put high premiums on rectifying their environmental deterioration, they did not wish to complicate the expected gains from the Conference by broadening the scope of their concerns to include traditional development-related goals.

The initial desire of the Western developed countries to exclude economic, financial and trade negotiations from the environmental discussions was supported by the Socialist developed countries (except Romania and Yugoslavia), but for ideological reasons. Traditionally, this group of countries has maintained that responsibility for providing development resources to the less developed countries rests primarily on colonial and neocolonial powers which have exploited those countries. Therefore, any attempt to link environment and development discussions insofar as any obligations to provide development resources were entailed, they argued, was contrary

Session on H. R. 13116: International Cooperation in the Human Environment Through the UN: Wednesday, March 15, 1972.
(Washington, D.C.: U.S. Government Printing Office, 1972), pp. 26-27.

to their stated position. But ideological consistency, though of primary importance, was not the only consideration behind the attitudes of the delegates from the Socialist developed countries. There was little doubt that they also preferred that the conference was restricted to problems of industrial pollution. As the Representative of Czechoslovakia, Mr. Lacko, remarked: "it was the harm caused by economic growth-- in other words, by productive activities-- that most urgently demanded attention."¹¹ Although the Socialist developed countries (except Romania and Yugoslavia) boycotted the Conference, it must be pointed out that they did so for political reasons, namely, the refusal of the Western developed¹² countries to grant full participation status to East Germany.

¹⁰ Letter dated 21 September, 1970 from the Representatives of Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Mongolia, Poland, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics addressed to the Secretary-General: UN General Assembly: Official Records, Twenty-fifth Session, Agenda Item 42: Second UN Development Decade, Document A/8074, Annexes, p. 3. For a similar communication from the Union of Soviet Socialist Republics to the Secretary-General, see UN General Assembly: Official Records, Twenty-fourth Session; Second Committee, Agenda Item 12; UN Document A/C.2/248, 20 November, 1969.

¹¹ Mr. Lacko (Czechoslovakia); A/C 2/SR.1350, 30 November, 1970, p. 8.

¹² For a brief description of the politics of East Germany's participation in the conference, see Wade Rowland; The Plot to Save the World (Toronto and Vancouver: Clarke,

Until political considerations forced them to withdraw from the preparatory process, their attitudes and approach to the conference had been similar to their Western developed counterparts'.

Consistent with their concerns about correctional measures and defensive strategies, the developed countries relied on technical experts, particularly from their environment, health, energy, mines and natural resources, fisheries and legal departments to staff their delegations to the Preparatory Committee sessions. With the exception of Italy in the first session and the Soviet Union in the first and second sessions, delegations of the developed countries were staffed by few officers from foreign and UN affairs departments. In addition, their advisors were generally legal officers and scientists from the fields of marine biology, hydraulics, agronomy, and health. The delegations they sent to Stockholm were dominated by experts from environmental protection agencies and scientists with background in the field of environment. While the number of foreign affairs experts was slightly increased, few experts came from trade, industry, finance, and external aid departments. For an example, out of the sixty delegates from the United States, there was no representation from trade and commerce. There was only one

Irwin and Co., Ltd., 1973), pp. 39-41. For a perceptive, but provocative interpretation of the Soviet boycott, see Barbara Ward; "The End of an Epoch?" The Economist, May 27, 1972, p. 68.

delegate from the Agency for International Development
¹³
 (AID). This staffing pattern was, of course, in harmony
 with the interests and objectives they sought in the
 Conference. A similar approach was adopted to the 1958 and
 1960 Law of the Sea Conferences by the group of states
 which Professor Friedheim has called the "satisfied states."
 These states, which were also developed, relied on technical
 experts and technical arguments in resolving legal questions
 about the sea. The over-all effect of that approach was a
 certain unwillingness to concede the necessary relationship
¹⁴
 between law and politics. The approach adopted by the
 Environmentalists revealed similar reluctance.

The Environmentalists saw the Conference as a political
 gathering of senior governmental leaders and their advisors.
 But because the solution to the environmental problems with
 which they were concerned were assumed to require an unusual
 degree of international cooperation and scientific approaches,
 there was a tendency, particularly strong in the initial
 debates, to discourage a wholly political approach to the
 Conference. It must be emphasized that their desire to avoid
 an UNCTAD-type confrontation politics reinforced this attitude.

¹³ See UN Conference on the Human Environment: List of
 Participants: UN Document A/Conf.48/Inf.5/Rev. 1,
 21 September, 1972, pp. 68-72.

¹⁴ For a similar attitude toward the law of the sea,
 see Friedheim, op. cit., pp. 29-39.

The remarks of Australian delegate, Mr. Joseph, illustrate our observations:

The problems of environmental preservation and the related problem of pollution must be approached in a mature manner without the destructive influences of petty self-interest and without conflict between the industrialized and less-industrialized nations.¹⁵

Although this approach was used politically to discourage bloc organization, bloc voting and bloc-sponsored resolutions-- all practices characteristic of UN Conference diplomacy-- because it was not sufficiently protective of the vital interests of the less developed countries, a second set of attitudes towards the conference emerged. Those sharing this set of attitudes will be characterized as the "developmentalists." Not surprisingly, they were all from the less developed countries. Just as the attitudes and objectives of the Environmentalists had their origins in their societies, so were those of the Developmentalists. It is on this group that we must now focus.

B. The Developmentalists

It was emphasized in Chapter I that basic to an understanding of the foreign policy behavior of leaders of the less developed countries is their political and economic dependency status. This foreign policy setting largely

¹⁵Mr. Joseph (Australia); A/C.2/SR. 1426, 6 December, 1971, p. 11.

structured the attitudes toward the environment conference adopted by their delegates. The remark of Tunisian delegate, Mr. Driss, is illustrative:

Most of the problems of developing countries were individual features of their one over-riding problem of underdevelopment and in matters relating to the environment, too, their main concern must be for development.¹⁶

Fearing that the emerging environmental concerns would threaten their development opportunities and worsen their dependency status, most delegates from the less developed countries maintained that their interests were not served by the environmental discussion. A few delegations, notably, Brazil, were even more radical in their attitudes:

An implicit assumption underlying plans for the Stockholm Conference has been that, given the present demographic magnitudes and distribution in the world and given the present patterns of consumption of natural resources and of emission of pollutants by the developed countries, the world cannot afford the economic development of the underdeveloped countries along the lines followed by the presently developed ones. If the three-fourths of mankind represented by underdeveloped countries were to squander natural resources at the same rate (in per capita terms) as, for example, the United States or the Western European countries, there would not be enough oxygen to go around and there would not be enough metals for industry, while, on the other hand, there would be so much carbon, sulphur, and nitrogen dioxide that mankind would be pushed toward extinction.¹⁷

¹⁶Mr. Driss (Tunisia); A/C.2/SR. 1482, 8 November, 1972, pp. 9-10.

¹⁷Statement by Ambassador M. Ozorio de Almeida (Brazil);

Although not all of them argued this radical position, most notably, Argentina and Costa Rica, there was widespread disappointment that delegations from the developed countries would be concerned about ecological stability when the stability of the life of two-thirds of mankind was threatened. For example, the Indian Prime Minister, Mrs. Indira Gandhi, asked: "...how can we urge preservation of animals? How can we speak to those who live in villages and slums about keeping the oceans, the rivers, and the air clean when their own lives were contaminated at the source?"¹⁸ There was a genuine fear, as most of them conceded privately, that the environmental concerns were likely to supplant their social and economic development as the political issue of the day. Because of this fear, much of the importance of the Secretary-General's Report (E/4667); to which we referred earlier, was lost. For sure, its publication made some impact on some delegations. For an example, Chilean delegate, Mr. Corea, admitted that:

The environmental problem is something that affects not only developed countries but also, and in an important manner, the underdeveloped countries. In my country we have problems connected with urbaniza-

The Founex Report: Environment and Development; International Conciliation, No. 586 (January 1972), pp. 53-54. See also A/C.2/SR. 1422, 1 December, 1971, pp. 11-18.

¹⁸The Text of Prime Minister Mrs. Indira Gandhi's address to the Plenary Session of the UN Conference on the Human Environment at Stockholm on June 14, 1972. Permanent

tion, with over-crowding, with erosion, with pollution as in the developed countries.¹⁹

Even while such admissions were made, delegates from the less developed countries saw the solution to their problems in accelerated economic development. The unusual conceptualization of some of their traditional development problems attempted by the Secretary-General did not produce any political attempts to inscribe their interests on the emerging agenda of the Conference. The impression was given during interviews that, in spite of the imaginativeness of the Secretary-General's Report, delegates from the less developed countries were not completely reassured that development and environment goals could easily be reconciled. This initial attitude produced apathy and defensiveness toward the emerging debates.

Under a demanding and suspicious Brazilian delegation, most delegates from the less developed countries defended their right to accelerated socio-economic development, as spelt out in the Strategy for the Second Development Decade.²⁰ Thus, for all their adequate representation, hence their potential

Mission of India to the UN: India News, No. 43/72, June 22, 1972, p. 5.

¹⁹ Mr. Corea (Chile), UN General Assembly: Official Records, Twenty-fourth Session, A/Pv. 1834, 15 December, 1969, p. 31.

²⁰ For the detailed recommendations of the International Strategy for the Second Development Decade, see International

influence, on the twenty-seven-member Preparatory Committee formed by the General Assembly to advise the Conference Secretary-General in the conference preparations, delegates from the less developed countries made very little positive contribution to the initial debates and planning process.²¹

They insisted upon appointing one of their members-- Ambassador Keith Johnson of Jamaica-- to the Committee's chairmanship. But as will be noted presently, this move was intended to protect their interests in the Committee's discussions.²² It led neither to a clearer conception of

Development Strategy: Action Programme of the General Assembly for the Second Development Decade, (UN Document ST/ECA 139, 1970)

²¹Members of the Preparatory Committee were: Argentina, Brazil, Canada, Costa Rica, Cyprus, Czechoslovakia, Egypt, France, Ghana, Guinea, India, Iran, Italy, Jamaica, Japan, Mauritius, Mexico, the Netherlands, Nigeria, Singapore, Sweden, Togo, the USSR, U.S.A., the U.K., Yugoslavia, and Zambia. See General Assembly Resolution 2581 (xxiv), 15 December, 1969, operative para. 4.

²²The role of conference officers in UN diplomacy is a relatively underdeveloped area of study. Although conference officers operate within constraints of procedure and fairness, Johan Kaufmann has pointed out that they have a significant impact on consensus-formation and negotiation outcomes. They have ready access to the views of all parties to the negotiations and the secretariat. The initiatives they take, their ability to work out informal consultations among delegations, and the secretariat, their interpretation of the rules of procedure, and their fairness all affect debating and negotiation outcomes. If a chairman's ideological background is similar to that of the majority of member-states-- as

how to make the conference relevant to their interests nor to increased participation in the Committee's debates.

If any conceptual contribution emerged, it was to inform the Environmentalists that "The task of the developing countries to avoid the problems of human environment is...²³ mainly a preventive one." In other words, a preventive strategy was injected into the debates. But this was neither elaborated nor backed up with increased desire to participate in the debates. For an example, while all their sixteen Committee members attended the first Committee session, only nine attended the second. A senior Secretariat official attributed this low participation to lack of communication between missions and Governments of the less developed countries. The home Governments, in his view, were not being fully apprised of the importance of the emerging issues. Two additional reasons can be advanced. First, it reflected a

Ambassador Johnson's was-- not only can one expect him to enjoy their confidence and cooperation, but it is presumed that he will not take initiatives likely to adversely affect their interests. For a short discussion of the role of conference officers, see Johan Kaufmann; Conference Diplomacy: An Introductory Analysis, (New York: Oceana Publications, Inc., 1970), especially pp. 83-101. D. E. Werners; The Presiding Officers in the United Nations, (Haarlem: De Erven F. Bohn N.V., 1967), especially pp. 78-178.

²³Mr. D'Mello (India); UN General Assembly: Official Records, Twenty-third Session, 1733rd Plenary Meeting, 3 December, 1968, p. 14, para. 10.

continuing indifference to the conference. Secondly, plain ignorance of the scope of the emerging issues did not permit them to make much impact on the debates. In fact, some delegates from Africa privately conceded that their initial attitudes were influenced by Brazilian delegation's interpretation of the Environmentalists' objectives. Apathy soon dissolved when the interrelations between environment, trade, aid, and technological transfer became much clearer to them. Having acquired a better understanding of the scope of the threat posed by the emerging environmental issues, the key attitude expressed by the Developmentalists was a strong positive desire to promote their interests. Well organized and very outspoken in the defense of these interests, they insisted upon a conceptual distinction between environmental problems caused by affluence and those caused by poverty. Pollution of poverty, to which they were primarily subjected, according to Cuban delegate, Mr. Fernandez, "was due primarily to the conditions arising from underdevelopment itself...."²⁴ This conceptual distinction appeared insufficient. In the view of the delegate from the Philippines, Mr. Narciso Reyes,²⁵ "poverty is the greatest pollutant." To have this philosophic-

²⁴ Mr. Moreno Fernandez (Cuba); A/C.2/SR. 1427, 7 December, 1971, p. 4.

²⁵ Narciso Reyes (Philippines); Press Release HE/142, 19 June, 1972, p. 3. See also the debates in the Second

al approach reflected in the Conference planning process, the Developmentalists suggested the inclusion of their own item-- Development and Environment-- in the agenda.²⁶

The Development and Environment item was a set of attitudes toward aid and trade policies. It was argued that environmental protectionism should not lead to tariff and non-tariff barriers to trade. The Environmentalists were asked not to pass on to the Developmentalists the cost of the environmental measures they might implement in their societies. A further demand was made to the effect that development and environment assistance be distinguished. In addition to development assistance, the international community was to make available additional financing to defray the cost of incorporating environmental quality measures into development planning. The rationale behind this demand was based upon the Developmentalists' fear that the flow of aid resources might be affected by the new issues. As Brazilian delegate, Mr. Brito, remarked:

Environmental policies without a clear definition of financial responsibilities in terms of additional aid would be a futile and meaningless exercise or,

Committee of the General Assembly, A/C.2/SR. 1422-36, 1-13 December, 1971, and the National Reports on the Problems of the Human environment. For a good summary of these reports, see Marion Parks; The Human Environment, vol. 11: Summary of National Reports on Environmental Problems (Washington, D.C.: Woodrow Wilson Center for Scholars, 1972).

²⁶A/C.2/L.1185/Rev. 2, 18 November, 1971.

even more, a means of upsetting the development priorities of developing countries.²⁷

To foreclose any scheme to establish uniform international environmental standards, most delegates from the less developed countries asserted the principle of sovereignty over natural resources and their exploitation. Inconsistent as such attitude is, in view of the transnational character of some environmental problems and the demands made on the Environmentalists, the reliance on sovereignty by the Developmentalists was meant to ensure that no externally imposed environmental quality standards conflicted with their paramount requirements for accelerated development.

The Developmentalists' desire to protect and increase the volume of their trade also influenced their attitudes toward environment and trade policies. It was pointed out earlier that the Environmentalists were most reluctant to incorporate economic, financial and trade questions into the environmental discussions. Thanks to the Founex Report on development and environment interrelations, the Developmentalists were fully aware that discriminatory trade practices in the name of environmental protection were bound to happen. For this reason, they asked for compensation in the event that trade losses were incurred by them. Facing deterioration in the

²⁷Mr. Brito (Brazil); UN General Assembly, Official Records, Twenty-fifth Session, 1918th Plenary Meeting, 7 December, 1970, p. 3, para. 22.

terms of their trade and aware that their low concern for environmental quality standards in production might be exploited to restrict access of their products to the markets of the Environmentalists, the Developmentalists' demand for trade compensation amounted to an insurance scheme against further underdevelopment and dependency.

In a marked contrast to the Environmentalists, but consistent with their attitudes and objectives, the Developmentalists relied most heavily on political officers with UN experience, experts in the fields of economic development and planning, agriculture, housing, health, social services, and engineering to staff their delegations. With the exception of Argentina, Iran, Mexico, and Singapore (which had advisors in fields related to public hygiene, energy, and natural resources) most Committee members of the Developmentalists staffed their delegations with political officers drawn largely from UN missions in New York and Geneva. Budgetary constraints might partly explain the staffing pattern adopted during the Conference preparatory phase. But most importantly, the approach to staffing indicates that the Developmentalists were much more conscious than the Environmentalists of the crucial relationship between environment and politics. Even though their Stockholm delegations had more experts in the fields of economic development and planning, health, agriculture, housing, and engineering, than was the case in the prep-

aratory phase, political officers from external affairs and international organizations still dominated.²⁸

As in past negotiations between delegates from developed and less developed countries, precedent had an important impact on the content and style of politics injected into the environmental negotiations by the latter. According to Professor Oran Young: "Once a participant recognizes the first elements of a familiar sequence he is likely to project its future course on the basis of past experience."²⁹ Distrust of the intentions of the Environmentalists affected the bargaining language used by the Developmentalists. As Ghanaian delegate, Mr. Asante, summed up this attitude: It is only when leaders of the developed countries help to create "a new world" for all, would leaders of the less developed countries "take it for granted that when a developed country raised its voice, it spoke for mankind."³⁰ A charge constantly

²⁸For the list of participants to the Preparatory Committee meetings, see Documents, A/Conf. 48/PC/6, 6 April, 1970, Annex II, pp. 28-38; A/Conf. 48/PC/9, 26 February, 1971, Annex I, pp. 42-59; A/Conf. 48/PC/13, 30 September, 1971, Annex II, pp. 1-20. For the Stockholm list of participants, see op. cit.

²⁹Oran R. Young; The Politics of Force, (Princeton: Princeton University Press, 1968), p. 35.

³⁰Mr. Asante (Ghana); A/C.2/SR 1424, 6 December, 1971, p. 19.

levelled at the Environmentalists was that they approached the conference with an anti-developmental bias. They were further accused by most of the Developmentalists of being exclusively responsible for causing all the world-wide environmental problems and were asked to assume the responsibility of rectifying them. The Developmentalists, therefore, appeared willing to provoke confrontation as a means of protecting their interests. They were well organized and operated as a group on most of the demands of primary importance to them. They used bloc-sponsored proposals and bloc voting to advance their interests. But unlike the past, as will become much clearer in subsequent chapters, they were more willing to bargain, accept compromises, and even drop some demands of crucial importance to them. In bargaining, however, they made no secret of the fact that they saw the environmental issues in terms of their development interests.

The verbal vehemence with which the Developmentalists expressed their reservations about the Environmentalists' approach to the Conference and the latter's reluctance to incorporate their interests into the planning process initially led to a clash of perspectives and objectives. It was as a consequence of the differing perspectives and objectives with which both groups initially approached the conference that a third and final set of attitudes emerged. The final set of attitudes could be characterized as the Developmentalists/

Environmentalists. For descriptive convenience, however, we shall adopt the characterization given to it by the Conference Secretary-General, Maurice Strong, namely, ³¹The Third Way. Although it was closely associated with Mr. Strong, the Third Way was eventually adopted by all delegations as the most realistic approach to the Conference. Of course, not all readily accepted its policy implications.

C. The Third Way

The third set of attitudes brought together the concerns expressed by the Environmentalists and Developmentalists. As Mr. Strong articulated it:

'No growth' is not a viable policy for any society today. Indeed people must have access to more, not fewer, opportunities to express their creative drives. But these can only be provided within a total system in which man's activities are in harmony with natural order.³²

The Third Way concept was by no means new. It was clearly evident, as we saw earlier, in U Thant's Report (E/4667) on

³¹The "Third Way" concept was articulated in Mr. Strong's speech to the Clean Air Congress, Washington, D. C., on 7 December, 1970.

³²Text of Opening Statement by Maurice F. Strong, Secretary-General of the UN Conference on the Human Environment, at the First Plenary Meeting of the Conference, Stockholm, Sweden, 5 June, 1972. See HE/S/8, 5 June, 1972, p. 5.

problems of the human environment. The Environmentalists, while reluctant to integrate economic, financial, and trade implications into their action program, consistently maintained the compatibility of both development and environment goals. Similarly, the Developmentalists, with the initial exception of a few of them, notably, Brazil and Ghana, accepted the importance of environmental protection measures, although they were unwilling to implement them at the expense of their development interests. In spite of these attitudes, both sides seemed unable to move from initial positions and preferences, a minimal requirement, as students of negotiations have pointed out, of successful negotiations.³⁴

The Third Way approach was intended to facilitate communication between the Developmentalists and Environmentalists. It has been commonly assumed that negotiations become easier as the fullness of communication increases.³⁵ But barriers to communication, as Professors Karl Deutsch and R. M. Krauss have maintained, do not evaporate easily. They

³³ UN Document E/4667, p. 5, para. 4.

³⁴ Arthur Lall; International Negotiation: Principles and Practice, (New York: Columbia University Press, 1966), p. 288; Iklé, op. cit., pp. 87-121; Sawyer and Guetzkow, op. cit., pp. 466-520.

³⁵ Sawyer and Guetzkow, Ibid., p. 480.

argue that "Where barriers to communication exist, a situation in which the parties are compelled to communicate will be more effective than one in which the choice to talk or not to talk is put on a voluntary basis."³⁶ This is essentially a prescription of an activist role for third parties.

Fortunately, a number of factors made this activist role easier for the Conference Secretary-General. Unlike previous UN conference preparation processes, the Secretary-General was given a very firm mandate for ultimate responsibility for planning the Conference.³⁷ Although he was to be advised by a Preparatory Committee, he alone was accountable for the success or failure of the Conference. This resolution thus ensured that he and his office were expected to play more than an administrative role in the preparatory processes. In addition, the Conference Secretary-General was particularly appropriate for the task of removing communication barriers. As a citizen of an environmentally-conscious nation, Canada, he was expected to share its commit-

³⁶ Karl W. Deutsch and R. M. Krauss; "Studies in Interpersonal Bargaining," Journal of Conflict Resolution, vol. 6 (1962), p. 75.

³⁷ General Assembly Resolution 2851 (xxiv), 15 December 1969, operative para. 3.

ment to a sound quality environment. But this background was balanced by his familiarity with, and sensitivity to, the problems of underdevelopment. He had not only lived in Nairobi, Kenya, as a young man, but until his new appointment, he headed the Canadian International Development Agency (CIDA), Canada's international aid agency. Those who know him well claim that he is an excellent administrator and organizer, as well as one who takes on challenges. No challenge was greater than the one he was asked to face.

According to a senior American delegate, one of Mr. Strong's early political acts was to inform U.S. officials not to expect that his decisions and approaches would be popular with them. He moved to remove some of the suspicions which had colored much of the attitudes of the Developmentalists. By basing his headquarters in Geneva, he put a certain political distance between his office and U.S. environmental pressure groups, thereby reassuring the Developmentalists of a certain independence of action. Geneva also gave ready access to the UNCTAD secretariat and his promises to work with that organization to resolve the bothersome conceptual relations between development and environment was a relief to most of the Developmentalists. But his public statements were even more persuasive:

The recent adoption by the General Assembly of the Second Development Decade Strategy provided us with a unique opportunity to place our search for sound environmental policies in the socio-economic context of development. This I regard as one of the prime tasks of the Stockholm Conference. Indeed, I would not be here if I was not deeply persuaded that the work we are undertaking in this new field of environment can be made to serve the goals of the developing world which have been the prime motivation of my own life and career.³⁸

He asked the Environmentalists not to expect the Developmentalists to share their environmental goals with the same enthusiasm, given the latter's basic needs for more food, better housing and health care, education and increased employment opportunities. Unlike most of the Environmentalists, he interpreted the radical position adopted by some of the Developmentalists, particularly Brazil, as no more than an attempt to extract concessions from the Environmentalists. He appealed to the Developmentalists to relax their concept of sovereignty so that national sovereignties could be collectively exercised and with a greater sense of responsibility for the common welfare.

³⁸ Opening Remarks by Maurice F. Strong, Secretary-General-Designate, UN Conference on the Human Environment, at informal meeting of Preparatory Committee for the Conference, CESI NOTE/13, 10 November, 1970, p. 7. Mr. Strong re-emphasized the point of making the Conference relevant to the circumstances of the less developed countries in his report to the Second Preparatory Committee Session. See UN Document A/Conf. 48/PC/8, 9 December, 1970, p. 10.

Personal contacts played an important role in Mr. Strong's efforts to persuade the Developmentalists to accept his Third Way approach. Realizing that most of them were not communicating with their capitals, he personally visited more than thirty capitals in Africa, Asia, and Latin America to explain the scope of the issues to senior government officials. Having identified Brazil as posing the most difficult questions for the Conference planning processes, he quickly developed warm personal relations with its delegates. He discussed most initiatives he took with them. Most of the Environmentalists interviewed credited Brazil's subsequent attitudes towards the Conference to the personal contacts initiated by Mr. Strong. To the extent that this is true, it is a further corroboration of our assumption that the role of international officials is crucial to an understanding of UN Conference diplomacy. It also confirms Professor Chadwick F. Alger's claim that personal contacts in UN political processes increase confidence in communications and reduce conflicts.

In addition to his personal diplomacy, the Conference Secretary-General commissioned a twenty-seven member panel

³⁹ Chadwick F. Alger; "Personal Contact in Inter-governmental Organizations," in Kelman (ed.), op. cit., p. 532.

of experts to study the development and environment inter-relations. These experts met in Founex, Switzerland, from June 4-12, 1971, and produced what was generally referred to as the Founex Report.⁴⁰ Because of the impact the Report made on subsequent perceptions of, and negotiations among, the Developmentalists and Environmentalists, it is necessary to summarize the high points.

The Founex Report

The Report stressed that concern with the human environment in the less developed countries is one aspect of a broadening of the whole concept of development to include a fuller emphasis on social goals. It, however, outlined the special character of their environmental problems and identified a number of existing and potential problem areas in the relations between the two groups of countries. Trade, aid, transfer of technology, and investment policies were all regarded as complicated by the emerging environmental consciousness. The Report confirmed the fears of the Developmentalists when it cautioned that concern for the environment "can far too easily become a selfish argument for greater protectionism."⁴¹ But while it recognized these fears, it

⁴⁰The Founex Report, op. cit.

⁴¹Ibid., p. 28.

advised against exaggeration. Rather, it asked spokesmen for the less developed countries to articulate their interests fully and seek to turn the environmental consciousness to their advantage or at least minimize its adverse implications. It recommended that the UNCTAD secretariat be asked to study the major threats posed by the environmental concerns to the exports of the less developed countries. Similarly, the General Agreement on Tariffs and Trade (GATT) was asked to monitor the rise of non-tariff barriers on grounds of environmental concern. The Report also identified some positive aspects of the environmental consciousness insofar as the interests of the less developed countries were concerned. These included relocation of some "pollutive" industries such as petroleum and chemical industries, metal extracting and processing industries, paper and pulp, in the less developed world. It advised, however, that appropriate environmental safeguards must be enforced.

The Report's recommendations were made against the background of one of its most important conceptual contributions, that is, the assimilative capacity of a country's environment must be the overriding factor in assessing the impact of environmental side-effects of industrialization. That capacity is largely a function of each country's

production and consumption structure. What this meant is that, given the low level of industrialization in the less developed countries, the assimilative capacity of their environment was comparatively higher. In other words, it would be unrealistic to apply uniform international environmental standards. Additionally, industrialization processes in these countries need not be delayed because of assumptions about possible environmental damage that might not in fact be true. In the less developed countries, therefore, the best solution to their problems is accelerated development with environmental safeguards appropriate to the assimilative capacity of their environment. The Report further recommended provision of additional resources to subsidize research on environmental problems of the less developed countries, to compensate for major dislocations in their export trade, and to off-set expected increases in the cost of development projects and to finance investment restructuring.⁴³

The Report's over-all conclusion is clear: there is a close relationship between development and environment, but environmental protection policies must take into account the assimilative capacity of each society's environment.

⁴²Op. cit., pp. 16-17.

⁴³Ibid., pp. 27-36.

While not all the recommendations were acceptable to the Environmentalists, all conceded that the Report was a useful one. According to U.S. delegate, Mr. Moynihan, it was "a well-informed and sound document on an extremely important subject, which had never been treated so well before."⁴⁴ The importance of the Report is further attested to by the fact that it was used as the basis of the regional seminars held in Addis Ababa, Bangkok, Beirut, and Mexico City, to enable the Developmentalists to define and press their interests on the agenda of the Conference.⁴⁵

The Third Way perspective sought three broad objectives. First, it sought to remove communication barriers by furnishing the Environmentalists and Developmentalists with a less polarizing conceptual approach. Secondly, it attempted to reassure the Developmentalists that environmental protection policies need not necessarily handicap their development goals. Finally, it asked the Environmentalists

⁴⁴Mr. Moynihan (U.S.); A/c.2/SR. 1423, 2 December, 1971, p. 9.

⁴⁵Report of the First All-African Seminar on the Human Environment, (UN Document E/CN. 14/532, 11 October, 1971); Report of the Regional Seminar on the Ecological Implications of Rural and Urban Population Growth, (UN Document E/CN. 11/L.312, 30 September, 1971), Latin American Regional Seminar on Problems of the Human Environment and Development, (UN Document ST/ECLA/Conf. 40/L.5/Rev. 1, 28 October, 1971).

to place their concerns in their proper perspective and to be prepared to assume political, economic and financial responsibilities for ensuring the cooperation and participation of the Developmentalists in the environmental consciousness.

According to Professor Nye, the first role of an international secretariat in conference diplomacy is to try to transcend political constraints and put forward ideas for governments to consider.⁴⁶ Charges of bias are entailed in this role, but Nye maintains that an independent and intellectual role in stating what is desirable is essential in the first stage of the conference process. Professor Ernst B. Haas suggests that the intent of such a role is the reconciliation of conflicting interests.⁴⁷ The Third Way approach attempted to do just this. But, as in many political processes, what is desirable is not always easy to attain. Executive heads of UN organizations and agencies operate within important political constraints. The politics of national self-preservation implies a maximum of national autonomy, and

⁴⁶ Nye, op. cit., p. 368.

⁴⁷ Ernst B. Haas; Beyond the Nation-State: Functionalism in International Organization, (Stanford: Stanford University Press, 1964), p. 127.

governments are oftentimes unwilling to yield to international pressures, no matter how well-founded the pressures are. Therefore, success in upgrading common interests ultimately depends upon the attitudes of delegations. Thus, the scope of effective initiative available to international officials must not be exaggerated. For example, while the environmental negotiations were conducted within the conceptual framework offered by the Conference Secretary-General, most delegations from the developed countries were reluctant to grant the economic, trade, and financial concessions recommended by both the delegations from the less developed countries and the secretariat. It is on these and other recommendations by delegations, particularly those from the less developed countries, and the process of negotiations, that we shall now focus. Analysis of the negotiations will be attempted later.

II. Negotiations

A. Development and Environment

The scope of the development and environment inter-

48

For a paradigm of organizational impact, as related to the International Labor Organization (ILO), see Haas, Ibid., pp. 126-136. Professor Robert W. Cox has attempted to complement Haas' framework by specifying the key relationships in leadership in international organizations. See Robert Cox; "The Executive Head: An Essay on Leadership in International Organization," International Organization, vol. 23, No. 2.

relations made negotiations particularly susceptible to the impact of past demands by delegates from the less developed countries. Of all the issues, it was this particular one which most closely touched upon the vital interests of leaders of the less developed world. Therefore, there was relatively little difficulty in arriving at a common set of demands. Their differences, minor at any rate, involved how, when, and where to press their demands and not on whether or what demands should be pressed. Delegates from the less developed countries were initially rather slow in coming up with their key demands, but when serious negotiations got under way in November 1970, they had little difficulty agreeing that their main task was to convince delegates from the developed countries to accept their development needs as the basis for negotiations. As Ambassador Almeida of Brazil most forcefully expressed it:

The Stockholm Conference, if it was to deal with the problem [less developed countries' development needs] would have to become an economic development conference. If that was unacceptable to the Powers that had called it into being, then the whole range of development problems should be excluded from the Conference.⁴⁹

Of course, there was a political threat implied in this

(1969), pp. 205-230.

⁴⁹Mr. Ozorio de Almeida (Brazil); A/C.2/SR. 1422, 1 December, 1971, p. 13.

statement. Professor Lillian Randolph has argued that certainty that negotiations will confer gains is one of the most important preconditions for entering and participating in negotiations.⁵⁰ Given delegates from the less developed countries' marginal interest in measures to rectify environmental damage, rejection of their economic development interests would most certainly have affected their participation in the Conference. As a matter of fact, subtle references were made to this by certain delegations. For example, Brazilian delegate, Mr. Brito, warned that if the economic development interests of the less developed countries were ignored, "the possibilities of cooperation from developing countries would be critically affected."⁵¹ Although this threat was not considered seriously by delegates from the developed countries, some admitted privately that it was not entirely ignored. The scope of the Development and Environment issue area consists of additional financial and technical assistance to the less developed countries, international trade, and environmental standards.

The nature of the issue area set the pattern of the

⁵⁰ Lillian Randolph; "A suggested Model of International Negotiation," Journal of Conflict Resolution, vol. 10, No. 3, (1966), p. 347. See also Sawyer and Guetzkow, op. cit., p. 471.

⁵¹ Mr. Brito (Brazil), UN General Assembly: Twenty-fifth Session, Official Records, 1918th Plenary Meeting, 7 December, 1970, p. 3, para. 24.

negotiation process. Initiatives came from delegates from the less developed countries. They provided the political ideas-- some of these were, as we saw earlier, furnished by the conference Secretary-General and the Founex Report-- and the required leadership. It became apparent in interviews that the developed countries' delegations maintained a firm position that setting off negotiations in this issue area would have completely turned the Conference's attention away from a balanced consideration of the program of correctional and defensive strategies on which they were in substantial agreement. Therefore, their efforts were confined to offering critical comments on the policy choices supported by their counterparts. Accustomed, since the SUNFED negotiations in 1954, to leading discussions on economic and financial questions at the UN, delegates from the less developed countries did not appear surprised at this unwillingness. One key question underpinned their role in this issue area: Would the policy implications be met in ways which promoted substantial reduction in their economic dependency and underdevelopment? Negotiations on this question began to take shape in 1970.

In November 1970 the Swedish delegation introduced a draft procedural resolution in the Second Committee (Economic and Financial) jointly sponsored by Argentina, Australia, Canada, Czechoslovakia, India, Iran, Morocco, Netherlands,

52

Singapore, Sweden, and Zambia. Originally intended to confirm the appointment of the Conference Secretary-General, Maurice F. Strong, and setting dates and guidelines for the pre-conference preparations, several delegations from the less developed countries, particularly Brazil and Chile, suggested amendments during informal consultations. They demanded that the procedural draft should mention that the Conference be approached against the background of the Strategy for the Second Development Decade. After initial objections by several delegations from the developed countries, the demand was incorporated in a revised draft.

53

The new preamble drew heavily upon previously approved resolutions on economic development of the less developed countries. It reaffirmed that environmental policies should be considered in the context of socio-economic development, "taking into account the special needs of the developing countries." Operative paragraph 2 recommended the inclusion in the agenda of the Preparatory Committee of an item relating to economic and social aspects of environmental problems so

⁵²A/C.2/L. 1133, 19 November, 1970.

⁵³A/C.2/L.1133/Rev. 1, 23 November, 1970. Japan, New Zealand and Yugoslavia joined the list of sponsors.

⁵⁴Ibid., preambular para. 9.

as to safeguard and promote the interests of the less developed countries. The Swedish delegation worked hard through informal contacts to secure the acceptance of this amendment.

The compromise worked out was complicated by a further and even more controversial demand. On behalf of the delegations of Brazil, Sri Lanka, Chile, Nigeria, and Sudan, Chilean delegate, Mr. Cubillos, proposed an additional operative paragraph 3 to secure additional financing which the international community must undertake after the Stockholm Conference. It read:

Recommends that the Preparatory Committee, in its global and comprehensive preparation for the Conference of 1972, consider, inter alia, the financing of possible action in this field with a view to ensuring that additional resources be provided to developing countries in the context of the protection of the environment.⁵⁵

In support of his amendment, Mr. Cubillos argued that because of limited funds available to the UN family, Stockholm conclusions must be backed by additional resources. This key demand came to be known as the "principle of additionality." The substance of the demand was backed by all the delegations from the less developed countries. But some of them,

⁵⁵ Mr. Cubillos (Chile); A/C.2/SR. 1435, 1 December, 1970, p. 12.

particularly Argentina, Iraq, and Cyprus, had some reservations about its timing and place of discussion. Iraqi delegate, Mr. Ali, would have wished that financial implications were discussed after the conference while Mr. Bradley of Argentina and Mr. Malliotis of Cyprus preferred the Preparatory Committee to discuss the matter ⁵⁶ first.

Most delegations from the developed countries, except the Nordic countries, had substantive difficulties with the amendment. The Soviet delegation, as we pointed out earlier, is politically opposed to an undifferentiated ⁵⁷ financial demand on all the developed countries. The U. S. delegation opposed the exclusive emphasis on financial aspects ⁵⁸ of the environmental discussion. The Nordic countries accepted the Principle of Additionality but regretted the lack ⁵⁹ of consultation on it. Over the objections of most of

⁵⁶ Mr. Bradley (Argentina); Mr. Ali (Iraq); Mr. Malliotis (Cyprus); op. cit., pp. 13, 15-16.

⁵⁷ Mr. Zakharov (USSR); UN General Assembly: Official Records, Twenty-fifth Session, 1918th Plenary Meeting, 7 December, 1970, pp. 3-4, paras. 29-30.

⁵⁸ Mr. Pell (U.S.); Ibid., p. 5, para. 45.

⁵⁹ Mr. Rydbeck (Sweden); Ibid., p. 6, para. 53.

the delegations from the developed countries, the amendment was passed by 58 votes to 10, with 28 abstentions. Argentina, Cambodia, Cuba, and Cyprus were the only abstainers from the less developed countries. Denmark, Iceland, Netherlands, Norway, Sweden, and all the Socialist developed countries abstained. Israel and Yugoslavia, however, supported it. The whole Resolution (2657 [XXV]) was adopted in the General Assembly by 86 votes to none, with 10 abstentions.⁶⁰

The lack of opposition and reduction in the number of abstentions do not necessarily mean that sufficient consensus on the financial demand emerged. As opposition to the Principle of Additionality was continued by most of the developed countries' delegations even after the adoption of the resolution, it is perhaps more realistic to look to two explanatory factors. The less important of the two is that the opponents recognized defeat and accepted it. More importantly, however, the draft was primarily a procedural one to accelerate the Conference planning process. Having lost on the earlier vote on the amendment, the opponents had no other course left, unless they wished to withdraw support for the preparatory processes. Of course, most of them

⁶⁰Op. Cit., p. 3, para. 26.

could have abstained in the final resolution but that would have exposed them to charges of weakening the preparations by damaging their legitimacy. In effect, by requesting a separate vote on the amendment prior to the vote on the draft as a whole, delegations from the less developed countries made an effective use of UN parliamentary procedure.

Delegates from the less developed countries were not completely satisfied with their contribution to the Conference planning. An even more specific and far-reaching draft resolution was presented in the Second Committee in November 1971. The new resolution was largely spurred on by the Founex Report and the subsequent Regional Seminars on development and environment. Not much informal activity took place among delegations prior to its introduction. The sponsoring delegations assumed that sufficient consensus on the key demands already existed among delegations of the less developed countries to make intensive group caucusing unnecessary. It must be pointed out that in addition to the Founex Report and the Regional Seminars, the Second Ministerial Meeting of the Group of 77, held in Lima, Peru, from October 25 to November 6, 1971, had endorsed the group's approach and economic and financial demands. ⁶¹ Because of

⁶¹ II Ministerial Meeting of the Group of 77, October 25 to November 6, 1971, Lima, Peru. (UN Document A/C.2/270, 15 November, 1971), see especially Part III, Section A, VII.

these factors, the new draft, although long and repetitious, made more profound sets of demands. Entitled Development and Environment and introduced by Kuwait delegation on behalf of the delegations of Brazil, Egypt, Kuwait, Iraq, Peru, Sudan, Upper Volta, Uruguay, and Yugoslavia, the draft was intended as a vehicle through which to push for detailed economic and financial concessions.⁶²

The draft had both defensive and positive aspects. The defensive demands included the following: (i) the principle of sovereignty over resource exploitation in accordance with the priorities, needs, and environmental standards of each country must be accepted. The exercise of sovereignty over resource exploitation was, however, not to produce harmful effects on other countries; (ii) environmental policies implemented by developed countries should not adversely affect development possibilities in the less developed countries; (iii) environmental protectionism should not lead to tariff and non-tariff barriers to trade; (iv) there should be no reduction in the levels of development assistance. The most controversial positive demands were the Principles of Additionality and Compensation for trade losses as a result of discriminatory environmental

⁶²A/C/2/L. 1185, 18 November, 1971..

protection policies. The draft also blamed the developed countries for causing the major environmental problems and asked them to assume exclusive responsibility for rectifying them. Another economic development demand not embodied in the Kuwait draft was orally recommended by the Brazilian delegation. It asked that because of the overburdened state of the environment of the developed countries, an international policy of relocating some industries in the less developed regions should be undertaken. This demand, as was indicated earlier, had also been recommended by the Founex Report.

It can be seen that the draft was cast substantially in terms of requirements for development. The rationale behind this was discussed earlier. For most of the less developed countries, if natural environments could be strained by economic growth, the reverse was their experience-- that is, lack of economic growth has placed severe constraints on decent life opportunities. Given the conservative approach to economic and trade concessions adopted by the major Western developed countries, the risks of progressive underdevelopment were considerably higher in the event that the less developed countries had to spread their limited economic and financial resources on environmental protection measures as well. Therefore, if they had to accept an environmental

protection philosophy, they wanted to ensure that international organizations and the developed countries would make the additional resources available for that purpose. In fairness to the draft's sponsors, concessions were made to environmental protection goals. Admittedly, the emphasis on environmental protection goals was much weaker than that on development goals. But nonetheless the draft recognized the principle of not producing harmful environmental effects on other societies. In addition, it accepted the principle that development plans must be compatible with sound ecological considerations. Of course, ecological considerations were to be based upon the assimilative capacities of every country's environment. Thus, the draft assumed that uniform international environmental standards were unrealistic and inapplicable.

In spite of the widespread support the Kuwait draft enjoyed among members of the less developed countries, a few of them were unhappy about certain specific aspects. For an example, Venezuelan delegate, Mr. Duarte, regretted the absence of a balanced consideration of development and environment goals. He proposed an amendment which was intended to emphasize environmental problems other than those of industrial pollution. The Cuban delegate, Mr. Fernandez,

⁶³Mr. Molina Duarte (Venezuela); A/C.2/SR.1435,

interpreted that amendment to imply environmental problems caused by poverty. That interpretation was accepted by Mr. Duarte and was subsequently incorporated in the draft.⁶⁴ The Iranian delegate, Mr. Zahedi, unsuccessfully proposed the deletion of the paragraph blaming the developed countries for causing the major international environmental problems.⁶⁵ Other delegations, notably Ghana, Liberia, Malta, Sierra Leone, Singapore, and Trinidad and Tobago, indicated that, in spite of their agreements with the draft's substance, they had reservations about the effectiveness of the approach adopted. They seemed to prefer a negotiated settlement to majority voting.⁶⁶ This emphasis on negotiated settlement, as will become much more evident in subsequent chapters, was one of the most important characteristics of the environmental negotiation process.

The support which the Kuwait draft enjoyed among delegations from the less developed countries was absent among delegations from the developed countries. The aspects

6 December, 1971, p. 3.

⁶⁴Mr. Moreno Fernandez (Cuba), op. cit., p. 13.

⁶⁵Mr. Zahedi (Iran); A/C.2/SR.1436, 13 December, 1971, p. 16.

⁶⁶Mr. Asante (Ghana); A/C.2/SR.1435, 10 December, 1971, p. 12; Mr. Tan (Singapore); A/C.2/SR.1436, p. 13.

Ambassador Zagorin of the United States fell on technical, but familiar, arguments: The Stockholm Conference was not the appropriate forum to take up the policy recommendations, particularly on trade and aid, raised in the Kuwait draft.⁷⁰

Several amendments were proposed by some delegations from the developed countries. But the most important and comprehensive of them were jointly sponsored by the UK and Australian delegations.⁷¹ The draft amendment incorporated all criticisms raised in the oral debates to which we have referred. The additions included a rejection of the Principles of Additionality and Compensation as premature. The first was particularly viewed as attempting to revise the targets of the Second Development Decade without sufficient negotiations. The request to international financial institutions to provide funds for environmental protection on terms to be exclusively decided by the recipients was also thought to be procedurally wrong. Finally, it was suggested that the Kuwait draft's emphasis on the harmful aspects of environmental policies should be balanced by

⁷⁰ Mr. Zagorin (U.S.); op. cit., pp. 7-8. For a similar view, see Mr. Ananichev (USSR); A/C.2/SR. 1425, 6 December, 1971, p. 15.

⁷¹ Miss Darling (U.K.); Ibid.

reference to other favorable aspects. Some of the delegations from the developed countries were, however, sympathetic toward the Principles of Additionality and Compensation. France, the Netherlands, Norway, and Sweden were relatively more open and flexible. As the French delegate, Mr. Couste, remarked:

The industrialized countries must not institute prohibitions against the less favored states or paralyze the progress of the third world....⁷²

While the UK and Australian draft amendment was critical of aspects of the Kuwait draft resolution, it was not entirely negative. For instance, the key Principles of Additionality and Compensation were not dismissed as such; they were either regarded as premature or as not having been subjected to more negotiations. As was pointed out earlier, a few delegations from the less developed countries made similar remarks. To maintain the momentum of the negotiations, a more open financial formula was proposed in the UK and Australian draft amendment. Therefore, the division among delegations was not sharp enough to preclude further discussions and negotiations. Representative groups from both sides held a series of informal meetings to work out a compromise

⁷²Mr. Couste (France); A/C.2/SR.1427, 7 December, 1971, p. 12.

draft. But no agreement was reached. Sponsors of the Kuwait draft insisted on retaining the Principles of Additionality and Compensation as originally conceived. Their tendency to issue an ultimatum to international financial institutions was modified, but they retained the idea that recipient countries should remain the sole judges of the need for, and the feasibility of, development projects. Most of the members of the Western developed countries found the thrust of the amended draft too close to the original to be acceptable. Negotiated settlement having failed, the UK and Australian draft amendments and the Kuwait draft were submitted to a vote. All the draft amendments were defeated. Predictably, the Kuwait draft was adopted by 62 votes to 4, with 31 abstentions.⁷³ All the Socialist countries abstained, except Romania and Yugoslavia, which voted in favor. All the Western countries abstained, except the United Kingdom, the United States, Australia, and Belgium, which voted against the resolution. No delegation from the less developed group voted against the draft. However, Ghana, Liberia, Malta, Sierra Leone, Singapore, and Trinidad and Tobago abstained in the vote.

⁷³For the voting figures, see A/C.2/SR.1436, pp. 21-24.

In spite of the one-sidedness of the voting outcome, the divisions were not that sharp and clear-cut. For one thing, most of the delegations from the developed countries abstained rather than oppose the resolution. A few of them, especially France, the Netherlands, Norway and Sweden were openly sympathetic toward aspects of the draft. Obviously, the larger the number of delegations opposing a resolution, the more likely it is that fundamental policy differences exist. This was not the case with the Kuwait draft. For another, a few delegations from the less developed group, while in support of the substance of the resolution, abstained either because settlement of the issues by resolution was unacceptable to them or because the demands were thought to be premature. For sure, some members of the less developed group, particularly the sponsors of the draft, used accusatory language and were critical of what they regarded as the unresponsiveness of many delegations from the developed countries to their interests. But most delegations do just that when their vital interests are threatened.

For the reasons stated above, it would be inaccurate to characterize the negotiations and outcomes as evidence of confrontation politics similar to either UNCTAD meetings or the 1958 and 1960 Law of the Sea Conferences or the decolonization political processes at the United Nations. In fact, the most significant aspect of the negotiations was the

conscious effort to reach a compromise settlement. Although the attempt failed, it should be pointed out that, in the past, compromise settlement on key demands by delegations from the less developed countries has not been encouraged. But in a system devoid of enforcement powers, compromises represent the only assurance that decisions will be implemented. The factors responsible for this aspect of the negotiations will be treated in greater detail in Chapter VI. For now, what needs to be pointed out is that although the economic, financial and trade demands were not supported by most of the delegations from the developed countries, the recommendations submitted to the Conference by the Secretariat embodied all the demands by delegations from the less developed countries. Mr. Strong's recognition of these demands was based upon the pressures put on the Conference planning process by delegations from the less developed countries. They left little doubt that the Conference must be able to confer some gains on them. To ensure their continued participation, their demands had to be reflected in the recommendations sent to Stockholm. But it must be added that Mr. Strong privately and publicly defended the view that achieving ecological stability is not enough if a better life for all men were not attainable. Thus, the requirements of a successful conference and personal con-

victions were instrumental in influencing the economic, trade, and financial recommendations sent to Stockholm by the Secretariat.

Delegates from the developed countries privately denied any undue pressures from Mr. Strong to relax their attitudes towards the economic, financial, and trade recommendations. However, there were constant references to the fact that his desire to see the conference succeed and efforts to discourage continuation of conflicts had an important impact upon the attempts made to reach acceptable compromises. International officials, while a part of UN conference processes, cannot force governments to adopt policies with which they disagree. However, they can help governments to upgrade the common interests through their roles in searching for negotiated settlements. By forwarding to Stockholm recommendations on which pre-conference negotiations had been inconclusive, the secretariat kept alive for more negotiations the key economic, financial, and trade demands by delegations from the less developed countries. This secured their continued participation in the conference, as well as gave all delegations another opportunity to continue the search for negotiated settlements on those demands. Here, again, is another example of how international officials can affect the outcome of negotiations by what they do or fail to do.

Having indicated the extent to which developmental needs and strategies dominated the interaction patterns on the Development and Environment issue area, we now turn to the question of institutional arrangements. We expect to find a positive association between concerns about political control of the less developed countries and the institutional arrangements supported by their delegations. We further expect their economic development interests to provide an additional incentive for their preferred institutional arrangements.

B. Institutional Arrangements

The institutional question was raised in U Thant's report on problems of the human environment (E/4667). At the national level, the Secretary-General pointed to the absence in most countries of administrative structures for planning, management and control of environmental problems on nation-wide basis. He noted the existence of a similar fragmentary approach at the international level. But the report stopped short of recommending the creation of a new environmental administrative structure within the United Nations. Instead, it asked member-states to review existing international activities and programs in the environment field and identify areas for increased international cooperation.

⁷⁴UN Document E/4667, pp. 20-21, paras. 72-73, pp.32-33,

The Secretary-General's approach to the institutional question at the international level reflected in part the internal bureaucratic politics within the United Nations itself. Existing international institutions with interests in specific aspects of the environmental problems were opposed to the creation of a new centralized structure which would absorb their functions. In part, it also reflected the concern expressed by most of the major developed countries about the increasing cost of international organizations.

For the reasons stated above, the institutional question was given only perfunctory consideration at the first Preparatory Committee session.⁷⁵ While it was agreed that consideration should be given to the roles of international organizations, their implications were not discussed. As a matter of fact, the international institutional question was not one of the major agenda items recommended by delegations from the developed countries at the first Preparatory Committee session. As was noted earlier, delegations from the less developed countries were not active at the initial stages and, therefore, had not given thought to organizational implications.

paras. 119-120.

⁷⁵Report of the First Preparatory Committee, UN Document A/Conf. 48/PC/6, 6 April, 1970, p. 14.

The international institutional question was given visibility by the Conference Secretary-General. In his report to the Second Preparatory Committee session, Mr. Strong recommended the inclusion of a new item-- international institutional implications of action proposals-- on the Conference agenda. 76

He justified the recommendation in terms of the need for institutional arrangements to follow up and implement actions at the international level which the Conference might recommend. He asked governments to consider whether to assign functions to existing organizations or to establish a new machinery. Delegations took no definitive position on the recommendation. Rather, the Secretary-General was asked to review current and planned activities and capacities of existing international organizations and to formulate some criteria for the guidance of delegations.

The criteria put forward by the Conference Secretary-General attempted to meet anticipated opposition from governments and existing international organizations with functional responsibilities in specific aspects of the environmental problems. Institutional arrangements were to closely follow functions to be performed. All functions that could best be performed by existing national and international structures

76

Report of the Secretary-General, UN Document A/Conf. 48/PC. 8, 9 December, 1970, p. 11, para. 43, also Annex I, pp. 5-6, category 6.

should be assigned to them. No global super agency was to be set up. In other words, the principle of sovereignty-- a key political concept to all delegations, particularly those from the less developed countries-- was to be recognized. Even if a new structure were recommended, it should only coordinate the activities of existing structures and not compete with them. Finally, the United Nations should be the principal centre for international environmental cooperation.⁷⁷

The Secretary-General clearly anticipated that existing structures were inadequate, in view of new functions at the international level that would have to be performed. Such functions include evaluation and forecasting of environmental changes and information exchange. Others included goal-setting, dispute prevention and settlement, education and training, and a forum for international agreements and consultation on environmental matters.⁷⁸ But the Secretary-General had in mind only a light international institutional structure to review, coordinate and complement environmental programs undertaken by existing institutional structures.

⁷⁷ See summary of the Secretary-General's criteria in UN Document A/Conf. 48/11, 10 January, 1972, pp. 5-6.

⁷⁸ Ibid., pp. 11-15

As he put it:

What now seems to be required is an institutional pattern that fills important gaps in the existing structure, minimizes overlapping and duplication, makes the most effective use of limited personnel and financial resources, and takes needed initiatives on priority tasks.⁷⁹

It was within the framework of this recommendation that pre-conference debates and negotiations among delegations took place.

Because most delegations had not given thought to the institutional question, serious negotiations took place only at the full-dress Conference. Additionally, most Committee members felt that the Preparatory Committee was not the appropriate forum for arriving at precise definitions of structures and functions of the new body. For these reasons, pre-conference negotiations took the forum of stating tentative preferences. While all delegations recognized the need for an intergovernmental body to perform the functions of central policy review and coordination, and a secretariat to provide substantive support and technical expertise, there were predictable disagreements over the details of the institutional arrangements. The most important

⁷⁹
Op. cit., p. 16, para. 48.

points of disagreements were over (i) size of the inter-governmental body, (ii) the location of that body within the UN framework, (iii) site of the secretariat, and (iv) financing. Since delegations resolved the question of site of the environment secretariat after the Conference itself, discussion of that issue is undertaken in Chapter V.

Unlike the negotiations on economic, financial and trade questions, leadership on these issues were furnished by the U.S. delegation. During the last round of pre-conference negotiations, the U.S. delegation introduced a draft resolution on the institutional question. Its key elements addressed the major aspects of the institutional question. The draft anticipated (i) the creation of a small permanent staff in the United Nations, to be headed by an Administrator to monitor and administer environmental programs; (ii) a \$100 million five year voluntary UN Environment Fund to finance new regional and global projects in the environment field; (iii) creation of a twenty-seven nation Commission of the ECOSOC to provide governmental policy guidance to the Administrator. The draft was silent on the question of site of the secretariat, although it was known that the U.S. delega-

⁸⁰ UN Document A/Conf. 48/PC/17, 15 March, 1972, Annex III.

tion favored placing the unit in New York. At its request, detailed discussion of the draft was reserved for Stockholm.

Basically, delegations from the less developed countries reacted to the preferences expressed by some of their counterparts from the developed countries rather than led the debates on these issues. Some Committee members from these countries privately blamed their lack of preparation on the limited time within which they had to digest the secretariat's documentation on the institutional question before the final Preparatory Committee session met. In part at least, their lack of preparation could also be attributed to the considerable time expended on trade, financial, and economic questions. For these reasons, some of their committee members, particularly Jamaica, Nigeria, Singapore, Togo, and Zambia did not have positions on the institutional question during the pre-conference debates. But those that did, particularly Argentina, Brazil, Cyprus, Egypt, India, and Iran favored arrangements different from those supported by the United States delegation.

1. Size and Location of Intergovernmental Body

Most of the delegations from the developed countries supported a small intergovernmental body of twenty-seven members, but their counterparts from the less developed countries favored a larger body. In fact, the Brazilian

delegation recommended a fifty-four-member body. While the U. S. delegation appealed to the principle of efficiency in support of a small body, the Brazilian delegation appealed to the principle of broader participation in support of a larger body. These principles have important political content which are related to the scope of the North-South dimension of international politics. Delegations from the less developed countries want to use their number to change the norms of international politics. Well aware of their need to protect and promote their development interests, delegations from the less developed countries wanted absolute dominance in the governing body.

Considerations of political control were similarly present in the preferences expressed by delegations with respect to the location of the intergovernmental body within the United Nations system. With the exception of the Swedish delegation, which favored a General Assembly body, delegations expressing preferences split along a North-South line. The United States, the United Kingdom, Japan, the Netherlands, Canada, France and Yugoslavia favored an ECOSOC body while Brazil, Egypt, Cyprus, Iran, India, and Argentina favored an Assembly body. Under the U.S. draft, the new body would be

an ECOSOC commission. Those supporting an ECOSOC body based their arguments upon organizational division of labor. It was argued that the problems of the human environment fell within the competence of the ECOSOC, and therefore that body would afford greater opportunities for dealing with the interrelated issues of environment, development, and science and technology in their proper perspective.⁸¹ While the organizational division of labor argument was recognized, the Brazilian delegation insisted that the new body should be a subsidiary organ of the General Assembly so as to allow the whole UN membership to consider the new issues in their broader context.⁸² It suggested that the new body could report to the Assembly through the ECOSOC so as to accommodate the interests of those who favored an ECOSOC body. Here again is an example of an attempt by a leading delegation from the less developed group to discourage continuation of conflicts and to search for arrangements acceptable to both sides.

In spite of such attempts, the preferences indicated by delegations from both the developed and less developed countries reflected differences in political considerations.

⁸¹Op. cit., p. 14, para. 61.

⁸²Ibid.

For delegations from the former countries, the General Assembly is not their body, at least in socio-economic matters.⁸³ In their view, the less developed countries' voting power in the General Assembly tends to create a discrepancy between voting power and effective power as measured by economic, technological, military, and communication capabilities. The expert-like character of the ECOSOC's decision-making procedures and their years of domination in that body made it a more appealing body than the General Assembly. By implication, then, they were assuming that the structure of political control would be different in the ECOSOC from that of the General Assembly. It was similar reasons which underlined the preference for a General Assembly body, expressed by those delegations from the less developed countries, who had developed their position on this issue. The ECOSOC has been viewed by most of them as a club for the advanced industrial countries. It has been regarded as unrepresentative and unsympathetic to the aspirations and

⁸³Most of the economic organizations of the UN have been established by and under the authority of the General Assembly. These include:

- UNCTAD-- General Assembly Resolution 1995 (XIX)
- UNIDO-- General Assembly Resolution 2152 (XXI)
- UNDP-- General Assembly Resolution 2029 (XX)

needs of the less developed countries. For this reason, they have tended to by-pass it in socio-economic questions by creating new bodies under the authority of the General Assembly. The UNCTAD, UN Capital Development Fund and UNIDO are typical examples.

Just as in the discussion on the size of the inter-governmental body, the thrust of preferences on location expressed by delegations reflected the different political interests of both the developed and less developed countries. For delegations of the latter, a General Assembly body offered the best opportunities for realizing their twin goals of participation in international environmental policies and political control. Thus, the general principles of participation did not stand alone but were mixed with considerations of specific group interests.

2. Financing

The Conference secretariat identified three areas which required international financing: (i) the basic administrative costs of the central environmental organ,

⁸⁴Recently, the General Assembly adopted, in accordance with Article 108 of the Charter, an amendment to the Charter and submitted it for ratification (now ratified) by Member States of the UN whereby the ECOSOC shall consist of 54 members. See General Assembly Resolution 2847 (XXVI) 20 December, 1971.

(ii) costs of international environmental programs, and
(iii) additional financing for environmental measures taken
in the less developed countries. In the secretariat's view,
between \$30-\$40 million a year would be necessary.⁸⁵ Its
estimates thus went beyond the \$100 million envisaged by
the United States.

a) Basic Costs of secretariat and action programs

The draft produced by the U.S. delegation charged administrative as well as operational costs of the secretariat on the voluntary Fund for the environment it had proposed. This position was supported by delegations from Japan and Western European countries. Such an arrangement would have naturally given these delegations a political advantage in view of the fact that much of the money for the Fund was expected to be contributed by them. The power to withhold contributions in the event of disagreements over operational priorities could be used to influence the initiatives that the secretariat took. Predictably, the Brazilian delegation opposed this formula and recommended that administrative expenses of the secretariat be separated from operational expenses and charged on the regular budget of the United Nations, to which all member-states contributed. Such an

⁸⁵UN Document A/Conf. 48/PC/17, 15 March, 1972, p. 12, para. 52.

arrangement presumably would make the secretariat less dependent on financial contributors and more receptive to the interests of non-contributors. In other words, it would not take away the political control which delegations from the less developed countries expected to exercise over the secretariat.

b) Additional financing for the less developed countries

As we saw in the negotiations on development and environment, many of the concrete proposals of delegations from the less developed countries came down to one issue-- the need for resources for development. They made their ability to participate in the environmental consciousness contingent upon provision of additional resources. In their resolution on Development and Environment (2849 [XXVI]) of 20 December, 1971, the Secretary-General was requested to ascertain the views of member-states on a scheme of voluntary contributions to provide additional financing for the less developed countries for purposes of environmental protection policies. Because of this need, delegations from the less developed countries sought to turn the Fund envisaged by the United States into a central fund from which they could draw to defray the costs of environmental protection policies. That is, their conception of the voluntary Fund envisaged by the United States was rather different. As in many of the

issues, the Brazilian delegation was very much in the forefront of this drive.

But even the Nordic and French delegations which appeared very sympathetic toward the Principle of Additionality thought of it, not in terms of a new international fund, but in terms of increases in their own aid programs. For the United States, however, the purposes of the voluntary Environment Fund were very clear; the Fund was to be used to further global environmental research and otherwise "improve the global environment" rather than doing so "in any one state."⁸⁶ Because the U. S. delegation remained strongly opposed to the attempt to widen the purposes of the Fund, no agreements emerged. Views held by delegations from the less developed countries were not changed, although they did not resolve matters through the process of passing a resolution. In fact, as will be pointed out in the next chapter, the

⁸⁶ Russel Train, Head of the U.S. delegation to Stockholm. Quoted in Claire Sterling; "Will the Stockholm Conference Fail?" The Washington Post, June 7, 1972. In a previous draft resolution, the United States had, in fact, itemized the purposes to which the Fund was to be put: To support international programs in "monitoring, marine pollution, pollution control, conservation, human settlements, information exchange, public education and training and research on scientific and technical problems relating to the environment...." See UN Document A/Conf. 48/PC/17, Annex III, 15 March, 1972, p. 2, para. 4.

attempt was completely abandoned at Stockholm in deference to the opposition of delegations from the developed countries. It must be noted here that while the scope of North-South conflicts remains the same, the style of negotiation shows an interesting difference from previous economic and decolonization negotiations. In the past, they have tended to favor negotiations on their key demands on their own terms.

The attitude of delegations from the less developed countries toward the Environment Fund betrays a certain narrowness of objectives. Most of those interviewed had no convincing response to why they failed to negotiate for an increase in the voluntary Fund. This is all the more surprising in view of the fact that they stood to benefit more from the infrastructural role the environment secretariat was expected to play than the developed countries. Most of them have limited funds and technical expertise to monitor their environment. With the likelihood that they would dominate the intergovernmental body to control the secretariat and with program priorities yet to be determined, every opportunity to turn the voluntary Fund to their advantage existed. Although those interviewed felt the United States would not increase its envisaged \$100 million fund, the contrary was the case. In fact, the U. S. delegation was surprised that

its "opening bargaining figure" was acceptable to all delegations. In other words, a higher figure could have been negotiated if counter-proposals had been submitted by other delegations. No matter what criticisms one chooses to level against delegations of the less developed countries on this question, the readiness with which they accepted the American proposal is a poignant reminder of the crucial role economic power can play in international politics and negotiations.

It can be seen that the pre-conference role of delegations from the less developed countries on the institutional question largely reflected the economic and political interests they sought to protect in the negotiations. Although their eagerness to set up a fund for their exclusive benefit did not permit them to explore the potential benefits of the Environment Fund proposed by the U.S. delegation, the preferences expressed by some of their delegations indicated a sharp awareness of the political implications of the institutional arrangements. Those delegations that expressed

⁸⁷This point was made privately by a senior U. S. delegate. But the Baker Report also makes reference to the fact that the \$100 million was only an opening bargaining figure. See Stockholm and Beyond: Report of the Secretary of State's Advisory Committee on the 1972 Conference on the Human Environment, (Washington, D. C.: U.S. Government Printing Office, 1972), p. 132.

themselves on these questions supported institutional arrangements that would increase their participation in, as well as political control over, international environmental decision-making. The role of those delegations was, however, a reactive one. They neither supplied the initiatives nor the ideas that formed the basis of the preliminary discussions. This situation is not attributable to inexperience in these matters. It appears that their preoccupation with economic, financial and trade questions precluded adequate preparation. As will become evident in Chapter IV, the delegations of Brazil, Kenya, and Indonesia played leading roles in drafting a new resolution at Stockholm on the institutional question. It is reasonable to point out, however, that the difference in the quality of their pre-conference roles in the issue areas of Development and Environment and Institutional Arrangements attest to the saliency of economic development goals in their foreign policy decision-making. The role of delegations from the less developed countries and negotiations on the Declaration of the Human Environment, the final issue area selected, will now be discussed.

C. Declaration on the Human Environment

The idea of a Declaration on the Human Environment was first mentioned in U Thant's report on the problems of the human environment. He recommended that:

A number of specific objectives could be assigned to the Conference among which could be mentioned the adoption of certain basic premises and considerations to guide the action of governments and inter-governmental organizations, as well as of individuals in relation to the environment.⁸⁸

The subject was formally put forward at the first Preparatory Committee meeting in March 1970. At the second Preparatory Committee meeting, an Inter-Governmental Working Group, with the same membership as the Preparatory Committee, was set up to prepare the Declaration. The Group had only very general guidelines from its parent body: The Declaration was to be a document of "basic principles;" it should "stimulate public opinion and community participation for the protection and enhancement of the human environment;" it should "provide guiding principles for Governments in their formulation of policy and set objectives for future international cooperation;" and finally, it should reflect "the environmental stresses caused by the differences in social and economic development between various parts of the world."⁸⁹ While all delegations were opposed to any legally binding provisions, there was general agreement that the Declaration should be more than an inspirational document to

⁸⁸ UN Document E/4667, p. 25, para. 89.

⁸⁹ UN Document A/Conf. 48/PC/6, 6 April, 1970, p. 19, paras. 35-37.

stimulate public concern.

The political importance of the Declaration was not immediately perceived by many delegations from the less developed countries. This is, of course, understandable if their attitudes toward the Declaration are set against their initial general attitudes toward the environment debates as a whole. Thus, only Argentina, Colombia, Cyprus, Ethiopia, Egypt, Guatemala, Libya, Panama, and Singapore responded to a questionnaire prepared by the Conference Secretary-General in December 1970 to aid delegations in their approach to the Declaration's preparation. The questionnaire, which was broken down into three broad areas-- 1) form and scope of the Declaration, 2) structure, and 3) content-- produced no clear-cut structure of disagreements. The replies of delegations indicated that members preferred a concise, inspirational and easily understandable document. Its principles, while recommendatory, were to strengthen the political will necessary for solving the problems to which the document points. With respect to structure, there was again agreement that it should contain a preamble which recognizes

90

For the responses of delegations to the Secretary-General's 1970 questionnaire, see UN Documents A/Conf.48/PC (II)/CRP. 8, 11 February 1971; A/Conf.48/PC/WG.1/CRP.4, 1 April 1971; A/Conf.48/PC/WG.1/CRP.5, 5 May 1971; A/Conf.48/PC/WG. 1/CRP.4/Add.1, 15 April 1971.

the rights of individuals to quality environment, and a set of principles setting goals for future state action. There were disagreements, however, over content of the document. These included such problems as how to formulate the development and environment interrelations; whether the document should propound legal doctrines; and more specific issues such as population growth and nuclear weapons.⁹¹

Delegations of Canada, the Netherlands, and Sweden preferred a combination of general and specific guidelines.⁹² Others, particularly Cyprus, Egypt, Finland, Guatemala, Italy, Panama and Singapore clearly supported specific guidelines-approach.⁹³ Still, others such as Argentina, Austria, Colombia, Ethiopia, Japan, Switzerland, the United Kingdom, and the United States favored general guidelines-

⁹¹Note by the Secretary-General of the Conference. UN Document A/Conf.48/PC (II)/CRP. 8, 11 February 1971.

⁹²Sweden, in UN Document A/Conf.48/PC (II)/CRP. 8, p. 4; the Netherlands, in Ibid., p. 4; Canada, in Ibid., p. 3. See also UN Documents A/Conf. 48/PC/WG. 1/CRP.5, and A/Conf. 48/PC/WG. 1/CRP. 4, pp. 2, 4, 22-23, p. 48.

⁹³Egypt, in UN Documents A/Conf. 48/PC (II)/CRP. 8, p. 4; Singapore, in A/Conf. 48/PC/WG.1/CRP. 4, p. 53; Panama, in Ibid., p. 50; Italy, in Ibid., p. 42; Cyprus in A/Conf.48/PC/WG. 1/CRP. 5, p. 1; Finland, in Ibid., p. 1; Guatemala, in Ibid., p. 1.

94

approach. The division of opinion does not appear to be clear-cut, but it should be noted that most of the delegations from the less developed countries that expressed themselves on the matter preferred specific guidelines-approach. Specificity permits a better definition of goals and, according to Professor Randolph:

When parties can define the issue, they can make it compatible with their goals and thereby increase the chance of attaining their goals by negotiation.⁹⁵

As subsequent discussions in this chapter and the next will show, the intent of the specificity strategy was to turn the Declaration into a document of programmatic demands along the lines of the action recommendations on development and environment interrelations.

An acceptable accommodation was reached on nuclear weapons and population growth without prolonged negotiations.⁹⁶ But the document's primary focus, the formulation of articles

⁹⁴Austria, in UN Documents A/Conf. 48/PC (II)/CRP. 8, p. 4; Japan, in Ibid., p. 3; the United States in Ibid., p. 4; Austria, in A/Conf. 48/PC/WG. 1/CRP. 4, p. 18; Argentina, in Ibid., p. 15; Colombia, in Ibid., pp. 23-24; Ethiopia, in Ibid., p. 30; Japan, in Ibid., pp. 45-46; Switzerland, in Ibid., pp. 55; the United States, in Ibid., p. 61.

⁹⁵Lillian Randolph, op. cit., p. 348.

⁹⁶UN Docuemnt A/Conf. 48/4, 11 April 1972. On population, see preambular para. 3, and principle 13. On nuclear weapons, see principle 21.

to reflect that focus, and a number of legal precepts about State obligations needed long negotiations to be resolved. It is on these that we now focus. It is expected that most of the delegations from the less developed countries would press for a document which focuses primarily on poverty and economic development issues. Their counterparts from the developed countries are expected to favor a document dealing primarily with ecological deterioration and the need for rational environmental management practices. In other words, positions should parallel earlier ones on the issue area of Development and Environment. With respect to legal precepts, we expect delegations from the less developed countries, who are most interested in codifying international law and who are alleged to be most in need of the protection of the law, to strongly support legal principles about state responsibility.⁹⁷ Most of their counterparts from the developed countries are expected to oppose attempts at formulating legal doctrines

⁹⁷ For the general attitude of the less developed countries toward international law, see Friedheim, op. cit., Louis Henkin; How Nations Negotiate: Law and Foreign Policy, (New York: Frederick A. Praeger, 1968), pp. 116-126; T. O. Elias; Africa and the Development of International Law (Dobbs Ferry: Oceana Publications, 1972); Ali A. Mazrui; On Heroes and Uhuru-Worship: Essays on Independent Africa; (London: Longmans, Green and Co. Ltd., 1967), pp. 231-236; Werner Levi; "International Law in a Multicultural World," International Studies Quarterly, vol. 18, No. 4 (December 1974), pp. 417-449.

that are either inconsistent with the purpose of the Declaration or are based upon insufficient empirical data.

At the insistence of the Preparatory Committee members from the less developed countries, the Second Preparatory Committee meeting recommended that the Declaration should make a particular reference to the protection⁹⁸ of the development interests of the less developed countries. The Secretary-General's questionnaire of 1970 had in fact brought this matter out. It asked delegations to consider how the Declaration could "best recognize the essential relationship between environment and development" and "take due account of the economic and social implications, in particular for the developing countries of environmental⁹⁹ action within the socio-economic context of development...." Because the questionnaire was circulated to delegations long before most of the less developed countries became active in the debates, many of them did not respond to it. But the few that did were very firm in their demand that their financial incapacity should be recognized in the document.

⁹⁸ UN Document A/Conf. 48/PC/9, 26 February 1971, p. 17, para. 35.

⁹⁹ UN Document A/Conf. 48/PC/WG. 1/CRP. 4, 1 April, 1971, p. 3.

Argentina pointed out that the financial incapacity of the less developed countries should be mentioned, thereby implying that the document should lend philosophical support to their evident need for resources with which to participate in the environmental consciousness.¹⁰⁰ France, Italy, and Switzerland made explicit references to this problem but stopped short of calling for an article in the draft that would recognize this need for financial resources.¹⁰¹ The U. S. skirted around the problem by proposing the following preambular article:

The economic development and environmental quality are essential aspects of human progress which can be pursued simultaneously by wise application of science and technology and the adoption of enlightened social attitudes and practices.¹⁰²

Because of the context against which the initial informal consultations on the Declaration's preparation took place, the impact of delegations from the less developed countries on the document was less evident. In fact, Guinea, Mauritius, Mexico, and Togo did not participate in the Working Group's initial drafting process. Even Brazil, the leading

¹⁰⁰ Argentina, op. cit., p. 17.

¹⁰¹ France, Italy, Switzerland, in Ibid., pp. 34, 43, 57.

¹⁰² U. S., in UN Document A/Conf. 48/PC/WG. 1/CRP. 4, p. 64.

critic of the initial thrust of the environmental debates, was not active in the initial informal consultations. It is, therefore, not surprising that the first draft produced by the Working Group was stronger on ecological deterioration and resource management practices than on socio-economic development issues.¹⁰³ For instance, on the issue of development and environment interrelations, the preamble merely stated that:

There is no fundamental conflict between economic and social development and the preservation and enhancement of the human environment, since both seek to provide and sustain increasing opportunities to all peoples for a better life.¹⁰⁴

According to one Western diplomat, the Working Group made a conscious effort to restrict the Declaration to what was manageable and ecological deterioration and resource management practices constituted the only manageable issues in their judgment. It should not be construed that delegations from the less developed countries were completely out of the negotiations. Two principles were inserted in the first draft Declaration which recognized their need for resources.¹⁰⁵ At any rate, because the preceding preambular article did not

¹⁰³UN Document A/Conf. 48/PC. 12, 14 June 1971, Annex I, pp. 1-4.

¹⁰⁴Ibid., p. 2.

¹⁰⁵Ibid., p. 4.

talk in terms of the need for social and economic development as the only means to improve the environment, the principles recognizing their need for resources lacked strong philosophical and political support in the document as a whole.

The contextual changes brought about by the publication of the Founex Report made the acceptance of the Working Group's first draft Declaration difficult. In the changed climate of negotiations, several delegations from the less developed countries criticized the Working Group's first draft for unduly dissociating itself from the general framework of development and development planning. ¹⁰⁶ These criticisms were, of course, aimed at delegations from the developed countries since they had dominated the Working Group's preparation process. Because they had defined the issues, they had succeeded in influencing the outcomes. Soon after the Group's presentation, Brazil, Egypt and Yugoslavia began a series of initiatives which sought to incorporate the Founex Report's ideas in the Declaration. A joint proposal, intended to accord priority to development, was tabled. One key principle stated that:

¹⁰⁶Op. cit., p. 1.

Economic and social development is essential for adequately safeguarding those natural and other conditions on earth that are necessary for the maintenance and improvement of the quality of life of the present and future generations.¹⁰⁷

After a series of textual revisions, a final version of the above article, co-sponsored by Brazil, Costa Rica, Egypt, Yugoslavia and Zambia, was incorporated in the Working Group's final draft Declaration. It stated that:

Economic and social development is essential for ensuring a favorable living and working environment for man and for creating conditions on earth that are necessary for the improvement of the quality of life.¹⁰⁸

To a large extent, the emphasis on development was not merely a reaction to the alleged "conservationist" or "anti-developmental" approach adopted by most of the delegations from the developed countries; it was also designed to provide the philosophical and political basis for the demand for additional resources and for the protection of the development possibilities of the less developed countries.

¹⁰⁷ Brazil, Egypt, and Yugoslavia: Revised Working Paper: Draft Declaration on the Human Environment; UN Document A/Conf. 48/PC/WG. 1 (II)/CRP. 3/Rev. 3, January 1972, p. 2.

¹⁰⁸ Brazil, Costa Rica, Egypt, Yugoslavia, and Zambia: Revised Working Paper: Draft Declaration on the Human Environment; UN Document A/Conf. 48/PC/WG. 1 (II)/CRP. 3/Rev. 4, 19 January 1972, p. 3.

During interviews with delegates from the less developed countries, the point was repeatedly made that the environmental consciousness should not only strengthen the commitment to development, but it should also provide the stimulus for increased aid from the developed countries and international organizations. For this reason, the Six-Power draft, as well as others by Mexico and India, reproduced most of the economic, financial, and trade demands contained in the Kuwait draft, which was discussed earlier.¹⁰⁹ At their insistence, the Working Group's final draft included two principles dealing with additional resources and protection¹¹⁰ of their development interests.

Although delegations from the developed countries gave some concessions on the inclusion of development and aid issues, they did so with reluctance. As one Western delegate pointed out, political expediency, rather than convictions, dictated the concessions they granted. They were committed to sending a Declaration to Stockholm, and

¹⁰⁹ Op. cit., especially Part II, Principle 8; Part III, Principles 10, 11; also Working Paper submitted by the Delegation of India; UN Document A/Conf. 48/PC/WG. 1 (II)/CRP. 10, 10 January 1972.

¹¹⁰ UN Document A/Conf. 48/4, Principle 9, p. 3.

the only way to achieve that objective was to go along with the inclusion of the social and economic concepts proposed by the less developed countries. He indicated that, but for political pressure mounted by Brazil, Costa Rica, Egypt, India, Mexico, Yugoslavia, and Zambia, the developed countries would have liked to deal with economic development concepts in the action programs of appropriate subject areas. Even though Ethiopia publicly seemed to support this point-- "if...the essential relationship between environment and development must be spelt out in detail, this will probably be an extremely difficult and controversial article to draft."¹¹¹-- it made no attempts, privately or publicly, to discourage the initiatives by Brazil and others. Three reasons may be advanced to explain Ethiopia's behavior. One is the general tendency, particularly on economic and financial questions, of members of the less developed countries to polarize positions and dramatize conflicts between them and the developed countries. This is functional to the kind of group politics they play in international forums on questions of common concern.¹¹² The second reason was

¹¹¹Ethiopia, in UN Document A/Conf. 48/PC/WG. 1/CRP 4, p. 31.

¹¹²Nye, op. cit., p. 356; David A. Kay; "The Politics of Decolonization: The New Nations and the United Nations

the absence of support for Ethiopia's view. There was widespread group support for the inclusion in the Declaration of those controversial demands. In fact, as will become evident in the next chapter, the initiatives by Brazil and others apparently did not go far enough to meet the expectations of those delegations that had played no role in the document's preparation. The final reason was suggested by a number of delegations during interviews. Essentially, the proponents of a Declaration with firm philosophical roots in social and economic considerations saw the document principally as an introduction to, and summary of, the objectives of the Conference. For that reason, omission of such considerations, according to them, would have produced, at best, only a part of the Conference's purposes and objectives. This, by implication, would have weakened, philosophically and logically, the issues of immediate importance to them. For these reasons, therefore, Brazil and others held to their demands and won recognition for those demands. It should be pointed out, however, that most of the delegations from the developed countries did not interpret the principle of additional funds as mandatory.

The initiatives by Brazil and others, as previously indicated, benefitted substantially from the recommendations

of the Founex Report. But the awareness that a widespread support existed for those initiatives within the less developed group provided the essential bargaining power. Admittedly, the Working Group reached decisions by consensus rather than by voting, but the earlier-cited remarks by a Western diplomat sufficiently suggested that perceptions of an underlying political (voting) strength, rather than the Founex recommendations, were largely responsible for the concessions which the less developed countries were able to extract from the developed countries. Group politics thus remains an essential source of the bargaining successes of the less developed countries in conference diplomacy. Of course, the issue on which group politics is played must be sufficiently important to other bargaining parties to lead them to want to pay the price. Clearly, the high premium placed on approving a Declaration on the environment by delegations from the developed countries enhanced the effectiveness of group politics. They were effectively constrained by their own commitment. Basically, the initiatives by Brazil and others benefitted from this political context against which their counterparts were bargaining. It made the developed countries' acceptance of certain obligations the basis for attaining their committed goal. In other words, the prospect of no Declaration could not be made to appear as disadvantageous to

delegations from the less developed countries.

Apart from the controversies over development and environment interrelations, the other important controversial subject for negotiation was in regard to the need to provide some legal framework for inter-State cooperation and accountability with regard to environmental policies. It was pointed out earlier that because most of the less developed countries have been critical of the existing legal framework of international politics, we would expect them to be interested in taking initiatives to propound new legal doctrines which would be more compatible with their interests in the negotiations. We would also expect most of the developed countries to demonstrate considerable uneasiness about the need to attempt to formulate legal doctrines in the Declaration, given its recommendatory nature and the poor state of environmental science. That is, quite apart from their well-known interest in codifying all international law, the less developed countries, precisely because they are less capable of enforcing political compliance from the developed countries, should be much more

¹¹³For a discussion of the process of dissuading opponents from further bargaining, see I. William Zartman; The Politics of Trade Negotiations Between Africa and the European Economic Community: The Weak Confront the Strong, (Princeton: Princeton University Press, 1971), p. 209; Ikle, pp. 59-86.

¹¹⁴Levi, op. cit.; Henken, op. cit., pp. 116-126.

interested in the security provided by the law. Of course, it is not being suggested that the Declaration amounted to a treaty or customary law; it clearly was not intended to be, at least for now. But as Professor Douglas M. Johnston suggests, it is "the first universal attempt at policy formulation" with respect to the environment and, consequently, it would "seem to ensure that it will be invoked constantly in innumerable forums as the world community's most authoritative charter on environmental rights and duties."¹¹⁵ For this reason, the Declaration, or more appropriately some of its principles, could constitute the basis of the future development of international environmental law or could harden into accepted customary international environmental law. During interviews, certain delegations from the developed countries gave the impression that it was, at least in part, the desire to prevent premature moves in this direction which led most of them to prefer a document of scientific warnings to mankind about threats to planetary survival and general recommendations on more manageable and

¹¹⁵ Douglas M. Johnston; "International Environmental Law: Recent Developments and Canadian Contributions," in R. St. J. Macdonald, Gerald L. Morris and Douglas M. Johnston (eds.); Canadian Perspectives on International Law and Organization, (Toronto: University of Toronto Press, 1974), p. 574.

special problems.

Interestingly, but certainly not surprisingly, initiatives along the lines of future development of international environmental law came from Canada and not from the less developed countries, as was expected. In its response to the Secretary-General's questionnaire of December 1970, Canada made the following observation:

At present, the body of law, both international and municipal, upon which individuals and states must depend for their guidance and protection in this respect [duties of states with respect to the environment] is either inadequate or non-existent. Thus an essential and crucial goal for the conference should be a declaration of principles defining the rights and duties of states upon which can be based the progressive development and codification of international environmental law.¹¹⁶

Quite apart from Canada's interest in the development of international environmental law generally, there is little doubt that considerations of self-interest were very high in its perceptions of environmental law.¹¹⁷ Its proximity to

¹¹⁶Canada, in UN Document A/Conf. 48/PC (II)/CRP.8, p.6.

¹¹⁷Professor Johnston has suggested that Canada has been working hard on problems of the human environment in such international agencies and organizations as the UNESCO, IUCN, IOC, WHO, WMO, FAO, and ICAO for the adoption of strict environmental controls. Canada, according to him, has come to be identified as a "hard-liner" on the need for controls and comprehensive approach to problems of global environment. See op. cit., pp. 580-601.

the United States, the world's most industrialized country and, therefore, polluter, makes Canada one of the most environmentally vulnerable countries in the world. Given the traditional "top-dog"- "under-dog" relations between the two countries, Canada is in an even weaker position than most of the less developed countries. Therefore, the development of environmental law offers it just as much protection and assurance as it does to all weak states. On this subject, then, Canada's weakness vis-à-vis the United States placed it firmly in the camp of the weak states. Against this political background and possessing greater resources in the development of international legal doctrines than most of the less developed countries, it should not come as a surprise that Canada led the initiatives on the subject of developing international environmental law.

The broad outlines for conceptual development and policy making in this area of state responsibilities were, however, provided by the Conference secretariat. In its background notes annexed to the 1970 questionnaire, the secretariat raised a number of general principles which might be considered for inclusion in the Declaration. Among these were national sovereignty over natural resources; cooperation and mutual assistance to avoid the creation of environmental problems in areas beyond the limits of national jurisdiction;

and states' responsibility for harm caused by them and their nationals to environmental resources shared with other states.¹¹⁸ Primarily, the secretariat was calling on governments to focus their attention on the problem of placing the principle of sovereignty in its new environmental context. The right of state control over exploitation of resources within its territory has been recognized explicitly by several General Assembly resolutions and the International Human Rights Covenants.¹¹⁹ But while the limits of territorial sovereignty are generally easily established, state sovereignty over its human environment is not only a new concept in international law but the very notion of "the human environment"¹²⁰ has no clearly established limits. In spite of the problem of establishing the empirical correlate of the concept of the human environment, the Working Group asserted in its first Report that:

¹¹⁸UN Document A/Conf. 48/PC/WG.1/CRP.4, pp. 13-14. For other background notes, see pp. 5-13.

¹¹⁹General Assembly Resolution 626 (VII), 21 December 1952; 1803 (XVII), 14 December 1962; 2158 (XXI) 28 November 1966; and Article 1, para. 2 of the International Human Rights Covenants.

¹²⁰Louis B. Sohn; "The Stockholm Declaration on the Human Environment," Harvard International Law Journal, vol. 14, No. 3 (Summer 1973), pp. 423-515; also Johnston, op. cit., pp. 555-556, 575-576.

The principle that sovereignty also includes the right to environmental integrity and the right to maintain that integrity in wholesome and unimpaired condition is not so clearly recognized. There is, however, a conceptual relationship between the right to maintain the natural environment within that territory in a state of wholesomeness. The impairment by another State of the environment of a State constitutes an impairment or an interference with the sovereignty of that State. Thus there is a logical legal basis for the recognition of the sovereign right of a State to preserve its environment and to take any necessary and appropriate steps to protect its environmental integrity.¹²¹

The formulation presented by the Working Group generally reflected the views of delegations as contained
122
in their responses to the secretariat's questionnaire. Most of the responses showed an acceptance of the secretariat's general principles as providing a useful basis for work in the area of sovereignty and international responsibility with

¹²¹UN Document A/Conf. 48/PC/12, 14 June 1971, Annex II, p. 13, para. 60.

¹²²UN Document A/Conf.48/PC/WG.1/CRP. 4; Argentina, p. 18, Austria, p. 19; Colombia, pp. 25-26; Ethiopia, p. 33; France, p. 34; Holy See, pp. 36, 39; Italy, p. 44; Japan, p. 46; Libya, p. 47; the Netherlands, pp. 49-50; Panama, p. 51; Sweden, p. 55; Switzerland, p. 58; The United States, pp. 62-63. The United Kingdom felt that the secretariat's suggested principles could generate fruitless controversies and recommended formulation of general guidelines, policies, and responsibilities. See UN Document A/Conf. 48/PC/WG. 1/CRP. 4/Add. 1, 15 April 1971, p. 7.

respect to the environment. But Austria and Japan were particularly opposed to the principle dealing with international responsibility.¹²³ The widespread support for the secretariat's general principles, however, did not imply a corresponding readiness on the part of all delegations to include them in the Declaration. There were three broad viewpoints on this matter. Certain delegations believed that the subject matter raised by the secretariat belonged to international treaty-making or conventions and should not be included in a document intended to have no legal binding force. Argentina, Austria, Ethiopia, Japan and the United States more or less argued this position.¹²⁴ The United States, however, favored the inclusion of principles dealing with bilateral, regional and international cooperation and consultation to avoid causing harm to the human environment beyond the limits of national jurisdiction.¹²⁵ Argentina also indicated a

¹²³UN Document A/Conf. 48/PC/WG. 1/CRP. 4, Austria, p. 19;; Japan, p. 46. The U.S. is presumed to have opposed the principles on responsibility for environmental damage because its proposed Declaration attached to its response recommended no principle on the matter. See *Ibid.*, Attachment II, p. 65. See also UN Document A/Conf. 48/PC. 12, Annex II, p. 9, para. 35.

¹²⁴UN Document A/Conf. 48/PC/WG.1/CRP. 4; Argentina, p. 18, Austria, p. 19; Ethiopia, p. 33; Japan, p. 46; the U.S., pp. 64-65.

¹²⁵UN Document A/Conf.48/PC/WG.1/CRP.5, 5 May 1971, p.17.

willingness to support the inclusion of all the principles if they would be merely indicative in character and not imply any regulatory functions or any formal commitment. ¹²⁶

A few delegations based their uneasiness on the doubtful juridical basis of the obligations implied in the secretariat's principles. They maintained that the contents and limits of the concept of the "human environment" were not clearly established to justify the obligations governments were asked to consider. Brazil and Austria argued this position. ¹²⁷

The final point of view was held by Canada, Colombia, Libya, Italy, the Netherlands, Panama, Sweden, and Switzerland.

Canada, in particular, maintained that the inadequacy of existing law justified the inclusion of the secretariat's principles, which would form a basis for progressive development and codification of international environmental law in the future. ¹²⁸ Most delegations were non-committal with respect to the three perspectives just described. It is

¹²⁶ Argentina, op. cit., p. 18.

¹²⁷ Austria, ibid., p. 19; Brazil, UN Document A/Conf.48/PC.12, Annex II, p. 9.

¹²⁸ Canada, UN Document A/Conf. 48/PC/WG.1/CRP. 5, p. 13; Colombia, A/Conf.48/PC/WG.1/CRP.4, pp. 25-26; Italy, p. 44, Libya, p. 47; the Netherlands, pp. 49-50; Panama, p. 51; Sweden, p. 55; and Switzerland, p. 58.

reasonable to assume that they were reserving their position pending further negotiations.

It is clear that the initial attitudes and positions do not confirm our assumptions. Firstly, delegations from the developed countries were more active in the debates than their counterparts from the less developed countries. Additionally, the developed countries, insofar as they focused their responses specifically on the question of state responsibilities and obligations, were more favorably disposed toward the development of international environmental law than the less developed countries. But the initial attitudes of most of the delegations from the less developed countries toward state responsibility and obligations are indicative of their selective interest in the whole environmental negotiations. Given their greater concern for development, environmental law naturally did not hold much attraction. Many of their delegations expressed concern, during interviews, that premature environmental law-making might complicate their development process. In this sense, then, their uncharacteristic lack of concern for the development of law does not necessarily refute our assumption that they are more interested in codifying new laws than the developed countries; rather they did not perceive the need for progressive development and codification of environmental law in particular at

this historical juncture when most of them are now beginning their development process. This argument is very consistent with Professor Robert L. Friedheim's conclusion on the dominant attitudes of the "dissatisfied" states at the 1958 and 1960 Law of the Sea conferences. Friedheim has pointed out that the "dissatisfied" states saw international law not as a set of abstract ideas but in terms of politics and their own interest.¹²⁹ Clearly, the political interests of the less developed countries did not seem to justify any development and codification of international environmental law at this time.

As was pointed out earlier, Canada was the strongest and most consistent advocate of the idea of laying the basis of future development and codification of international environmental law. It recommended the inclusion in the Declaration of three key legal principles: (1) the duty of each state to conduct its activities with due regard to their effects on other states; (2) the duty to compensate in the event of damage to another state's environment; and (3) the

¹²⁹ Friedheim, op. cit., especially pp. 20-32. For a more theoretical study of the political basis of international law, see Morton A. Kaplan and Nicholas DeB Katzenbach; The Political Foundations of International Law, (New York: John Wiley and Sons, Inc. 1961)

duty to consult with other states in the event that planned activities are likely to have environmental effects beyond areas of national jurisdiction.¹³⁰ The European countries, except Eastern Europe and France, supported aspects of Canada's principles, particularly on cooperation and consultation.¹³¹ So did the United States and Colombia. To develop support for the proposals, Canada contacted key delegations, particularly Australia, Sweden, Brazil, Chile, Argentina, India, and Mexico. Working through these delegations and using the argument of long-term development of law, Canada was able to develop support from the developed and less developed countries. The issue of consultation, however, saw Brazil and Argentina on opposite sides. This not only indicates the absence of group position with respect to the less developed countries on the evolution of international environmental law, but it also illustrates the extent to which

¹³⁰ Canada, UN Document A/Conf. 48/PC/WG.1/CRP. 5, pp. 13-15, 17. See also Working Paper: Draft Principles for inclusion in the Declaration on the Human Environment submitted by the Delegation of Canada, UN Document A/Conf. 48/PC/WG.1 (II)/CRP. 4, 5 January 1972.

¹³¹ On cooperation and consultation: the U.K., UN Document A/Conf.48/PC/WG.1/CRP .5, p. 17; Switzerland, *Ibid.*, p. 17; the U.S., *Ibid.*, p. 17. On reparation: Colombia, UN Document A/Conf. 48/PC/WG.1/CRP. 4, pp. 25-26; Italy, p. 44; Switzerland, p. 58.

national interest considerations at times dominated the negotiation objectives of some of them. Brazil's development projects on the Upper Parana river have often led to bilateral consultations between it and Argentina. However, Brazil has refused to discuss the two kilometre dam planned for Sequetedas Isaltos de Guayra with Argentina. The project is alleged to threaten the water supplies of Buenos Aires and other major Argentine cities.¹³² Argentina saw in the principle of consultation an opportunity to strengthen its claims on Brazil. In the view of Brazil's delegation, the principle of consultation as formulated by Canada was unduly restrictive of the concept of national sovereignty. Argentina thought otherwise. With a majority of delegations in favor of retaining the principle of consultation, Brazil's position was rejected. The whole debate between Brazil and Argentina illustrates the extent to which international norms could be used to support a purely local concern. It also indicates that when vital national interests are threatened, members of the less developed group do not bury their differences in the

132

"The Stockholm Conference" ECO. (Jointly produced by the Ecologist and Friends of the Earth), 15 June 1972, p. 1.

privacy of their caucusing room.

The outcomes of the debates on the need to develop international environmental law corroborate our assumption that international secretariats are critically important to conference diplomatic processes. They do not just provide service functions and carry out the instructions of governments, but they also provide some of the ideas, including controversial ones, which form the basis of negotiations among delegations. They cannot make decisions for governments, but they can identify decisional situations, provide constructive suggestions and encourage governments to discuss them with the view to reaching agreements. The outcome further illustrates that a delegation, such as Canada, with sufficient resources and tenacity can persuade others to support its position. Finally, the debates corroborate our claim that politics determines the development of international law. The development interests of the less developed countries made most of them uneasy about the development of international environmental law in spite of their traditional desire to do just that. Similarly, Canada's concern to protect its environment

133

For a theoretical study of executive leadership in international organizations, see Robert W. Cox, op. cit., pp. 205-230.

against its giant neighbor to the South made the progressive development of environmental law an attractive course of action to take. And finally, Argentina's and Brazil's disagreements over the principle of consultation and information exchange had their roots deep in local politics. It is not being suggested that because of political considerations, the development of international law has a bleak future. Rather, we are pointing out that international law will develop at the pace and tempo of international politics.

III. Summary and Analysis of Pre-Conference Negotiations

The evidence from the pre-conference negotiations suggests that the environmental issues were a sub-set of the North-South set of international relations. The complex set of negotiations between the two groups of states turned out to be another occasion for the two to re-examine the problem of the economic welfare and continued existence of the South as a viable political and diplomatic group. We pointed out in Chapter I that the North-South conflicts are about economic security and political survival of the South. The dominant foreign policy concern of the South has been a transformation in their international political and economic status quo. For this reason, developmental needs and strategies dominate their international perspective. Their role in the

environmental negotiations, therefore, must be analyzed in direct relation to this specific perspective. Developmental needs and strategies structured their attitudes and dictated most of their initiatives. Because of these concerns, the idea of an environment conference to discuss and solve problems posed by the side-effects of social and material progress made the Swedish initiative immediately suspect. Suspicion led to a brief period of passivity and indifference toward the Conference.

Passivity and indifference, however, paid off well. Given the developed countries' and the secretariat's desire to have the less developed countries participate actively in the Conference, passivity and indifference became the functional equivalents of warnings of non-cooperation.¹³⁴ This strategy forced the Conference's advocates to change their expectations and, subsequently, the course of the preparation process as a means of inducing cooperation and interest from the less developed countries. In other words, a significant negotiation group in conference diplomacy need not always resort to verbal and physical threats to induce changes in the opponent. Plain indifference and passivity can be just as effective.

¹³⁴For a discussion of the role of warnings in negotiations, see Ikle; op. cit., pp. 62-66; Schelling, op. cit., pp. 35-43; Holsti, op. cit., pp. 232-236.

As Professor Oran R. Young suggests: "Sheer silence...is sometimes a powerful way to induce another participant to adopt certain conclusions about the nature of a bargaining situation."¹³⁵ In this instance, passivity and indifference forced a process of conceptual exploration on the advocates of the conference, culminating in considerable secretariat initiatives aimed at making the Conference relevant to the circumstances of the less developed countries. The most important outcome of that process, and undoubtedly the most significant contribution of the secretariat to the Stockholm Conference, was the notion that poverty and underdevelopment produced their own distinctive environmental problems. That is, environmental problems of affluence were different from environmental problems of poverty. Traditionally, poverty and underdevelopment have been regarded as developmental, rather than environmental, problems. Although U Thant, as we saw earlier, had suggested this distinction in his report on the problems of the human environment, its full development and implications were provided by the Group of Experts that produced the Founex Report. While much of the credit for the subsequent changes in conceptual approach should go to the secretariat and its advisors, it is necessary to point out that the political framework of their initiatives was

¹³⁵Oran Young; op. cit., pp. 40-41.

evidently influenced by the demands of the less developed countries. The demand that the Conference be approached against the background of the Strategy for the Second Development Decade and the need of the less developed countries for additional resources had been raised by delegations from Brazil, Chile, Nigeria, Sri Lanka, and Sudan by November 1970. Therefore, the secretariat's initiatives were a reactive response to the need to accommodate the interests of the less developed countries. For this reason, it is reasonable to give part of the credit for the conceptual modifications that occurred to the latter. Were it not for their opposition to the limited conceptual approach suggested by the developed countries, the Founex Report would not have been written.

It must be stressed, however, that to the extent that the secretariat's initiatives provided the spark which shifted the original approach to the Conference and uncovered the fundamental differences of interests between the developed and less developed countries, it corroborates the contention that it plays an important role in UN conference diplomacy. The secretariat diversified the issues and, according to Professor Elmer E. Schattschneider, the choice of issues "is the choice of conflicts, and, the choice of conflicts allocates

power." ¹³⁶ Because the less developed countries brought different arguments and interests into the Conference, they introduced issues of special concern to them. The upshot of that process was a certain increase in agenda items, the implication of which was the weakening of the political control previously enjoyed by the developed countries, particularly during the First and Second Preparatory Committee meetings.

The first element in the less developed countries' strategy was their unity on the principle that environmental concerns should promote, rather than retard, their industrialization process. Unity on this principle was easily arrived at largely because of the issue area and the learning processes made possible by the Founex Report, the Regional seminars on development and environment, and the caucusing done at the Second Ministerial Meeting of the Group of 77, at Lima, Peru. Since the 1950s, the less developed countries have consistently used group politics at the UN as part of their collective effort to achieve their political and economic ends. Proposals intended to give effect to their principle were introduced under their recommended agenda item-- Development

¹³⁶ Cited in Sawyer and Guetzkow; op. cit., p. 472.

and Environment. The two key demands were provision of additional resources and compensation for trade losses incurred as a result of environmental policies of the developed countries. Demands for additional financial resources and trade restructuring have been key aspects of the revisionist demands of the less developed countries since the 1950s. Consequently, they had little potential for disrupting group unity. Using the argument that poverty does not improve the human environment, they exploited their economic weaknesses as the basis of their appeals to the developed countries to make additional development resources available to them. In fact, the extent of their participation in the environmental consciousness was made contingent upon the availability of additional resources. In his analysis of the negotiations between Africa and the EEC, Professor I. William Zartman found the same strategy being applied by the Africa negotiators. In his view, "the Africans' greatest strength was their weakness" since "it...gave them an excuse for not offering greater concessions."¹³⁷

The exploitation of economic weaknesses to obligate the developed countries did not pay off well during the pre-Conference negotiations. While France, the Netherlands,

137

Zartman, op. cit., p. 64.

Norway and Sweden appeared sympathetic toward these demands, most of the developed countries were not so inclined. The United Kingdom proposed a more open financing formula intended to be less mandatory than the one supported by the less developed countries but was rejected by the latter. In other words, although the developed countries accepted the inclusion of problems of underdevelopment and poverty in the Conference agenda, most of them did not show a corresponding willingness, during the pre-Conference negotiations, to accept the policy implications flowing from them. Two reasons were largely responsible for this attitude. The first was related to their determination, particularly the United States, to maintain a balanced consideration of development and environment issues. They were, therefore, unwilling to make the economic and financial issues the only important issues. The second, and undoubtedly the most important, consideration is the developed countries' traditional conservative approach to economic and financial demands made on them by the less developed countries. As pointed out earlier, organizations like the SUNFED, the Special Fund, UNCTAD, the UN Capital Development Fund were all established only after considerable pressure was brought to bear on the developed countries.

The refusal to be constrained by the opposition of the developed countries and the subsequent passage of a resolution embodying their economic, financial and trade demands indicate that for the less developed countries, the grant of concessions remains the basis of accommodation in their conflicts with the developed countries. Attitudes toward negotiating these demands were firm although considerable bargaining took place. The decision to convene meetings between representative members of both sides to work out an acceptable formula suggests that both sides were eager to avoid protracted confrontation. Such flexibility on key demands by the less developed countries has not been known, for instance, in UNCTAD forums. The failure to reach an agreement, however, suggests that the economic, financial, and trade demands were treated, at least during the pre-Conference negotiations, by most of the less developed countries as the major independent variable. Patterns of interaction were regarded primarily as a dependent variable. In other words, the great interest they had in securing those demands produced a certain rigid negotiation posture. Similarly, the developed countries' determination to refuse any financial responsibilities not compatible with their existing framework of development assistance made accommoda-

138

tion impossible to reach. Flexible postures, particularly on the part of some of the developed countries-- Canada, France, West Germany, the Netherlands, Norway, Sweden-- during the Stockholm negotiations permitted a different pattern of interaction, which made accommodation on additional aid and trade easier to reach. This would seem to suggest that analysis of patterns of interaction in conference diplomacy must pay attention to stages in the interaction process. As will become clear in the next chapter, a few of the most important demands by the less developed countries were either dropped or modified at Stockholm to accommodate the opposition of the developed countries.

It must be pointed out that the negotiation process on the economic, financial and trade demands turned up a few behavioral irregularities among the less developed countries. The solid unity manifested by the group on principles and demands did not produce a corresponding unity on tactics. Ghana, Liberia, Malta, Sierra Leone, Singapore, and Trinidad and Tobago abstained on the Kuwait draft because they preferred a negotiated settlement to majority voting.

¹³⁸ For a discussion of the relationship between degree of interest in an issue and tendency toward negotiating rigidity, see Arthur Lall, op. cit., p. 321.

¹³⁹ For an application of the concept of issue transformation to the analysis of community conflicts, see James S. Coleman; Community Conflict, (New York: The Free Press, 1957), pp. 10-11.

This preference for negotiated settlement, which became more prominent at Stockholm, marks off the environmental negotiations from the decolonization negotiations in the 1960s and those in UNCTAD forums. The trend toward compromise and accommodation was taken even a step further when, on the initiative of the less developed countries, it was widely agreed by all delegations to the Caracas Third Law of the Sea Conference (1974) that decisions would be reached on the basis of consensus. These trends do not necessarily mean that a new pattern of interaction between the North and South has been firmly established, or that the less developed countries are becoming less strongly attached to their key foreign policy goals. Professor Francis O. Wilcox contends that the principle of compromise "is a sound principle only if the parties in the controversy are motivated by a genuine desire to find a solution to their differences."¹⁴⁰ The extent to which both groups appeared to have been motivated to find compromises might in part be due to the complexities of the issues of the environment and of

¹⁴⁰ Francis O. Wilcox; "The Non-aligned states and the UN," in Lawrence W. Martin (ed.); Neutralism and Non-alignment: The New States in World Affairs, (New York: Frederick A. Praeger, Inc., 1962), p. 132.

the sea. Students of negotiations have found out that complexity of issues tend to permit a broad exchange of concessions.¹⁴¹ In part, the character of both negotiations was also influenced by the several years of intensive preparations. Delegations had plenty of time to resolve hard political and conceptual problems. It is reasonable, at least tentatively, to suggest that the flexibility and accommodation shown at Stockholm and later at Caracas suggest that North-South interaction processes are not permanently afflicted by confrontation and stalemate.

The pre-Conference negotiations on institutional arrangements were inconclusive since no decisions were taken. But the tentative preferences expressed by delegations could be subsumed under the broader North-South split. The disagreements were about the structure of political control over international environmental policy-making. Each side wanted to structure the arrangements in such a way as to improve its opportunities for wielding influence. With the exception of Sweden, those developed countries expressing any preferences supported a smaller ECOSOC body. Although they based their preference on the principle of organizational competence, efficiency and effectiveness, it is generally

¹⁴¹ Zartman; op. cit., p. 56.

believed that the General Assembly has been, traditionally, a much more radical body on economic questions than the ECOSOC. For this reason, the ECOSOC was politically preferable to the developed countries. A small body might conduce to efficiency and effectiveness in policy-making, but, most importantly, it is generally easier to persuade twenty-seven delegations than fifty-four. Technical concerns about organizational competence, efficiency, and effectiveness, therefore, were used in the service of political interests. Their counterparts' preference for a larger General Assembly body was equally self-serving. A larger body would assure them absolute dominance. Given the recommendatory nature of the governing body's resolutions, the larger the dominant majority, the greater is the resolution's moral force. The

142

The moral force of a resolution of the General Assembly does not make the resolution necessarily binding. However, Professor Wolfgang Friedmann, in "The Uses of 'General Principles' in the Development of International Law," The American Journal of International Law, vol. LVII, No. 2 (1963), pp. 279-300, has argued that General Assembly resolutions are an important link in building new principles of law. This view has been supported by Professor Leo Gross who distinguishes between "soft law" (UN resolutions, declarations) and "hard law" (treaties). Gross suggests that 'soft law' is usually a precursor of 'hard law'. He maintains that if the soft law variety reflects a majority opinion and is reiterated frequently, it establishes expectations of obligations. A consistently strong and widespread condemnation has the character of law. See Gross; "The UN and the Role of Law," International Organization, vol. 19 (1965), pp. 537-561.

General Assembly has traditionally been the favorite body of the less developed countries. Many of the changes achieved in decolonization and socio-economic development have been accomplished through the Assembly. Organizations like UNCTAD, UN Capital Development Fund, UNIDO, the UN Development Programme (UNDP), as well as the First and Second Development Decades, have all been established by and under the authority of the General Assembly. Consistent with the emphasis on accommodation of interests, however, Brazil recommended that the inter-governmental body report to the General Assembly through the ECOSOC. This formula was adopted at Stockholm.

The pre-Conference negotiations on the Declaration, in many respects, were similar to those on Development and Environment. That is, the process of obligating the developed countries went on in the preparation of the document. For

Professors Friedmann and Gross may have exaggerated the cumulative legal and political effect of UN resolutions and declarations, but their point is well-taken that it should not be ignored. For a fuller discussion of the legal significance of UN resolutions, see Obed Y. Asamoah; The Legal Significance of the Declarations of the General Assembly of the United Nations, (The Hague: Martinus Nijhoff, 1966). Professor Chadwick A. Alger has offered a theoretical framework for the analysis of UN resolutions which goes beyond the immediate issues resolved by resolutions. See his "Non-resolution consequences of the United Nations and their effect on international conflict," Journal of Conflict Resolution, vol. 5, No. 2 (June 1961), pp. 128-145.

this reason, agreements on details of the document were not easy to reach. Consistent with their key concerns, the developed countries wanted a document reflecting physical deterioration of the environment and the importance of rational management practices. Their counterparts from the less developed countries argued for a document that would focus on poverty and economic development questions. They saw the document from the standpoint of social and economic justice. Because of the less developed countries' initial passivity, however, the document's preparation was not a simple process. The first draft was widely criticized by their leading spokesmen for its unresponsiveness to their interests. Economic development questions were included subsequently in recognition of their political opposition, but, on the whole, the developed countries were successful in focusing the document on physical deterioration and the importance of rational resource management practices. As was pointed out earlier, there were more principles relating to the latter concerns than to social and economic development.

Two factors were responsible for the developed countries' initial success. One was the less developed countries' low participation in the preparation of the document; the other was their successful communication to the few that participated that the controversial economic, financial and

trade demands should be kept out of the document. The less developed countries' low participation is attributable to their initial inability to characterize the basic dimensions of the Declaration. Much as they wanted it to reflect their development interests, the less developed countries were unable to specify those interests until after the publication of the Founex Report. Because of ignorance of the essential relationship between the Declaration and their development interests, many of their members failed to participate actively in the initial informal consultations.¹⁴³ Much of the little impact they made on the Declaration was achieved only after the publication of the Founex Report. It is, therefore, not surprising, as will become evident in the next chapter, that substantial negotiations and re-writing of the Declaration occurred at Stockholm.

The negotiation on the inclusion of legal principles in the Declaration produced some interesting behavioral irregularities, particularly on the part of the less developed countries. Those behavioral irregularities illustrate clearly what Kaplan and Katzenbach have referred to as the political

143

For a brief discussion of ignorance as a bargaining impediment, see Oran Young, op. cit., p. 38.

foundations of international law. Given the less developed countries' interest in the development and codification of new international norms, one would have expected them to be even more active on this aspect of the Declaration than Canada. But both played the roles they played for essentially similar reasons. Canada's desire to protect its environment from the activities of its more powerful neighbor made the development of international environmental law eminently sensible from its perspective. For the less developed countries, a premature development of international environmental law did not seem compatible with their need to retain their freedom to pursue their development goals. Thus while their self-interest, as the references from Professor Friedheim's study indicates, justified challenging traditional international law of the sea, that same interest did not justify the development of international environmental law at this time. Consequently, sovereignty over natural resources and their exploitation was mentioned more often than not by most of the less developed countries in the initial debates. The reliance on sovereignty was, however, not so total as to preclude considerations of future development of environmental law. Canada exploited this need for long-term development and

¹⁴⁴ Kaplan and Katzenbach, op. cit.

codification of environmental law with considerable effectiveness. This illustrates the extent to which a delegation with ideas and resources can increase its capacity for influence in UN conference diplomacy.

A few other final characteristics of the pre-Conference negotiations, from the perspective of the less developed countries, need to be mentioned. National and regional differences on a few issues existed. The Asian countries, particularly India, Pakistan, and Indonesia actively supported recommendations calling for the implementation of population control policies. Many Latin American and African countries were not so inclined. These differences led to no group divisions. In fact, concern about group unity made India vote for the Kuwait draft on Development and Environment in spite of the fact that the population question was excluded from it. When Sweden raised the population question again in the preparation of the Declaration, a mutually acceptable formula was quickly found by which population policies would reflect both developmental and environmental requirements as appropriate to each country. The differences between Argentina and Brazil over the principle of cooperation and information exchange were treated as a local matter and had no disruptive effect on the operation of the group. As was noted earlier, evidence of tactical differences also existed,

although on a small scale. But on the whole, group politics was widely practised by the less developed countries.

The other important characteristic of the negotiations was the extent to which the less developed countries depended on a few delegations to provide the leadership and initiatives needed to achieve their collective goals. The key delegations in this respect were Brazil, Chile, Egypt, Kuwait, India, the Philippines, with the support of Yugoslavia. But for the addition of Egypt and Kuwait in, and the absence of Nigeria from this group, Professor Joseph S. Nye found the same group the most active during UNCTAD I and II meetings. Major conceptual contributions and substantive initiatives, however, came especially from Brazil and, to a lesser extent, Chile. They assumed the largest share of the job of criticizing the approaches and objectives of the developed countries and proposing alternative approaches and objectives. That the rest of the less developed countries generally supported these initiatives confirm our assertion that the group shares a common ideological framework of foreign policy decision-making. It further confirms the contention that leadership phenomenon is crucial to UN conference diplomatic processes and outcomes. The most sympathetic delegations from the developed countries,

¹⁴⁵ Nye, op. cit., p. 339

from the perspective of the less developed countries' interests, were France, Israel, Norway, the Netherlands, Sweden, and Yugoslavia. With the exception of France and Israel, the rest have been very active in arranging compromises within UNCTAD.¹⁴⁶ Although they were not so successful in the pre-Conference environmental negotiations, Norway, Sweden and the Netherlands constantly urged moderation on all delegations and were active in arranging informal consultations, particularly on the key economic, financial, and trade issues.

The developed countries did not operate as a group in spite of a shared conceptual approach to the Conference. As the remarks of Australian delegate, Mr. Joseph (to which we referred earlier) indicate, they attempted to discourage group approach to the negotiations. In part, their opposition to the inclusion of development questions was motivated by a desire to avoid the divisiveness and polarization which those questions tend to generate. But this tactic, as we pointed out earlier, was used politically to discourage bloc approach and bloc voting, that is, to attempt to strengthen their negotiation position. The less developed countries recognized the crucial linkages between politics and the

¹⁴⁶ Nye, op. cit., p. 340.

environment and showed readiness, particularly during the initial planning stages, to provoke encounters and use bloc-sponsored proposals and voting to achieve their objective of inscribing their demands on the Conference agenda. Mention should also be made of the considerable intellectual and political initiatives by the Conference Secretary-General. His prodding of the less developed countries and appeals to the developed countries to broaden their conceptual and programmatic concerns and be prepared to assume economic, financial, and political responsibilities, played a role in the attempts made by delegations to seek accommodation and avoid confrontation politics. These points are analyzed further in Chapter VI.

The accent of the analysis has been on the role and impact of the less developed countries on the pre-Conference negotiations and aspects of the negotiation process. It is evident that the negotiations were subsumed under the North-South dimension of international relations. The viability of the South as an economic, political, and diplomatic group was the key negotiation issue. Typically, revisionist demands for development resources and for increased incomes from their international trade dominated their perspective. They opposed the imposition of any restrictive and uniform environmental standards on them. The South's initial lack of enthusiasm

for the development of international environmental law can only be understood against the background of this desire to preserve their freedom to pursue their traditional goal of accelerated socio-economic development. Their institutional preferences were cast in terms of the need to dominate the central decision-making organ. This would keep policy-making firmly under their political control.

Although there was a general acceptance by the developed countries of the legitimacy of the South's development needs, the negotiations on the latter's specific economic, financial and trade demands were inconclusive. This is attributable primarily to the developed countries' unwillingness to grant the requested concessions. Obviously, it is difficult to tell whether they refused these demands because they wanted to preserve the international political and economic status quo or because they did not accept those demands in precisely the form they were made. If the assumption that the developed countries are not ready for the kinds of radical transformations in the international political economy that the less developed countries are seeking is acceptable, then the two aspects of the basis for refusing concessions are linked. The need to defend the status quo or to permit only incremental changes can become the ideological justification for finding certain demands unacceptable. On the other hand,

construing certain demands to be unacceptably formulated can become the tactic by which the status quo can be defended or incremental concessions justified.

The pre-Conference negotiations reveal both behavioral continuities and discontinuities in the character of the North-South set of international relations. The grant of concessions or redistribution of resources remains the basis of North-South accommodation in negotiations. However, there were behavioral discontinuities in terms of tactics. Both sides were anxious to avoid divisiveness and confrontation politics. Although the pre-Conference negotiations were less successful in this respect than the Conference negotiations, considerable initiatives were made by delegations and the secretariat to reduce conflicts and to reach negotiated settlements. A few delegations from the less developed countries, in fact, valued negotiated settlements so much so that they were willing to abstain on a key draft (Development and Environment) with whose demands they were otherwise in complete agreement. The next chapter will discuss some important transformations which took place in the character of the Conference negotiations.

CHAPTER IV

THE LESS DEVELOPED COUNTRIES AND THE STOCKHOLM NEGOTIATIONS

The Conference negotiation phase presented its own unique context and characteristics. The presence of Kings, Presidents, Prime Ministers, Cabinet members, and an array of senior members of the UN secretariat, including the Secretary-General, gave the gathering considerable diplomatic importance and visibility. Basically, however, the crucial function of the full-dress conference was to endorse, amend or reject the pre-conference recommendations. It is not implied, of course, that there was absence of spirited debates and negotiations. Not all issues were satisfactorily resolved during the pre-conference round of negotiations. Additionally, the context of some of the old issues had changed in the intervening period between the pre-conference and conference phases of negotiations. Thus, inasmuch as the issues negotiated at Stockholm were largely the same as the pre-conference ones, several important developments had taken place after the conclusion of the pre-conference negotiations which affected the course of the Conference negotiations.

In the first place, the pre-conference negotiations had permitted a better comprehension of the complex set of issues subsumed under the general rubric "Problems of the Human Environment." The areas of disagreement were known to all delegations, and the new round of negotiations was expected to be more specific than the pre-conference one.

A second development, important enough to affect the general debates at Stockholm, was the publication of the Club of Rome's The Limits to Growth just weeks before the Conference convened. Whether this was a mere coincidence or a deliberate plan is less clear. What is clear, though, is that the book's analysis and conclusions had an impact on all delegations, especially those from the less developed countries. As was indicated in Chapter II, the essential message of the book is that continuous economic, population, and technological growth is not sustainable indefinitely and, therefore, in the interest of ecological survival, mankind must seek a steady-state world economy. Privately, most of the delegations from the Western developed countries felt that the book raised important questions even if its conclusions were unacceptable. Their counterparts from the less developed countries, however, privately saw the book as confirming their worst fears that environmentalism was some kind of a plot to

1
arrest their development. Some delegations from the latter countries privately believed that their Western counterparts supported the "no-growth" idea propounded in the book. However, no evidence was found to substantiate this claim. The outgoing President of the EEC, Mr. Sicco L. Mansholt, supported the book's conclusions, but no evidence was found to indicate that he spoke for European governments.² In spite of all this, the concept of "no-growth" promoted by The Limits to Growth had a considerable effect on delegations from the less developed countries at Stockholm.

A third contextual change was related to the firming up of the demands by delegations from the less developed countries. For example, the declaration drawn up for African delegations by the Group of African Experts contained some controversial demands.³ Authorized by the Organization of African Unity (OAU) to develop a joint stand at Stockholm for African

¹For a representative public reaction from one diplomat of a less developed country to the arguments of The Limits to Growth, see Joao Augusto de Araujo Castro; "Environment and Development: The Case of the Developing Countries," in David A. Kay and Eugene B. Skolnikoff (eds.); World Eco-Crisis: International Organizations in Response, (Madison: The University of Wisconsin Press, 1972), pp. 237-252.

²See John Lambert; "EEC Chief urges 'no growth' economy," Christian Science Monitor, April 18, 1972.

³For a Joint Stand, a conference document but bearing

delegations, the Experts made a number of controversial demands which, in several instances, went beyond the pre-conference consensus. The declaration, while complimenting the secretariat's efforts to take the interests of the less developed countries into account, stated, however, (and rather unfairly) that "most of the documents being submitted to the conference give far more weight to the preoccupations of the industrialized countries than to the more serious ones of the developing areas."⁴ It demanded a reappraisal of all "the regulations, methods and models, imposed from abroad which have so far governed the economic decisions of some African countries and which have led to a ruinous exploitation and waste of their natural resources."⁵ The Experts blamed colonial powers and other industrialized nations for such ruinous exploitation and asked African delegations to apply "principles of international law" to obtain "reparations."⁶ The declaration rejected the "false dilemma" of a choice between "no growth" as suggested by The Limits to Growth or "continuation of the present ruinous system of exploitation

no symbol or date. A copy will be made available on request.

⁴ Ibid., p. 1, para. 1.

⁵ Ibid., p. 1, para. 3.

⁶ Ibid., p. 2, para. 3.

of natural resources."⁷

The Experts further rejected the argument that population control is one of the preconditions for development and protecting the human environment in Africa. In fact, they interpreted the population question as a device to halt the advance of the so-called 'colored peril.'⁸ African delegations were asked to demand an unequivocal denunciation of apartheid at Stockholm as degrading human values and wasting human resources. The declaration considered the system of mining concessions in Africa as based upon unequal partnership and asked African delegations to push for revisions. Finally, soil erosion experienced by the less developed countries were attributed not only to "ecological processes" but also to "economic processes such as under-remuneration, by industrializ-⁹ed countries, for agricultural and animal produce."

The significance of the African declaration lies in the fact that it represented a challenge to some of the pre-conference compromises. How strongly African delegations chose to press some of the points raised by the Experts at Stockholm was bound to affect the conduct and outcome of debates and

⁷op. cit., p. 2, para. 4, p. 5, para. 8b.

⁸Ibid., p. 3, para. 6a.

⁹Ibid., p. 4, para. 7a.

negotiations. Additionally, the declaration indicates that the secretariat's sympathetic attitudes toward the interests of the less developed countries had not been enough to allay suspicions. This point illustrates the uncertainties which characterize the political role of an international secretariat in conference diplomacy.

Although certain Latin American and Asian delegations were not satisfied with the approach of the African delegations on apartheid and population issues, no attempt was made to challenge the African document on these issues. Those in disagreements conceded privately that there was a strong desire among delegations of the less developed countries to present a united front at Stockholm in order to be able to bargain effectively on their economic and financial demands which were regarded as far more important than the minor differences arising out of the African declaration. Here again is another example of how North-South differences are often played up by a deliberate process of discouraging intra-group differences.

Another contextual change was caused by the failure of UNCTAD III to grant significant concessions to the less developed countries.¹⁰ UNCTAD III, which concluded its

¹⁰ For a report of the Third Session of UNCTAD, see Trade and Development, Third Session, Santiago de Chile,

deliberations only two weeks before the Stockholm Conference convened, provided leaders of the less developed countries with an opportunity to test the sincerity of leaders of the developed countries' support for their accelerated development and thus the likelihood that environmental protectionism would not harm their development interests. As it turned out, UNCTAD III was least reassuring; the developed countries refused to provide additional aid to enable the less developed countries to introduce sound environmental practices into their development planning. The issues of international monetary reform to ease the adverse effects of the monetary crisis on the economies of the less developed countries and stabilization of commodity prices through commodity agreements were all characterized by opposing resolutions. Reduction of trade barriers so as to increase access of products from the less developed countries, particularly manufactured and semi-manufactured goods, to the markets of the Western developed countries, was similarly inconclusively resolved. The question of increasing external financial assistance, softening aid terms, easing the burden of debt servicing and technological transfer were resolved by some face-saving

13 April to 21 May 1972, vol. 1, (New York: United Nations, 1973).

compromises. Although some of the delegations from the Western developed countries voted, in the last hours, for compromise resolutions on some of these issues, the reservations they expressed indicated that they would be less than enthusiastic in accepting and implementing them.¹¹

Most delegations from the less developed countries interviewed gave the impression that the failure of UNCTAD III substantially influenced their outspokenness at Stockholm in defense of their development interests. What UNCTAD III did was to confirm their feeling that the concept of collective economic security still did not enjoy the enthusiastic support of delegations from the developed countries.¹² The effects of this perception on the attitudes and initiatives taken at Stockholm by delegations from the less developed countries could hardly be over-emphasized. As the Indian Prime Minister, Mrs. Indira Gandhi, remarked at the Conference:

On the one hand, the rich look askance at our continuing poverty-- on the other hand, they warn us against their own methods. We do not wish to

¹¹For summaries of positions of delegations on these issues, see op. cit., Annex 1.

¹²For a very good analysis of the concept of collective economic security, see Joseph S. Nye, Jr., "Collective Economic Security," International Affairs, (London); vol. 50, No. 4 (October 1974), pp. 584-598.

impoverish the environment any further and yet we cannot for a moment forget the grim poverty of large numbers of people....The environment cannot be improved in conditions of poverty.¹³

It is reasonable to assume that the escalation of the demands by delegations from the less developed countries at Stockholm is related to the failure of UNCTAD III. As some members of that group privately pointed out, Stockholm was seen as another political forum to re-open and obtain more favorable resolutions on trade and development issues. The failure of UNCTAD III made it much more difficult for delegations from the developed countries to continue to insist that economic, financial and trade questions should not be meshed with the environment conference.

Yet another development that affected the context of the Stockholm negotiations was the boycott of the Conference by the Soviet Union and most of its Eastern European allies over the East German participation question. The absence of this bloc enhanced the bargaining power of delegations of the less developed countries. The West, having precipitated the Socialist bloc's boycott, were expected to

¹³Text of Prime Minister, Mrs. Indira Gandhi's address to the Plenary Session of the United Nations Conference on the Human Environment at Stockholm on June 14, 1972, (Permanent Mission of India to the UN, India News, No. 43/72, June 22, 1972, pp. 2-3.

be more conciliatory toward the interests of the less developed countries in order to maintain the momentum of the negotiations. If the active participation of the latter was necessary to ensure a successful conference, then, their initiatives could not be taken lightly.

The representation of the People's Republic of China at the Conference also affected the context of the Stockholm round of negotiations. Because China was not a member of the United Nations during the period when much of the pre-conference negotiations took place, its perspective on the problems of the human environment was not reflected in the Conference documents. Yet, it was known to hold very strong views on development problems of the less developed countries with whose aspirations it has identified; on disarmament questions, on the ecological consequences of the Vietnam war, and on population growth. Chinese delegation's attitudes toward these questions were bound to complicate some of the compromises reached during the preparatory negotiations, as well as affect the attitudes of delegations from the less developed countries. On the latter point, Professor Arthur Lall has written that:

When a country involved in an international dispute or situation can count on the tangible assistance or support of a powerful state or bloc of states, it will tend either to favor negotiation

only on its own terms (assuming that its supporters back its negotiating positions) or to be antipathetic toward negotiated settlements.¹⁴

In other words, the negotiation position of a country is likely to be more narrow and rigid if the support of a powerful country can be counted upon. The extent to which this proposition is true or false will become clear in subsequent discussions of the Stockholm negotiations, particularly those on the draft Declaration on the human environment.

The attitudes of international organizations played no small role in influencing debates and initiatives at Stockholm. The Conference Secretary-General was widely known to favor the taking of measures to reduce the level of poverty in the less developed world. He had publicly, as we saw in the preceding chapter, appealed to leaders of the developed world to make the eradication of poverty a key goal in any philosophy of environmental protection. The position papers on Development and Environment, sent to Stockholm, contained all the demands made by delegations from the less developed countries even though negotiations on them had been inconclusive. The structure of these recommendations, as will become clear later, considerably enhanced the bargaining power of delegations

¹⁴Arthur Lall; Modern International Negotiations: Principles and Practice, (New York: Columbia University Press, 1966), p. 246.

from the less developed countries over those from the developed countries.

The president of the World Bank, Mr. Robert S. McNamara, was equally sympathetic toward the interests of the less developed countries. He told the Conference that:

The suggestion that rich countries cannot spare for the poor countries the miniscule percentage of that incremental income necessary to raise concessionary aid from its present level of .35% of GNP to the United Nations target of .7% is simply beyond credence.

The wealthy nations may not in fact meet that target. And they may delay dismantling the discriminatory barriers to a more just and mutually advantageous flow of trade. But if the rich do refuse greater trade and aid to the poor, it will have nothing to do with a disinterested and universal reverence for the environment. It will be because of provincial response to the pressures of special interests.¹⁵

It was pointed out elsewhere that international organizations do not determine the policies of governments. Nonetheless, they influence some of the factors that are considered in foreign policy decision-making. Their research into, presentation and analysis of, international developments have a considerable effect on national perceptions and policies. The very necessity for states to justify their policies to an international community may require them to pay heed to the

¹⁵Robert S. McNamara; "The Effective Techniques," Environment Stockholm '72, (Published by the Centre for Economic and Social Information of the UN (CESI), p. 15.

perceptions and attitudes of those who symbolize or personify that community. No criticism of the economic policies of the Western developed countries is more embarrassing than one by the head of their own favorite financial institution, the World Bank. No wonder that one delegate from the West thought that McNamara's statement at Stockholm exposed them to charges of hypocrisy.

The contextual changes in the Stockholm round of negotiations have been mentioned because they all helped to mold the discussions and negotiations that took place. Delegations from the less developed countries were much more outspoken in the defense of their interests than had been the case in the preparatory negotiations. Considerable emphasis was placed upon the moral responsibility of leaders of the developed countries to accelerate the socio-economic development of the poor countries. They were never without arguments to enhance their demands and attitudes. For an example, the Indian Prime Minister reminded Western delegations that they had a political obligation to accelerate the development of ex-colonial countries since the latter's "riches and labour... played no small part in the industrialization and prosperity of the West."¹⁶

¹⁶Mrs. Indira Gandhi, op. cit., p. 2.

The general statements of delegation heads of the Western developed countries and Japan were considerably more sympathetic toward the development interests of the poor countries than was the case in the pre-Conference negotiations. Canada's delegation head, Mr. Jack Davis, for an example, told the Conference that his government was "prepared to increase aid to developing countries to assist them in solving their environmental problems."¹⁷ His Japanese counterpart, Dr. Oishi, appealed to leaders of the developed countries to "help the developing states so as to prevent them from following the path of environmental destruction that Japan has trodden."¹⁸ Britain's Peter Walker indicated that his government "would welcome a worldwide increase of aid."¹⁹ The U. S. position at Stockholm, however, remained unchanged. Its Scope Paper, which one of its senior delegates privately called "our Bible", set forth five issues on which the U. S. delegation was asked to oppose any contrary recommendation. Among these were "The U. S. wants the Fund [voluntary Environment Fund] to be used strictly for environmental studies and monitoring of environmental conditions, and not used as a

¹⁷ Quoted in Claire Sterling; "U. S. Backs Ecology Talks," The Washington Post, June 7, 1972, p. A16.

¹⁸ Ibid.

¹⁹ Ibid.

supplementary aid to the less developed countries." ²⁰ The U. S. delegation was to vote against any recommendation for an increase in the goal set by the United Nations for aid to the less developed countries. Further, any attempts to provide money for an environmental clean-up by increasing the budgets of other specialized agencies were to be opposed.

Congressional opposition to the U. S. aid program, the increasing cost of international organizations, and recent radicalism of delegations from the less developed countries in the United Nations were largely responsible for the inflexible position the U. S. delegation was asked to adopt on the key economic and financial questions. Members of the U. S. delegation were sympathetic toward the interests of the poor countries but, as three senior members interviewed pointed out, the Scope Paper left them no room for accommodating those interests. Despite the U. S. opposition to the development demands by leaders of the less developed countries, the attitudes shown at Stockholm by most of the delegations from the Western developed countries and Japan were significantly more conciliatory and accommodating than was the case in the

²⁰Quoted in E. W. Kenworthy; "Some Delegates Critical of U. S. Approach to United Nations Conference on Ecology," New York Times, May 22, 1972.

pre-conference negotiations. They were not opposed to measures to accelerate the socio-economic development of the poor countries. Instead, disagreements between them and delegations from the less developed countries moved away from the realm of principles to that of working out the details of additional and compensatory financing. It must be pointed out that there were intra-group differences among the Western and Japanese delegations. Among the less developed group, too, something resembling UNCTAD II, where every member wanted to add its special demands to the list of demands, emerged during negotiations on the details of additional and compensatory financing.²¹ Instances of such difficulties in limiting demands to general priorities were, however, very few.

Finally, the institutional context of the Stockholm negotiations was favorable to the interests of the delegations from the less developed countries. With the exception of the presidency of the conference which customarily went to the host country, Sweden, and the rapporteurs for the Second

²¹For a discussion of the problems posed for the Group of 77 of extending the agenda of UNCTAD II to include every member's key interests, see Joseph S. Nye, Jr.; "UNCTAD: Poor Nations' Pressure Group," in Robert W. Cox and Harold Jacobson (eds.); The Anatomy of Influence, (New Haven: Yale University Press, 1973), pp. 344-345.

Committee and the Working Group on the Declaration which went to the Netherlands and Canada, respectively, the chairmanship of all three Committees and the Working Group went to the less developed countries.²² Although theoretical understanding of the role of conference officers in conference diplomacy is scanty, we pointed out in the preceding chapter that conference officers do affect outcomes through their initiatives, interpretation of the rules of procedure, prestige, intelligence, and skills. It can be assumed that the institutional context could be exploited, within limits, by delegations from the less developed countries to serve their interests. With the general framework for negotiations established, the actual negotiations must now be discussed.

I. Negotiations

A. Development and Environment

The demands and negotiations on the issue area of Development and Environment were covered in depth in the pre-

²² See UN Document A/Conf. 48/2, 27 April 1972. First Committee, chaired by Helena Benitez (Philippines), considered Planning and Management of Human Settlements for Environmental Quality (agenda item 10, Document A/Conf.48/6) and Educational, Informational, Social and Cultural Aspects of Environmental Quality (agenda item 13, Document A/Conf.48/9). Second Committee, chaired by J. Odero-Jowi (Kenya), considered Environmental Aspects of Natural Resources Management (agenda item 11, UN Document A/Conf. 48/7) and Development and Environ-

ceding chapter. The less developed countries restated their arguments and demands and maintained their opposition to the imposition of uniform international environmental standards. Any philosophy of "no growth" was unacceptable to them. They wanted additional aid as well as compensation for any trade losses incurred as a result of environmental policies of the developed countries. In other words, the need for resources for development remained their dominant concern. Their statements of demands and grievances were much stronger than before, but the demands remained the same. Most of them continued to rely on the initiatives and leadership of the same few delegations which were most active during the pre-conference negotiations-- Brazil, Chile, Egypt, India, the Philippines, with Yugoslavia supporting them on most issues. Kenya's delegation, however, played very prominent roles at Stockholm. On specific issues, other delegations became active: for example, Algeria on the utilization of the voluntary Fund for the environment, Mexico on trade compensation, China and Tanzania on the draft Declaration on the human environment, Libya on human settlements, and Sri Lanka on

ment (agenda item 14, UN Document A/Conf. 48/10). Third Committee, chaired by Carlos Calero Rodrigues (Brazil), considered Identification and Control of Pollutions of Broad International Significance (agenda item 12, UN Document A/Conf.48/8 and Add.1) and International Organizational Implications of Action Proposals (agenda item 15, UN Documents A/Conf.48/11; A/Conf.48/11/Add.1; A/Conf.48/12).

rubber and synthetics. An item-by-item discussion of the key issues on the Development and Environment issue area and process of negotiation now follows.

1. Additional Aid

In the pre-conference round of negotiations, the case for additional aid to help defray the cost of incorporating environmental protection measures into development planning in the less developed countries was most forcefully presented by delegations from these countries. They continued to maintain their unwillingness to risk further underdevelopment by undertaking environmental protection measures without the provision of additional resources by the developed countries. The Conference secretariat provided a background summary of the problem and made a concrete recommendation on Additionality with a view to heading off protracted disagreements on the issue. Its background position paper read:

The concern for an improved environment has emerged at a time when the less industrialized countries are already feeling disillusioned with the pursuit of narrowly conceived economic growth. This affords an opportunity to treat environmental concerns as an added dimension of planning, and not merely as a further claim on limited resources, and to formulate a new strategy of development centred on the elimination of mass poverty and on the creation of a decent human environment.²³

²³UN Document A/Conf.48/10, 22 December 1971, p.8, para. 22.

To achieve this goal, the secretariat recommended that

...the Secretary-General (in collaboration with appropriate international agencies) take steps to ensure that the environmental considerations set out here be taken into account during the review and appraisal of the International Development Strategy for the Second Development Decade.²⁴

In the ensuing discussions, partly in the Second Committee and partly in Plenary, it became clear that most of the delegations from the less developed countries wanted a much clearer formulation of the Principle of Additionality inserted into the secretariat's recommendation. India suggested the addition of the following sentence to the secretariat's recommendation:

It should further be ensured that the preoccupation of developed countries with their own environmental problems should not affect the flow of assistance to developing countries, and that this flow should be adequate to meet the additional environmental requirements of such countries.²⁵

It was pointed out earlier that in the general debates, most delegation heads of the Western developed countries and Japan, with the exception of the United States, were now sympathetic toward the Principle of Additionality. Their continued uneasiness was related to the generality of the demand. Those who

²⁴Op. cit., Recommendation 40, p. 14.

²⁵UN Docuemnt A/Conf.48/14/Rev. 1: Report of the UN Conference on the Human Environment, Stockholm, 5-16 June 1972, p. 59, para. 248.

supported the principle wanted some indication about how much it would cost. During interviews, one of the supporters of the Principle of Additionality pointed out that all that his delegation wished to know was whether Additionality would involve 0.7%, 1% or 2% of the GNP of the developed countries. He felt that such specificity of demand would have been useful for their national policy planning bureaucracies.

But such demands for specificity did not fall on fertile grounds.²⁶ The impression was given by some of the delegates from the less developed countries who were very active on this question that focusing on specific figures would have entailed so much back and forth communication with national capitals that no agreements could have been reached at Stockholm. A Nigerian delegate who claimed familiarity with the negotiations on European Development Fund (FED) for the eighteen African associated members of the EEC recalled the difficulties encountered in agreeing with the Six EEC members on a base FED figure. Professor Zartman's conclusion of those negotiations confirm that delegate's recollection:

It is easily (or painfully) apparent that negotiation was a complex process-- shifting

²⁶Professor Roger Fisher has argued that negotiation on proposals can be made unacceptable to others by being made too specific. See his Basic Negotiating Strategy, (New York: Harper and Row Publishers, Inc., 1969), p. 28.

from level to level, changing focus from one category to another, and picking up reference points along the way (and sometimes even reviving them from the debris of past discussions.)²⁷

Even some delegates from the West whose delegations were supporting Additionality privately conceded that it would have been extremely difficult to conclude negotiations on the specifics of Additionality at Stockholm. They maintained, however, that the issue of specificity was not used as a means of defeating the Principle of Additionality. Rather, they pointed out that economic policy planners need to deal in specific figures and not in principles, and for that reason, it was incumbent upon them to know the exact cost to which they were committing their governments.

Notwithstanding the merits of their position, the strategy adopted by the proponents of Additionality was to press for the acceptance, in principle, of Additionality and to leave the details for their experts to work out in subsequent bilateral discussions with their counterparts from the donor countries. In Committee, they won their point. The Indian amendment was adopted by 55 votes to 7, with 17 abstentions. However, only Belgium and Italy, among the donor

²⁷I. William Zartman; The Politics of Trade Negotiations between Africa and the European Economic Community: The Weak Confront the Strong, (Princeton: Princeton University Press, 1971), p. 74. For a discussion of the whole negotiations, see pp. 67-74.

countries, supported the Indian amendment in Committee. The rest of the donor countries either voted against it or abstained. In Plenary, the recommendation won an overwhelming support, passing by 71 votes to none against, with only 7 abstentions. The United States, the United Kingdom, Australia, Sweden, and Switzerland, all major donor countries, however, abstained in the vote.²⁸ It is significant to note that with the exception of the United States, all the major donor countries whose delegations abstained pointed out that they were not against Additionality in principle but that they found it too broad.²⁹

The fact that the Principle of Additionality was finally adopted by a large majority, with none against, and only seven donor countries abstaining, could be interpreted as an important diplomatic victory for delegations of the less developed countries. Of the seven, only the United States delegation remained opposed to the principle of Additionality. It should be recalled that at UNCTAD III, all donor countries were in complete opposition to making additional funds available for sound environmental practices by the less developed

²⁸ Report of the U. S. Delegation to the UN Conference on the Human Environment, Stockholm, Sweden, June 5-16, 1972, Document UNEC D - 341/72, Subject Area V, p. 8.

²⁹ UN Document A/Conf.48/14/Rev.1, p. 59, paras. 253-255, 258.

countries. That the Principle was finally adopted without opposition, not only strengthened the moral force of the recommendation, but it also points out that even the most powerful countries can sometimes be pressured by the weak to abandon an unpopular diplomatic position. It further demonstrates that persistent application of pressure tactics can gradually lead to a desired goal. The creation of the Special Fund, of UNCTAD and the acceleration of the decolonization process have all been the result of concerted pressure by the less developed countries.

2. International Trade and Environment Protection

The second key issue raised in the pre-conference round of negotiations by delegations from the less developed countries was in the area of trade policy and environmental protection. The question of the adverse effects of environmental protection measures adopted by the developed countries on the international trade position of the less developed countries became a sticky issue during the pre-conference negotiations. Most of the elements in dispute were resolved in the pre-conference negotiations without much difficulty. It was generally agreed that environmental quality concerns should not be used as a pretext for discriminatory trade policies. Governments were to encourage the practice of consulting with one another in cases where anticipated

projects might have environmental consequences beyond their political and administrative boundaries. Uniform environmental standards would not be imposed. The GATT and UNCTAD were asked to monitor, assess, and regularly report the emergence of restrictive trade practices as a result of environmental quality considerations. But one recommendation proved most contentious. In its position paper, the secretariat recommended that:

Where environmental concerns lead to restrictions on trade, or to stricter environmental standards with negative effects on exports, particularly from developing countries, appropriate measures for compensation should be worked out.³⁰

The secretariat's recommendation was substantially the same as that introduced by Kuwait on behalf of the delegations from the less developed countries during the pre-conference negotiations. In that draft, which incorporated the ideas of the Founex Report on the subject, they sought to prevent any trade losses as a result of environmental quality considerations. This objective is not merely a reflection of the basic fears of the weak for the strong in any competition. In Chapter II, we pointed out that Brazilian and Argentinian beef exports have been affected by stricter U. S. environmental standards. Although a general consensus emerged in the pre-conference

³⁰UN Document A/Conf. 48/10, p. 12, para. 32.

negotiations to the effect that restrictive trade policies under the pretext of environmental protection would not be practised, most delegations from the less developed countries were not completely reassured. For that reason, the Principle of Compensation had been introduced to protect their incomes from international trade. The concept was overwhelmingly supported by most delegations from the less developed countries during the pre-conference negotiations. Only a few of them-- Ghana, Liberia, Malta, Sierra Leone, Singapore, and Trinidad and Tobago-- abstained on it because they wanted further negotiations to be held.

Most of the delegations from the developed countries, with the exception of the Netherlands and Sweden, re-stated their opposition to the Principle of Compensation. ³¹ Their specific grievance was summed up in Plenary by Senator James Buckley, a member of the U. S. delegation:

[T]he United States takes specific exception to operative paragraph 2 of Recommendation 32. The U.S. voted in Committee against adoption of this paragraph because, as a matter of principle, it is opposed to compensating nations for declines in their export earnings regardless of cause. Forces are constantly at work which can result in variations in export earnings. These include cyclical fluctuations in business activity, changes in consumer tastes, technological developments, and

³¹U. S. Report, op. cit., Subject Area V, pp. 3-4.

so forth. My Government does not provide compensation when any of these factors leads to declines in exports to the U. S., and it sees no reason to single out for special treatment declines which may result from measures taken for the protection of the environment. Moreover, the U. S. feels that if implemented, paragraph 2 would create positive disincentives to environmental responsibility by substantially increasing the cost of measures which are designed to abate environmental pollution.³²

In addition to these technical arguments, the U. S. delegation preferred, as we saw in Chapter III, the forum of OECD to that of the UN for resolving the issue of restrictive trade practices because of environmental considerations.

Most of the proponents of Compensation remained committed to the concept in spite of the opposition it continued to receive from most of the delegations from the developed countries. Brazil insisted that "It is fundamental that the nations [victimized by restrictive trade practices] must be compensated for any harm done to them in this way."³³ In an effort to skirt the issue, France, Canada, and West Germany submitted a compromise language in Committee which would have provided additional technical and financial assistance to the less developed countries to help them meet

³²Op. cit., pp. 9-10. Emphasis is original.

³³Quoted in Eco (Jointly produced by the Ecologist and Friends of the Earth), 7 June 1972, p. 2.

34

environmental quality standards. This amendment was, however, rejected on the grounds that it did not meet the objectives of the original recommendation. It is reasonable to infer that because their tenacity on Additionality had paid off well, most of the delegations from the less developed countries had some hope that if they held out long enough, they might break the opposition to the concept.

Professor Iklé³⁴ has suggested that one of the tactics for dissuading an opponent from further bargaining "is to demonstrate to your opponent that your terms are unlikely to become more advantageous for him."³⁵ Because some of the delegations from the developed countries, particularly Canada, France, the Netherlands, Sweden and West Germany, were anxious to reach a compromise on this key issue, the possibility that their terms of agreement might deteriorate could not be perceived by the proponents of Compensation.³⁶ In addition, the attractiveness of the compromise text was reduced by its ambiguity. It is not clear whether the proponents were recommending two concepts of Additionality-- one with regard

³⁴U. S. Report, op. cit., p. 4.

³⁵Fred Charles Iklé; How Nations Negotiate, 2nd printing, (New York: Frederick A. Praeger, 1968), p. 71.

³⁶For a further discussion of the notion of commitment as a bargaining tactic, see Iklé, pp. 68-75.

to the incorporation of environmental measures into development planning and the other, assistance to offset the impact of any trade losses on environmental grounds .

Largely because of their reduced bargaining leverage, delegations from the developed countries had as much incentive as their counterparts from the less developed countries in further bargaining. A continuing search for accommodation occurred. The United States delegation and a number of other delegations from the developed countries suggested the formation of a small drafting group to work out a new compromise recommendation on Compensation. This suggestion was interpreted by the proponents of Compensation as a delay tactic to give the opponents time to develop a possible counter-strategy. Aware that they had the backing of most of their members, the defenders of Compensation seemed more anxious to negotiate on their own terms than encourage what they felt was a delay tactic. A vote was therefore forced on the U. S. suggestion that a small drafting group be formed, which the less developed countries expectedly won. That vote, however, did not close the door to a further search for a negotiated settlement. Delegates from Canada, France, West Germany, and Mexico worked hard behind the scenes and produced a new version of the Compensation recommendation, which read: "Appropriate measures for compensation should be worked out within the framework of

existing contractual and institutional arrangements and any new such arrangements that can be worked out in the future." ³⁷

The new version of compensation was not entirely satisfactory. A few delegations from the less developed countries, particularly Guyana, and a substantial number from the developed countries felt that the recommendation was too open-ended as to cause further disagreements in the future. In Committee, only Canada, France, West Germany, the Netherlands, and Sweden from the developed countries, voted to support the recommendation. The recommendation passed by 36 votes to 2, with 11 abstentions. ³⁸ The United States and Guyana (the only member of the less developed group that voted against it in Committee) opposed the recommendation while the United Kingdom, Japan, Switzerland, Australia, and New Zealand abstained. In Plenary, the recommendation, in conjunction with the less controversial sub-recommendations on international trade, passed by 72 votes to 1, with 8 abstentions. The United States abstained while Japan voted against the entire recommendation. ³⁹

³⁷U. S. Report, op. cit., p. 4.

³⁸Ibid., pp. 4-5.

³⁹Ibid.

One of the reasons often cited during interviews to justify the efforts to salvage the Principle of Compensation was the desire to avoid confrontation. Mention was also made by one delegate from Western Europe of the fact that, in spite of their commitment to the principle, the leading proponents of Compensation appeared willing to work for a negotiated settlement rather than resort to the vote. To the extent that this was the case, it would imply that it need not always be true, as Professor Lall suggests, that when a country or group of countries can count on the support of a bloc of states, it will tend to negotiate on its own terms or be less enthusiastic about negotiated settlements.⁴⁰ In other words, the outcome of the Compensation negotiations confirms our assumption that bloc politics need not necessarily and always be an obstacle to negotiations. It does, however, enhance the bloc's bargaining power because the desire to prevent a summary vote on the Principle was apparently one of the reasons for which the more moderate delegations from the developed countries sought to work out a compromise recommendation. That is, the knowledge that the vote might be resorted to in the absence of responsiveness from delegations from the developed countries produced a credible enough threat. For

⁴⁰ Lall, op. cit., p. 246.

this reason, therefore, the defensive side had an incentive to attempt to satisfy the opponent's demand.⁴¹ Of course, the credibility of the threat posed by the vote derived an additional support from the fact that most of the opponents of the Principle of Compensation wished to see the Conference succeed. That is, the desire to sustain the interests of delegations from the less developed countries in the Conference made the granting of concessions on Compensation a politically prudent course of action to take. In effect, then, delegations from the developed countries had a political benefit in acceding to the demand for Compensation.

3. Industrial Distribution

In the pre-conference round of negotiations, Brazil's delegation raised the idea of the less developed countries' taking advantage of the environmental concerns of the developed countries by offering investors from the latter countries less restrictive environmental quality standards. Within the less developed group, the idea received a mixed reaction. The diversity of opinion on the subject precluded its inclusion in the Kuwait draft on Development and Environment. All delegations from the developed countries rejected the notion

⁴¹For a further discussion of how to induce an opponent to want agreement, see Iklé, pp. 68-74.

as being incompatible with responsible environmental protection policies. The Founex Report attempted to re-focus attention on the idea by emphasizing its merits:

The enforcement of higher environmental standards in the developed countries is likely to raise the cost of production of several "pollutive" industries such as petroleum and chemical industries, metal extracting and processing industries, and paper and pulp industries. Such a development opens up an opportunity for the developing countries to move into some of these industries if their natural resource endowments including relatively less used environmental resources, create a comparative advantage in these fields.⁴²

While the Report warned that appropriate environmental standards should not be discarded,⁴³ it is implied in the Experts' analysis that environmental absorptive capacity should be treated as an economic resource, perhaps, just as capital, labor, land, and management are.

Additionally, the Experts' analysis seems to suggest that it is in the self-interest of the developed countries to support the notion of international distribution of industries. Since most of them are believed to have over-taxed the absorptive capacity of their environment, a policy of rational decentralization of industrial activities was justifiable not merely on grounds that the development

⁴²Environment and Development, The Founex Report, International Conciliation, No. 586 (January 1972), p. 32.

⁴³Ibid.

interests of the less developed countries would be served but, more importantly, the interest of ecological stability would be served. Of course, the Experts recognized that, as with all new ideas, "this whole subject bristles with controversies."⁴⁴ Typically, no modern government, ecological stability notwithstanding, wishes to reduce domestic employment opportunities by permitting industries to flee from its country. Additionally, the importance of military power as a usable instrument of general inter-state diplomacy has been considerably reduced by the dangerousness of war.⁴⁵ For that reason, economic and financial power has increasingly become the most rational and usable instrument of general diplomacy. The politics of oil is a good example. The 1973-74 oil crisis precipitated by the Arab oil boycott imposed on Western Europe, Japan, and North America not only caused some serious economic dislocations in those countries, but political relations among these traditional friends conspicuously turned sour. The immediate impact of that boycott was the decision by the United States to adopt a more even-handed policy toward the Middle East, as well as application of considerable pressure

⁴⁴Op. cit.

⁴⁵See John H. Herz; International Politics in the Atomic Age (New York: Columbia University Press, 1959).

on Israel to grant some concessions to the Arabs. Therefore, to the extent that international distribution of industrial activity is likely to affect domestic employment opportunities and inter-state interactions, governments enjoying the advantages of such activities are not likely to give them up.

Despite the obvious problems posed by the concept of international industrial distribution, the secretariat took the initiative of proposing a recommendation on the subject. The structure of the introductory statement and the recommendation were decisively biased in favor of the less developed countries. The introductory statement read:

The need of developing countries to establish certain basic industries...coincides with a growing concern of industrialized countries for the environmental degradation which rises from heavy concentration of such industries in their countries. These provide a new reason for re-examining the factors which determine the location of industries internationally.⁴⁷

The position paper went on to recommend that:

Governments of the developing countries consider fully the new opportunities which may be offered to them to establish industries in which they may have comparative advantages due to environmental considera-

⁴⁶See Philip Connelly; "Resources: The Choices for Importers," International Affairs (London) vol. 50, No. 4, (October 1974), pp. 604-611.

⁴⁷UN Document A/Conf.48/10, Chapter 2, p. 13, para. 35.

tions, and that special care be taken at all such instances to avoid the creation of pollution problems in developing countries.⁴⁸

Because of the way the issue of industrial distribution was structured by the secretariat, the recommendation was sound even if not acceptable to delegations from the developed countries. It had the effect of placing upon those delegations the burden of proving the extent of their commitment to ecological survival. For this reason, they were clearly negotiating from the position of weakness. On the one hand, they were opposed to the recommendation for economic and political reasons. On the other hand, they could not simply reject it without raising doubts about the sincerity of their commitment to ecological survival. Largely because of their dilemma, delegations from the developed countries were forced to negotiate rather than adopt an attitude of indifference toward the recommendation.

The opponents of the recommendation countered the arguments advanced in support of it with appeals to environmental responsibility and the practical difficulties of effecting a comprehensive distribution of future industrial activity. The first counter-argument had been advanced shortly before the Conference convened by the Baker Advisory Committee.

⁴⁸Op. cit., p. 13, para. 36.

Authorized by the U. S. Secretary of State to solicit public input in the formulation of the U. S. government's positions at Stockholm, the Baker Report advised that the secretariat's recommendation on industrial distribution "appears to open the door to possible abuse in the form of 'pollution havens.' We recommend that these paragraphs be deleted."⁴⁹ But this counter-argument was ineffective at Stockholm since most delegations from the less developed countries had moved away from the original Brazilian notion of granting "pollution havens" to investors that wished to do business with them. For an example, African delegations were urged by the OAU Group of African Experts "to examine with great attention all the consequences of the transfer of polluting industries...from the industrialized countries...."⁵⁰

At Stockholm, therefore, the practical problems of implementing the recommendation were referred to more often by the opponents of the recommendation. As the U. S. delegate, Senator Buckley, pointed out: "[T]he United States makes no

⁴⁹ Stockholm and Beyond: Report of the Secretary of State's Advisory Committee on the 1972 United Nations Conference on the Human Environment (Washington, D.C.: U. S. Government Printing Office, 1972), pp. 121, 127.

⁵⁰ For a Joint Stand, op. cit., p. 5, para. 8a.

objection to the basic objectives of this recommendation. As a practical matter, however, my Government is at a loss to see how it can be carried out...."⁵¹ Unfortunately for the opponents of the recommendation, the practical problems of effecting it were not viewed with the same seriousness by most of the recommendation's supporters. At Stockholm, those African delegations which spoke on it indicated their unwillingness to accept every industry that was offered, but, significantly, none attacked the alleged impracticality of the recommendation. Two Latin American delegates conceded privately that they considered the recommendation impractical. But at Stockholm, they had done nothing to publicly oppose those delegations from the less developed countries which supported it. This is an interesting point since it indicates that group pressure at times makes it difficult for a dissenter to take a public stand on the "merits" of an issue during UN conference processes. UNCTAD political processes provide ample examples of this phenomenon. That Organization is built on groups, and the net effect of the group system, according to Professor Nye, has been the deliberate effort to dramatize inter-group conflicts while

⁵¹U. S. Report, UNECD - 341/72, Subject Area V, p. 10.

52
minimizing intra-group ones. At Stockholm, delegations from the less developed countries manifested a strong concern for group solidarity as the basis of their effectiveness in the negotiations.

The counter-arguments of the opponents of the concept of industrial distribution having failed to persuade the concept's supporters, it was no longer possible for the former to avoid parliamentary defeat. To head off this, the U. S. delegation proposed an alternative recommendation which would have limited the original recommendation to regional or individual country development plans.⁵³ The proposal was, however, rejected. Thereafter, the task of voting against or abstaining on the recommendation was made less difficult when at the initiative of Sri Lanka's delegation, the supporters of the original recommendation committed what was essentially a mistake in negotiation strategy. Sri Lanka's delegation submitted a sub-amendment to the original recommendation which called upon the Secretary-General to examine the extent to which pollution problems could be reduced by the curtailment of synthetic production and their

⁵² Nye, op. cit., pp. 355-357.

⁵³ U. S. Report, op. cit., p. 10.

replacement by natural products. Specific national interests were involved in this initiative. Because of price competition from synthetic rubber, the price of natural rubber fell between 1960 and 1970 from forty-three cents per pound to twenty-three cents per pound.⁵⁵ Sri Lanka, being one of the natural rubber producing countries, had a specific interest to promote in this issue. The initiative was thus very much an UNCTAD-type one. At UNCTAD meetings, the less developed countries have had to include every member's particular interest in their list of demands as the only means of avoiding divisions. One consequence of that approach was the difficulty experienced during UNCTAD II by the group in establishing priorities. Considerable bargaining effectiveness was lost by them at UNCTAD II because the conference was generally believed to have been over-burdened with demands.⁵⁶

Sri Lanka's sub-amendment appears to have stirred such an antagonism. Because of considerations of group unity, the sub-amendment could not be rejected by those most active

⁵⁴Op. cit., p. 6.

⁵⁵Barry Commoner; "Motherhood in Stockholm," Harper's Magazine, June 1972, p. 52.

⁵⁶Nye, op. cit., pp. 344-345.

in the resolution of the original recommendation, even though they felt that substantial preliminary discussions on the sub-amendment should have been held. The sub-amendment itself was very controversial. Synthetic rubber industries are an important source of military hardware. In addition, they form a part of a vast interconnected complex of petroleum-based industries.⁵⁷ Predictably, the Sri Lanka sub-amendment was opposed most strongly by the major Western developed countries and Japan. Had the sub-amendment even been acceptable to the major powers, being tacked on to an equally controversial recommendation complicated opportunities for persuading the opponents to accept either or both of them together. Having created the impression of pursuing unlimited objectives, the proponents of the amended recommendation made the defensive attitudes of the opponents appear credible. The latter, therefore, saw in abstention a safe diplomatic course of action to follow. The amended recommendation passed by 65 votes to none, with 8 abstentions.⁵⁸ Having lost their bargaining advantages through an essentially erroneous strategy, only the less

⁵⁷For a fuller discussion of the politics of rubber, see Commoner, op. cit., pp. 51-53.

⁵⁸UN Document A/Conf. 48/14/Rev. 1, p. 59, para. 244.

developed countries ended up supporting the recommendation. Whether the recommendation would be implemented by its opponents remains purely speculative.

It would seem that the practice of protecting group unity among the less developed group through mechanical acceptance of every member's key interest seems to pose some difficulties for the possibilities of achieving long-term consensus on how to redistribute wealth between the North and South. Although such examples occurred with less frequency during the Stockholm negotiations than at UNCTAD meetings, the outcomes of negotiations were the same. The less developed group ended up being the only supporters of such recommendations. It is not being suggested that had there not been an error in strategy, the original recommendation on industrial distribution ultimately would have been supported by its opponents. They probably would not have been supported. However, lumping two controversial recommendations together clearly killed any desire by those being disadvantaged to search for compromises. It merely hardened opposition and gave the defensive side an opportunity to abstain in the vote.

4. Human Settlements

Conflicting interests within the group of less developed countries were not always contained successfully by the

principle of group solidarity. That is, on certain issues, particular national or regional interests were not easily resolved by appeals to group unity. One such issue was the problem of population growth. The impact of population growth on economic development had been raised during the pre-conference negotiations by some delegations from the developed countries, notably the United States. The U. S. delegate, Dr. Moynihan, in one of his exchanges with the Brazilian delegation, had warned the leaders of the less developed countries against the serious economic implications⁵⁹ of increasing population growth rates in their countries. Although certain Asian delegations, particularly India, considered the question of population growth important enough to warrant its inclusion in the Kuwait draft on Development and Environment, no widespread support developed for it within the less developed group. As was pointed out in Chapter III, India did not press the issue but merely suggested that it be further studied. The question was re-raised by Swedish delegation during the negotiations on the draft Declaration on the human environment. The consensus that emerged was to leave the matter to the judgment of

⁵⁹Mr. Moynihan (United States), A/C.2/SR.1423, 2 December 1971, p. 9

individual countries. Those that had population problems, like some of the Asian countries, were to adopt appropriate measures to control them. Others, particularly in Africa and Latin America, with too low population densities to generate the necessary incomes to improve the environment, were to promote increased population growth.

In Chapter III, it was argued that what was interesting about the population debates was not the existence of differences within the less developed group, but how those differences were handled. Conscious efforts were made to contain group differences on the subject. In fact, the secretariat's recommendation on the subject was formulated in such a way as to avoid re-raising the issue at Stockholm. Additionally, it did not comment upon the linkages between population growth and economic development or underdevelopment. It merely recommended that the Secretary-General should "ensure that during the preparations for the 1974 World Population conference, special attention be given to population concerns as they relate to the environment and, more particularly, to the environment of human settlements."⁶⁰

At Stockholm, the consensus on the question of population growth was destroyed when Norway's delegation

⁶⁰UN Document A/Conf.48/6, 23 December 1971, p. 33, para. 154.

introduced a new recommendation calling upon the World Health Organization (WHO) to increase family planning research and assistance to governments "without delay."⁶¹ The new recommendation, predictably, was characterized by a lengthy and divisive debate. Of the nine delegations from the less developed countries that participated in the debate, India, Pakistan, Uganda, and Nigeria indicated their support for both aspects of the new recommendation. With the exception of Uganda, the rest are generally believed to have population problems. Therefore, specific national interests were key factors in their attitude. Argentina, Dahomey and Ethiopia were against the recommendation. Central African Republic and Ecuador indicated their willingness to support the call on WHO to increase family planning research, although they preferred the phrase "family health" to "family planning." The second part of the recommendation calling upon WHO to give family planning assistance to governments was opposed, however, by the two delegations. The U.K. delegation thought the recommendation was reasonable since it merely asked WHO to give advice on family planning, on request, and to undertake more research. The French delegation felt the recommendation failed to distinguish

⁶¹U. S. Report, op. cit., Subject Area 1, p. 3.

between over-population and under-population and suggested that those words should replace the words "population explosion" used in the new recommendation.⁶²

In a subtle attempt to appeal to group solidarity, Argentina's delegation asked for deletion of the new recommendation and requested a roll call vote on the subject. That political and procedural manoeuvre, however, failed to unite the less developed group against the recommendation. The Argentine amendment lost by 45 votes to 12, with 20 abstentions. Only 7 members of the less developed countries voted for deletion, while 14 abstained. Twenty-six actually voted against the amendment. Norway's recommendation was subsequently adopted by 55 votes to 18, with 4 abstentions.⁶³

The outcome of Norway's recommendation does indicate that there is diplomatic flexibility within the less developed countries. Most of them moved away from a strong position against discussing the population question to accepting the recommendation, albeit a weak one. Perhaps, it was the weakness of the recommendation that turned most of them around. One African delegate, for instance, privately remarked that

⁶²UN Document A/Conf. 48/14/Rev. 1, pp. 51-53.

⁶³For the vote tally, see Ibid., p. 52, para. 106.

the recommendation merely asked WHO to give assistance on family planning on request and to continue its research on the subject. In his view, WHO was not authorized to interfere in population policies adopted by governments. Two Asian delegates confirmed this interpretation but added that most members of the less developed countries had come to accept the fact that if the population question were not studied now, there might be some difficulties dealing with it in the future. To the extent that this latter point is true, then self-interest was also involved in the change of attitude toward the population question shown by most members of the less developed countries. It is reasonable to assume that Norway's authorship of the recommendation was not responsible for the favorable reception it received. Although Norway has been a liberal supporter of some of the key demands made by the less developed group at the United Nations, so has Sweden.⁶⁴ Yet, as we saw in Chapter III, when the latter proposed, during the negotiations on the draft Declaration, that measures be taken to control population growth where such growth was excessive, it was rejected by most delegations from the less developed countries as not being a balanced recommendation since it failed to consider population densities.

⁶⁴Nye, "UNCTAD: Poor Nations' Pressure Group," op. cit., p. 356.

Two conclusions may be drawn from the acceptance of Norway's recommendation. If most delegations from the less developed countries voted for the measure largely because it did not threaten their independence of action on population policies, then the failure of Argentina to rally the group against the measure was not a failure in group solidarity. Rather, it was a diplomatic reprimand of Argentina for unnecessarily attempting to manipulate group solidarity against what was essentially a harmless recommendation. On the other hand, if most members of the group supported the recommendation primarily because of national interest considerations, then, it can be argued that, under certain conditions, members will be inclined to defend specific national interests, the importance of group solidarity notwithstanding.

5. International Fund for Housing

Considered under human settlements, the demand by most delegations from the less developed countries for an international fund for housing and human settlements, however, falls within the scope of the economic and financial concerns that characterized negotiations on aid and trade. The ECOSOC had been asked to study the question of setting up an international fund for housing development and human settlements generally. In its recommendation to the Conference, the

ECOSOC merely called on the Secretary-General to formulate programs on a world-wide basis to assist countries to deal with human settlements problems. It also suggested the creation of sub-regional centers to undertake training, research, exchange of information, technical and material assistance. The ECOSOC was, however, silent on the fund issue.

During discussions on the subject in Committee, India's and Libya's delegations introduced a new joint recommendation intended to put "financial teeth" into the ECOSOC recommendation. It called for an international fund for housing and the environmental improvement of human settlement.⁶⁵ Predictably, the recommendation touched off a storm of protest from most delegations from the developed countries because of the financial demands it made. In opposing it, Canada's delegation indicated that it had no mandate to support a separate fund in addition to the voluntary Environment Fund. Britain's delegation opposed the measure on the grounds that the problem of housing would be solved only by a genuine economic development and that sectoral approach to the problem was not the appropriate

⁶⁵UN Document A/Conf.48/14/Rev. 1, p. 53, para. 128.

strategy to follow. Sweden's delegation also indicated its inability to support the demand because it felt existing UN organs and agencies should be used. The delegations of Norway and the Netherlands which had been among the most sympathetic toward the economic and financial demands by the less developed countries were rather cool on the subject. They neither rejected it nor supported it.⁶⁶ The delegations of Central African Republic, Kenya, Jamaica, the Philippines, Senegal, and Uganda, the only delegations from the less developed countries that spoke on the recommendation in Committee, all indicated their support for the Indian and Libyan proposal.⁶⁷ No delegation from the less developed countries opposed the measure. Here again is a further illustration of the extent to which economic and financial questions tend to unite these delegations.

Despite the widespread support that the new proposal enjoyed among delegations from the less developed countries, the opposition of delegations from the developed countries was not summarily ignored. Unable to resolve the disagreements on the subject, the matter was referred to the plenary

⁶⁶ For summaries of these views, see op. cit., pp. 53-54.

⁶⁷ Ibid.

conference without a recommendation for action by the Committee. In plenary, Italy's delegation proposed what it felt was a compromise recommendation. It asked the Secretary-General, in consultation with other appropriate UN organs and agencies, to undertake "an exhaustive review of international financing arrangements with, as its primary objective, the strengthening of national programmes in this field through the provision of seed capital and the extension of the necessary technical assistance to permit effective mobilization of domestic resources for housing and the environmental improvement of human settlements, taking account of development priorities of the developing countries."⁶⁸

The Italian amendment, thus, rejected a separate international fund and instead suggested the utilization of existing financial arrangements, a view which was shared by the Swedish delegation.

In an emotional appeal to the developed countries, India justified the fund proposal in terms of its contribution to the solution of the less developed countries' basic problem--poverty. Reference was made to the considerable skepticism about the Conference in the less developed countries, and it was suggested that the skepticism be removed by action

⁶⁸UN Document A/Conf. 48/14, 3 July 1972, p. 94.

designed to give those countries hope. India's delegation felt that an international fund to develop and improve housing and the environment of human settlements would substantially contribute toward meeting such hope. Forceful though the Indian appeal was, in the context of the developed countries' strong determination not to yield to the establishment of a new and separate international fund for the exclusive benefit of the less developed countries, the moral and political pressures were not enough to bring about the desired attitudinal changes in the opponents. What the proponents of the fund thought was a sober consideration of their interests, the opponents viewed as excessive demands for financial outlays. Uncharacteristically, at any rate with regard to the environmental negotiations as a whole, the Italian proposal was ignored. With that proposal ruled out, the proponents of the fund forced a vote on their recommendation and expectedly won by 70 votes to 10, with 6⁶⁹ abstentions. None of the potential donor countries from the developed countries supported the recommendation. Like UNCTAD I, therefore, "maximum demands came into head-on⁷⁰ collision with minimum offers."

⁶⁹UN Document A/Conf. 48/14/Rev. 1, p. 53, para. 127.

⁷⁰Kaufmann; Conference Diplomacy, p. 150.

Several factors seem to account for the proponents' ability to build group support for their recommendation. The most elementary is that on such general demands for resources to improve the level of social and material life in the less developed countries, there is usually widespread group support for them. Professor Lall has written that:

...in the post-World War II era, [there is] a strong tendency among the economically weaker countries to use existing forms of international organization to present the more highly developed countries with a united front. When their purposes are inadequately served through the existing institutions they unitedly demand the creation of new institutions....This age of developing international organization is also an age of cooperation by the economically weak countries in their search for a fuller life for their peoples.⁷¹

72

The move away from "functionalism" to "developmentalism" at the United Nations has not been merely "a response to changes in the needs to be confronted,"⁷³ as Evan Luard

⁷¹Arthur Lall, op. cit., pp. 212-213.

⁷²The theory of functionalism is generally regarded as one of the routes to international integration. For the classic presentation of that theory, see David Mitrany; A Working Peace System (Chicago: Quadrangle Books, 1966). Developmentalism, however, is not a theory of integration. Rather, it is exclusively concerned with the utilization of international machinery to deal with the socio-economic development problems of the poor nations. For a further discussion of the political values underlying functionalism and developmentalism and their incompatibilities, see Cox and Jacobson, op. cit., pp. 403-404, 425.

⁷³Evan Luard; The Evolution of International Organizations, quoted in Lawrence Finkelstein; "International

suggests, rather, the proliferation of economic development agencies and organs in the United Nations, such as the Special Fund, UNIDO, UNDP, UNCTAD, the recent General Assembly session on primary commodities, and the Third Law of the Sea Conference-- have been brought about primarily by the united pressure of the less developed countries. Seen against this background, therefore, the proponents of the fund for housing needed no elaborate arguments to build group support for their recommendation. The existence of group support could be reasonably assumed.

But there was another factor which developed out of the negotiation process. A number of delegates from the less developed countries privately argued that they neither believed that their counterparts from the developed countries could not seek fresh instructions from their governments to support the fund nor were financially incapable of supporting it. One Latin American delegate remarked that the envisaged fund was not intended to build houses for the people of the less developed countries. Rather, it was to provide only seed capital and technical assistance to governments in these countries so as to enable them to mobilize their own domestic

Organizations and Change: The Past as Prologue," International Studies Quarterly, vol. 18, No. 4 (1974), p. 499.

resources for housing development. In other words, they thought they were asking for a small fund. In that sense, they found the opponents' claim that they could not support it beyond credence. Because of this perceived credibility gap, the supporters of the fund were not persuaded to withdraw their support. This point corroborates Professor Zartman's proposition that assertion of simple incapacity as a means of limiting alternatives in negotiations is effective only to the degree to which the party asserting it is able to convince the other of its weakness.⁷⁴

It might be argued that, carried to its logical conclusion, the assertion of simple incapacity would never enhance the bargaining power of delegations from the developed countries because of the obvious affluence of most of them and the increasing gap between the North and South. The implication of this point would mean that simple rejection of demands deemed unnecessary is the only viable bargaining alternative available to the developed countries. But this conclusion need not necessarily follow. If in the past, the poor had attempted to change reality by the fiat of the vote, there is increasing evidence that strategies that would facilitate accommodation of conflicting interests are being

⁷⁴Zartman, op. cit., p. 210.

emphasized now. For example, it was seen in earlier discussions that debates and negotiations characterized the recommendations on Compensation. Most delegations from the developed countries that accepted Additionality did so voluntarily, even if the threat of the vote being used eventually played a role in such voluntary acceptance. As will be seen later in the chapter, negotiations on the Institutional Arrangements and the Declaration were very exhaustive and were also characterized by compromises. The Declaration was, in fact, adopted by consensus. Decision-making by consensus was again adopted at the Third Law of the Sea Conference in Caracas, Venezuela, which concluded its deliberations on August 29, 1974. The general agreement at Caracas was that the vote would only be resorted to when possibilities of reaching consensus had been exhausted.⁷⁵ For these reasons, then, assertion of simple incapacity could still serve those who used it if genuine weaknesses were believed to exist.

Viewed in another perspective, the negotiations on the fund, as well as on Additionality, Compensation, and

⁷⁵Elizabeth Mann Borgese; "Report from Caracas: The Law of the Sea," The Center Magazine, (November/December 1974), p. 26.

Industrial Distribution, indicate the persistence of a pattern of demand by delegations from the less developed countries at the United Nations. The goal remains the granting of comprehensive economic, financial, and trade concessions as the only means to close the widening gap between the North and South. The demand continues to be redistribution of wealth. The acceptance by the developed countries of wealth redistribution continues to provide the basis of North-South accommodation in negotiations. The North appears to maintain its preference for incremental, rather than comprehensive, concessions. However, strategies that will facilitate accommodation rather than confrontation are increasingly being emphasized. At the same time, there is a remarkable continuity of the bargaining language used by delegations from both the North and South. The South continues to base its claims to comprehensive concessions primarily on moral grounds. The rich are alleged to owe a moral duty to help the poor get richer because we constitute one human race. The Indian Prime Minister, Mrs. Indira Gandhi, asked the Stockholm Conference:

Will the growing awareness of "One Earth" and "One Environment" guide us to the concept of "One Humanity?" Will there be a more equitable sharing of the environmental costs and a greater international interest in the accelerated progress of the less developed world?

or will it remain confined to a narrow concern, based on exclusive self-sufficiency?⁷⁶

In spite of the application of moral pressure, the outcome of the negotiations on the fund amply demonstrates its limitations in the face of the united opposition of the developed countries, particularly the major donor countries. Professor David Kay may be right when he asserts: "Economic development as a right owed by the industrialized countries to the under-developed ones is at best an inchoate right and lacks the emotive overtones of self-determination and racial equality."⁷⁷ Moral claims to accelerated socio-economic development affected the bargaining language used by delegations from the South, but they did not impede the flow of the negotiations. This is due, firstly, to the fact that they combined moral claims with hard political bargaining. Secondly, delegations from the North, as in the past, saw the negotiations as political rather than moral. In refusing to support the housing fund, Canada's delegation indicated that it did so not because it did not sympathize with the objectives but it had no mandate to support an international fund

⁷⁶Mrs. Indira Gandhi's Stockholm Speech, op. cit., p. 5.

⁷⁷David A. Kay; "The Impact of African States on the United Nations," International Organization, vol. 23 (1969), p. 41.

additional to the voluntary Environment Fund. The U. S. delegation opposed the recommendation on industrial distribution not on moral grounds but on political grounds, namely, the practical impossibility of giving effect to it. It is also reasonable to assume that Congressional dissatisfaction with its aid programs had a part in the attitude adopted by the U. S. delegation on Additionality as well as on the housing fund. Others that supported Additionality and Compensation did so, at least in part, for political reasons, namely, to prevent confrontations and adoption of sweeping summary recommendations.

In sum, the issues in the North-South conflict processes remain the same. The bargaining language also has not changed. What appears to be changing is the style of negotiation. Delegations from the South are combining moral pressure with bargaining politics. There is increasing emphasis on accommodation rather than on changing reality by the fiat of the vote. Perhaps, this trend reached its highest form at Caracas when a prior agreement was reached to adopt consensus decision-making procedures. But in spite of the emphasis on negotiated settlement at Stockholm, the vote had to be used on a few occasions to break the opposition of the developed countries. This seems to indicate that difficulties

persist on how to evolve acceptable formulas for dealing with economic questions. Negotiations on international institutional arrangements will now be discussed.

B. International Institutional Arrangements

Pre-conference negotiations on the institutional arrangements, as was indicated in the preceding chapter, had produced no consensus on the structure of the institutional arrangements. Most delegations that took part in the preliminary discussions expressed tentative preferences. Only the U. S. delegation appeared to have given serious thought to this issue. In spite of the tentativeness of the discussions, preferences seemed to polarize along North-South lines. Delegations from the less developed countries supported a larger body under the General Assembly's authority but reporting to it through the ECOSOC. They preferred that the administrative cost of the secretariat be charged on the regular budget of the UN. Finally, they wanted to turn the voluntary Environment Fund to their advantage. Their counterparts from the developed countries supported a smaller body under the authority of the ECOSOC. The Swedish delegation, however, favored a General Assembly body. They charged the administrative cost of the secretariat on the voluntary Fund. Also, a strong opposition to using the Fund to promote the

development interests of the less developed countries was expressed by them. These adversary postures were all rooted in the desire of both sides to gain political control over the international level of environmental action. The group that had the edge of political control stood to benefit from the decisions to be made on international environmental action priorities. These politically motivated differences should be expected to structure the negotiations again. However, we shall expect a process of accommodation to be emphasized by all delegations because of the strong desire by all to have an institutional arrangement approved at Stockholm.

Following the conclusion of the pre-conference negotiations, Brazil's delegation informally tabled in New York another draft proposal on the institutional question which, on almost all points, opposed the U. S. draft. This draft reflected the preliminary preferences expressed by some delegations from the less developed countries. It called for a fifty-four-member inter-governmental committee under the General Assembly; it recommended that the administrative costs of the secretariat be borne by the regular budget of the United Nations, and that the Environment Fund be a development as well as an environment fund.

⁷⁸U. S. Report, Subject Area VI, p. 2.

Brazil's counter-proposals made an immediate informal consultation between interested delegations necessary. In the meantime, according to an American delegate, the State Department was under considerable pressure from the U. S. mission to relax aspects of its first draft in order to facilitate accommodation. In an effort to obtain consensus on both drafts, informal discussions were held in New York and Geneva prior to the convening of the Conference. In the course of these consultations and discussions, Sweden tabled its own draft which, among other things, also called for a fifty-four-member committee of the General Assembly. Because the interested parties seemed unable to relax their rigid postures, the informal discussions produced no consensus.

On arriving at Stockholm, Kenya tabled another draft which was essentially similar to Brazil's. Instead of a General Assembly body, however, it called for a fifty-four-⁷⁹ member Environmental Board to oversee the environment program. Because of the confusion caused by the four drafts before the Conference, a seven-man working group (the United States, Brazil, Sweden, Kenya, Canada, Egypt, and Indonesia) was set up to develop a new draft resolution on institutional arrangements. The most significant problems concerned the size of

⁷⁹U.S. Report, Subject Area VI, pp. 3-4.

⁸⁰Ibid., p. 3.

the inter-governmental governing body to give political direction to the secretariat and its location within the UN system, the site of the headquarters of the secretariat, the problem of secretariat expenses, and the purpose of the voluntary Environment Fund.

1. Size and Location of the Inter-governmental body

Compromises in negotiations, according to Professor K. J. Holsti, do not require that parties place the point of agreement exactly half-way between their initial positions.⁸¹ The negotiations on the size and location of the inter-governmental body confirmed Holsti's point in the sense that most of the less developed countries were looking for greater concessions from the developed countries. Given the widespread support for a larger General Assembly body, the burden of making the necessary concessions for reaching agreements clearly fell on those supporting a smaller ECOSOC body. In a major concessionary move, the U. S. delegation proposed a thirty-seven-member Governing council on the UNDP Governing Council model. That is, it agreed to place the new body under the authority of the General Assembly. Like the UNDP, the Council would report to the parent body through the ECOSOC. In other words, the U. S. delegation supported Brazil's compromise

⁸¹K. J. Holsti, International Politics: A Framework for Analysis (Englewood Cliffs, N. J.: Princeton-Hall, Inc., 1967), p. 234.

formula on this matter except that it failed to go along with a fifty-four-member body. While the Governing Council model was immediately endorsed by the working group, members from the less developed group and Sweden continued to defend a figure of fifty-four. Finally, the U. S. delegation agreed to a figure of forty-eight. The third committee adopted the compromise by 30 votes to 20, with 5 abstentions.⁸² The large opposing figure was due primarily to continuing disagreements over the size of the inter-governmental body. A number of delegations from the less developed countries still preferred a fifty-four-member Governing Council. At any rate, the compromise figure of forty-eight recommended by the United States further confirms Holsti's point that negotiators need not place their point of agreement exactly half-way between their initial positions. The U. S. compromise figure was closer to the recommendation supported by most of the less developed countries.

During plenary discussion of the question of institutional arrangements, Australia's delegation, on behalf of the delegations of Argentina, Australia, Guyana, India, Indonesia,

⁸²Unclassified Department of State Telegram from U. S. mission, Geneva, to Secretary of State, Washington, D. C., Control Number 2004, June 11, 1972, p. 2.

Iran, Nigeria, Pakistan, Romania, Spain, and Thailand, successfully proposed an amendment to the Committee draft on the size of the Governing Council, increasing it from forty-eight to fifty-four members.⁸³ Predictably, the U. S. delegation vigorously opposed the amendment, claiming that its earlier conciliatory moves should be reciprocated. Because the delegations of Brazil and Sweden, which had originally proposed a fifty-four-member body, had accepted the compromise figure of forty-eight in Committee, they too opposed the Australian amendment. In vain, Brazil appealed to members of the less developed countries to reciprocate the concessions made by the United States by accepting the compromise figure of forty-eight.

Although the United States, Brazil, and Sweden, among others, opposed the Australian amendment for different reasons, that the latter two were forced to oppose a measure which they favored, attests to the importance of the willingness to compromise in negotiations.⁸⁴ Additionally, Brazil and

⁸³UN Document A/Conf.48/14, pp. 109-110. Australia and a few other developed countries moved to support a 54-nation Governing Council not because of the pressure of the less developed countries but because the enlargement, according to one of the Western supporters, was viewed by them as consistent with the ECOSOC membership which had been increased to 54 in 1971. (See General Assembly resolution 2847 (XXVI) of 20 December 1971)

⁸⁴For a discussion of the importance of compromise in

Sweden were anxious to avoid charges of negotiating in bad faith. It is generally believed that, while there is no firm assurance that good faith in negotiations would always be kept, building up a reputation for not negotiating in good faith could be politically disadvantageous in future negotiations.⁸⁵ For this reason, delegates tend to make determined efforts to accept and defend compromises with which they agree.

The outcome of the vote on the size of the Council does not illustrate a strong polarization between the North and South (Australia, Austria, France, Romania voted for the amendment, while a few other delegations from the developed countries abstained.)⁸⁶ However, a mild polarization was present since most delegations from the developed countries voted against a large Council while most of their counterparts from the less developed countries voted for it. It must be pointed out that, in spite of the outcome, accommodation and conciliation, rather than confrontation, characterized the negotiations. Perhaps, a much more interesting point is that, despite Brazil's tremendous influence over members of the

negotiations, see Iklé, pp. 1-2, 53-54, 111-114.

⁸⁵Ibid., pp. 111-112, Holsti, Ibid., p. 237.

⁸⁶UN Document A/Conf. 48/14, pp. 109-110.

less developed group, it was not always able to gain the group's support for compromises it negotiated on their behalf. While this observation is not intended to deny the importance of leadership roles in conference diplomacy, it suggests that such roles take place within constraints. Students of the role of leadership in conference diplomacy tend to offer formulas for exercising leadership, but more often than not, they tend to underestimate the constraints which are inherent in the negotiation situation, of which the individual delegation aspiring to leadership is a part.⁸⁷ In Brazil's case, the apparent commitment of most group members to a Council of 54 members made any influence attempts less productive.

2. Site of the Secretariat

Negotiations on where to site the environment secretariat were inconclusive at Stockholm. Apart from New York, which was pushed by the U. S. delegation, and Geneva, which was favored by several European delegations, Madrid, Mexico City, London, Kampala, Nairobi, New Delhi, and Vienna were also offered as possible sites. In light of the fact that delegations from the less developed countries seemed to

⁸⁷ See Kaufmann, Conference Diplomacy, pp. 76-79.

be using the Conference to attain some of their revisionist demands on their counterparts from the developed countries, one would have expected that a group position favoring a site in one of their capitals would have emerged at Stockholm. (After all, no UN Secretariat was located in the less developed region.) It might be argued that failure to launch such an attempt merely proves two points. First, budgetary constraints would make sites outside Geneva and New York less attractive to the poor countries. All countries are well represented in Geneva and New York, and, therefore, no significant costs would be incurred by keeping in touch with the environment secretariat's activities. Secondly, national and regional disagreements might make a choice of site in the less developed region very difficult. Depending upon the interest which members would show in the work of the environment secretariat, its presence in whatever national capital would bring diplomatic visibility to the host government and country. The quality and quantity of diplomatic representation in the host capital would increase. This would bring it a new source of national revenue in the form of increased employment opportunities for certain categories of its labor force, rent, and provision of other services. Additionally, it would open the door to the thinking of other world capitals

at less economic cost. In other words, on the site question, national interest considerations might take precedence over the interest of the group as a whole to improve its subordinate status in the international system.

Such considerations were very strong at Stockholm. Most of the delegations which had offered their national capitals seemed unwilling to withdraw from the contest. Although the U. S. and U. K. delegations were willing to vote for Geneva if that was a majority view, others in the race were reluctant to withdraw. Three reasons for the lack of decision on the matter were generally suggested by delegates from the less developed countries during interviews. First, budgetary considerations made it difficult for most members to consider sites other than Geneva and New York. Secondly, most members did not want to be faced with the prospect of having to pick one of the four capitals offered by group members because of the divisiveness which might result. Finally, as a consequence of the first and second considerations, members wanted more time for negotiations.

Because of the difficulties posed by the site question, the third Committee referred the matter to plenary with the recommendation that it be left for future consideration by the General Assembly. In the General Assembly, the less developed

group, under Kenya's initiative, was able to achieve group consensus on the need to site the secretariat in one of their own capitals. Nairobi was eventually selected. Discussion of the lively and sophisticated negotiations on this matter is undertaken in the next chapter. For now, it is only useful to point out that considerations of group success and failure seemed to have influenced the decision to postpone the choice of site of the environment secretariat.

3. Financing of the Secretariat

The problem of secretariat expenses remained unresolved in the pre-Conference negotiations. While delegations from the less developed countries sought political control over the activities to be undertaken by the secretariat, they also demanded joint financial control over the secretariat by insisting upon charging its administrative cost to the regular UN budget of assessed contributions. Since all contributed to this budget, none could, at least theoretically, use financial pressure to unduly influence the activities of the secretariat. The delegations of the United States, the United Kingdom, Japan, West Germany, and most of the others from the developed countries who had expressed themselves on this question during the pre-Conference negotiations, favored all expenses being charged to the voluntary Environment Fund.

Theoretically, this would have increased their influence over the secretariat since they were expected to contribute much of the Fund's resources.

At the Stockholm negotiations, these positions were defended with equal vigor by both groups. During informal consultations, India proposed a major compromise which permitted the charging of the cost of servicing the Governing Council and the administrative cost of the core secretariat members (permanent staff) to the regular UN budget. Seconded or temporary staff members, operational costs, program support and administrative costs of the Fund were to be borne by the voluntary Environment Fund. In view of the fact that much of the secretariat's program activities would be carried out by temporary experts, the charging of their cost to the Fund represented a significant victory for the developed countries. Of course, the balance of political influence over the secretariat's activities would be affected significantly by the personality and the environmental philosophy articulated by the executive head of the secretariat.

⁸⁸ For a discussion of Raul Prebisch's successes and failures in using an international organization to influence governmental policies, see Nye, "UNCTAD: Poor Nations' Pressure Group," pp. 348-350.

A point of analytical interest, however, is the consistency with which the less developed countries pursued their objective of turning the Conference to their advantage. Success in enlarging the size of the Governing Council and placing it under the General Assembly's authority, assured them greater political influence in decision-making on environmental programs. Their desire to share the administrative cost of the secretariat with the developed countries was designed to remove the likelihood of the latter's use of its financial advantage over the secretariat to the detriment of the interests of the less developed countries. Although the latter desire was made less effective by the developed countries' success in charging the activities of experts on secondment to the secretariat to the Fund, it is reasonable to assume that a sympathetic secretariat would endeavor to bear in mind the interests of the less developed countries in the engagement of experts. At any rate, delegations from the less developed countries could use their power of approval and disapproval, both in the Council and in the Assembly, to communicate to their counterparts from the developed countries and to the secretariat their views on program priorities. With both the developed countries and the secretariat deeply committed to the success of the environment program, this is not an inconsiderable power.

4. Utilization of the Voluntary Environment Fund

One of the most intractable aspects of the institutional arrangements' negotiations was the purpose to which the Environment Fund was to be put. In the setting of the objectives of delegations from the less developed countries in the Conference, the question of the Fund's utilization was very important. Throughout the pre-Conference negotiations, they had unsuccessfully pressed for the establishment of an international fund to pay for the cost of incorporating environmental quality measures into their development planning. Because of the importance they attached to this issue, they repeatedly reopened discussion on the funding issue. An additional reason which prompted the repeated emphasis on funding related to their fear that some developed countries might regard the Environment Fund as an alternative to development assistance to the less developed countries.⁸⁹

Although no delegate from the developed countries had argued this position, there was a legitimate basis for the fear expressed by delegations from the less developed countries. Given the former's increasing concern about environmental clean-up, there is reason to fear that the cost involved might

⁸⁹Environment Stockholm '72, op. cit., p. 15.

consume or shrink the volume of aid made available to the less developed countries. But the less developed countries' determination to create a central fund as additional to development assistance was matched by the developed countries' equally strong determination to oppose it. The Scope Paper for the U. S. delegation required it to oppose any move to set up an international financial institution to provide additional financing for the less developed countries for environmental purposes. The delegations of France, Canada, and Japan, while sympathetic toward the intent of the demand, nonetheless conceived it within the framework of their current domestic aid programs. That is, they were equally opposed to an international fund for the exclusive benefit of the less developed countries. Of course, historically, the developed countries have been opposed to the creation of international funds to assist the less developed countries. When the idea of creating SUNFED was raised in 1952 at the General Assembly, not only did the initiative come from the less developed countries, but most of the developed countries questioned the wisdom of the fund. It took five years of negotiations to get a Special Fund approved by the developed countries. That approval was given only after the nature of the Fund had been changed from an investment-providing institution to one which would provide assistance to the less

developed countries to assess their own resources, make surveys, and provide seed capital to promote the development of investment projects.⁹⁰ Professor Kay has also observed that when the less developed countries ignored the opposition of the developed countries and created the UN Capital Development Fund in 1966, the pledging conference was boycotted by all the Western developed states, except the Netherlands and all of the Eastern European states,⁹¹ except Yugoslavia. Thus, apart from the current reasons for opposing the establishment of an international environmental fund for the exclusive use of the less developed countries, historical precedents alone did not make the idea of a new international fund an attractive one to the developed countries.

Having failed to gain support for it, delegations from the less developed countries sought to convert the voluntary Environment Fund into both development and environment assistance fund. Led by Algeria and Brazil, the less developed

⁹⁰Lall, op. cit., pp. 203-217; Johan Kaufmann and John Hadwen; How United Nations Decisions are Made (New York: Oceana Publications, Inc., 1962), pp. 85-114.

⁹¹David A. Kay; "The Impact of African States on the United Nations," International Organization, vol. 23 (1969), pp. 39-40.

countries re-stated the moral and economic case for turning the Environment Fund into a development and environment fund. Because of their past experience, they were unwilling to use their voting majority to impose unacceptable recommendations on the developed countries. They, therefore, preferred to bargain with the opponents of the idea. Yet, since the opponents were firm in their stand that the Fund should be used to finance environmental programs of general and regional interests, they showed no political will to negotiate on the less developed countries' idea. This determined stand left the latter with no arguments with which to advance their position. Eventually, they gave up their demand and merely insisted upon inserting paragraphs in the resolution on institutional arrangements which made references to their development needs but did not charge them to the Fund.

In sum, the fact that development assistance was continuously being re-opened attests to the saliency of the economic and financial aspects of the environmental issues as far as the less developed countries were concerned. Further, it indicates the difficulties involved in finding

⁹²UN Document A/Conf. 48/14, pp. 61-62, especially the preambular paragraphs, and operative para. 1, sub-para. (f).

economic and financial formulas acceptable to both the developed and less developed countries on questions of development assistance. Although the less developed countries were most consistent in their demand for a separate international fund for their exclusive benefit, in the context of the developed countries' political unwillingness on this question, such logic was ineffective. Thus, the strong desire to defend, promote or increase national or group interests made compromises on the fund negotiations very difficult to achieve. However, that the developed countries got their way, illustrates the potency of financial power in international negotiations and politics. The collective restraint shown by the less developed group in not forcing a vote show-down on the matter seems to be an unusual collective behavior, at least on economic development, financial, and decolonization negotiations. The creation of the UN Capital Development Fund in 1966, as has been pointed out, was done over the strong objections of the developed countries.⁹³

UNCTAD was proposed over the objections of the Western developed states.⁹⁴ On decolonization issues, the less developed

⁹³Kay, op. cit.

⁹⁴Nye, op. cit., pp. 334-335.

countries rejected the domestic jurisdiction clause which, prior to 1960, the colonial powers had exploited successfully to prevent international collective discussion of colonial-⁹⁵ism. Thus, giving up on an issue which the group strongly supported would seem to be out of character with the less developed countries. Whether negotiated settlement rather than settlement by the vote would become the dominant style of negotiation of the group is too early to tell. We pointed out elsewhere that consensus decision-making procedures were adopted for the Third Law of the Sea Conference at Caracas. A pattern may therefore be developing even if the limited comparative base makes prediction of future trends unnecessary. For now, it would seem that the importance of political victory (parliamentary success) on key issues is diminishing in the diplomacy of the less developed countries.

C. Declaration on the Human Environment

The Declaration, as conceived in the pre-Conference negotiations, was a kind of global environmental charter. It was essentially an introduction to the whole environmental

⁹⁵Kay; "The Politics of Decolonization," pp. 786-811.

debate and a summary of its major conclusions. Its preparation had been influenced by three broad concerns of delegations. Firstly, many delegations from the developed countries originally wanted a Declaration that would focus on the problems and causes of environmental threats and the need for rational resource management practices. Others from the less developed countries favored a document more reflective of problems of poverty and the general organization of the economy. That is, the Declaration's preparation reflected the competing and often conflicting interests of the developed and less developed countries in the whole debates. Pressure exerted by Brazil and others permitted the Declaration to reflect these two perspectives although questions about international trade were kept out of the document. There were principles dealing with additional funds although they were not regarded by many of the developed countries as mandatory.

A second area of disagreements involved the nature of principles to be included in the document. Primarily, most delegations from the less developed countries tended to advocate the adoption of more specific and programmatic-

⁹⁶ Draft Declaration on the Human Environment; UN Document A/Conf. 48/4, 11 April 1972.

oriented set of principles. Naturally, this would have given them greater scope for making the document more reflective of their interests. The document would then have become the philosophical basis of their key demands in the negotiations. Others, primarily from the developed countries, wanted a document of general and less controversial principles so as not to weaken the quality of consensus required to make the Declaration more legitimate. Obviously, they realized that even a recommendatory Declaration could be used as the ideological basis of certain demands made on them. Thus, the more general the principles, the greater the scope for interpretive differences. A few others, particularly Canada and Sweden, advocated a combination of general and specific principles. Eventually, Canada's and Sweden's approach was adopted. But on the whole, the principles were more general than they were specific. There were also more principles dealing with environmental deterioration and resource management practices, and rights and duties of states than with social and economic development. Of the twenty-three principles, thirteen were devoted to problems of environmental deterioration and the need for rational resource management practices; six to rights and duties of states and only four

to social and economic development. In other words, the draft Declaration was less reflective of the key concerns of the less developed countries than it was of the developed countries. The importance of this point will become more evident later.

The final area of disagreements concerned the need which certain delegations, particularly Canada and some Western European countries, felt for including certain legal principles which would form the basis of future development and codification of international environmental law. Other European countries and the United States, while not opposed to the subject, were of the opinion that it should be attempted outside the framework of the Declaration since the latter was not intended to have any legal binding force. Many members from the less developed countries, for reasons of not wanting to jeopardize their development chances, were not particularly

⁹⁷It is possible to break the 23 Principles into three broad categories:

- (i) Environmental deterioration and rational resource management practices. Principles 1-5, 10-16, and 21 fall under this category. A total of 13 Principles were devoted to this category.
- (ii) Social and economic development, Principles 6-9. A total of 4 Principles were devoted to socio-economic development.
- (iii) Rights and duties of states, Principles 17-20, 22,

interested in the evolution of international environmental law at this time. In the end, Canada's position was adopted, but only after it was agreed that the principles would be recommendatory and not obligatory.

Because of these diverse interests, the draft Declaration forwarded to Stockholm was delicately balanced. The consensus was so delicate that, in submitting it to Stockholm, the Preparatory Committee suggested that that act "did not imply any expression of approval or disapproval"⁹⁸ of the document. In his opening statement to the plenary, the Conference Secretary-General himself reminded delegations of the problems that might arise if the draft were subjected to more negotiations, another illustration of the role of international secretariats in consensus-formation in conference diplomacy.⁹⁹ Despite the desire to avoid re-opening negotiations on the draft, we would expect delegations from the less developed countries to attempt to do just that, in view of

23. A total of 6 Principles were devoted to this category.

⁹⁸UN Document A/Conf. 48/4, Note by the Secretary-General of the Conference.

⁹⁹Text of Opening Statement by Maurice F. Strong, Secretary-General of the UN Conference on the Human Environment, at the First Plenary Meeting of the Conference, Stockholm Sweden, 5 June 1972. See HE/S/8, 5 June 1972, p. 5.

their limited impact on it. Apart from their limited impact, the expectation suggested here is based on one of the recommendations contained in the document formulated for African delegations by the Group of African Experts, convened by the OAU, to develop a common stand for Africa at Stockholm. The Group had asked African delegations to seek a condemnation of apartheid policies as degrading human values and wasteful of human resources. This issue had not been considered relevant to the Declaration in the pre-Conference negotiations. It is reasonable to assume that African delegations might wish to recommend the inclusion of such condemnation in the document.

The initial desire to reopen the Declaration for more negotiations came, however, from China.¹⁰⁰ As was pointed out in the introductory pages of this chapter, China was not a member of the UN during much of the pre-Conference preparation. Although Canada's External Affairs Department had had several informal contacts with the Chinese Mission in Ottawa to explain the issues and to seek China's support for Canada's approach, China was effectively excluded from the formal and informal negotiations which took place in New York and Geneva in the pre-Conference stages. China

¹⁰⁰ For the full text of China's draft resolution, see A/Conf. 48/14, p. 86.

justified its request in these terms:

We must try to obtain a good and sound declaration on the human environment [since it contains] guidelines and a programme. It should adequately reflect the interests of countries, particularly of developing countries, as well as the aspirations of peoples.¹⁰¹

There is no evidence to suggest that China was used by the African delegations to get negotiations on the document re-opened. Since only the Declaration brought all the concerns in the debates together, it is natural that it, rather than the other issue areas, attracted China's attention.

China's views touched upon several areas already covered in the draft Declaration, particularly economic development and environment, population growth, resource management, compensation for pollution damage, exchange of science and technology, environmental protection and state sovereignty.¹⁰² It, however, cautioned against pessimism with respect to population growth and environmental protection. Further, it attributed environmental deterioration not to science and technology but to imperialism, monopolistic

¹⁰¹ "China Declares," *Eco*, (Jointly produced by the Ecologist and Friends of the Earth), 10 June 1972, p. 1.

¹⁰² UN Document A/Conf. 48/14, p. 86.

practices, colonialism, neocolonialism and the policies of the super-powers, referring especially to U. S. abuse of the environment in Vietnam. With the exception of these areas of concern, China's principles were remarkably similar to the socio-economic demands of Brazil and others and to Canada's legal principles. China was all in favor of compensation for pollution damage and for consultation among neighboring states to avoid environmental disputes. It is not clear the extent to which the Ottawa contacts, initiated by Canada, influenced China's attitudes toward these legal principles. However, since Canada's desire during those contacts was not simply to inform China of the progress of the preparations but also to persuade it to accept the soundness of Canadian approach to the question, it is reasonable to assume that those contacts did play some role in the evolution of Chinese position. China's strongest disagreement with the draft Declaration was, however, limited to nuclear weapons. The draft contained only a mild principle calling on nuclear powers to spare mankind of the serious effects of further nuclear testing and the use of these weapons in hostilities. ¹⁰³ China demanded a new principle

¹⁰³ UN Document A/Conf. 48/4, p. 5, Principle 2.

which would call for complete destruction of biological and chemical weapons, as well as the assumption of obligation by the nuclear powers not to use nuclear weapons at any time and under any circumstances.

It is unclear whether environmentalism was used by China to advance a political interest. However, it is important to note that China has traditionally opposed what it calls 'super-power nuclear blackmail.' Indeed, it has justified its own program of nuclear development in terms of the need to break the super-power nuclear monopoly. Of course, complete disarmament would also free valuable human and financial resources for more productive investments in its development plans. Be it as it may, China objected to the rather mild principle on the nuclear question.

Reactions to China's attempts to reopen the negotiations varied, but on the whole, there were more supporters of the move from delegations from the less developed countries than from the developed countries. Argentina, Brazil, Iran, Pakistan, the Philippines, Sudan, and Tunisia all supported the move, with Brazil and Pakistan strongly criticizing the draft Declaration for not effectively dealing with poverty and economic development.¹⁰⁴ It was pointed out earlier that the draft had fewer

¹⁰⁴ UN Document A/Conf.48/14, pp. 86-88. For the views of Brazil and Pakistan, see Eco, 10 June 1972, pp. 1-2.

principles on economic development than on environmental deterioration, resource management practices, and state responsibilities. Canada, Italy, and the United States expressed serious concern about China's initiatives. France and Mexico indicated their support for the original draft but declared their willingness to introduce their own amendments if negotiations were reopened.¹⁰⁵ In the end, a Working Group, open to all delegations, was formed to re-discuss the draft Declaration. Canada unsuccessfully proposed that, in order to ensure the adoption of the draft Declaration, delegations avoid presentation of formal amendments and agree to have their oral and written statements of position read into the Conference record. Alternatively, China recommended that the Conference should pursue areas of agreement and set aside principles on which strong differences of position existed. This recommendation was equally unacceptable to many delegations.

African delegations recommended that the Declaration should reflect certain key concepts. These included rejection of segregation, racism, apartheid, and expansionism;

¹⁰⁵Eco, 10 June 1972, p. 1.

rejection of colonialism and foreign domination because of their adverse effects on the environment of dependent people; terms of trade in primary commodities and management of water, soil, and other natural resources were intimately related. Finally, they condemned nuclear development and testing as the most destructive of all environmental threats.¹⁰⁶ A Tanzanian amendment, endorsed by twelve other African states, proposed that expansionism, disrespect of territorial integrity, apartheid, colonial, and racialist practices threaten the human environment and should be denounced.¹⁰⁷ Another amendment sponsored by nine African states sought to implement their concern for price stability of primary commodities. It was recommended that prices for primary agricultural and mineral products be reassessed and adequately increased to enable the less developed countries to avoid over-exploitation of their resources.¹⁰⁸ The purpose of the amendment was to relate the need for price stability and adequate trade earnings by these countries to the concept

¹⁰⁶ UN Document A/Conf. 48/14, pp. 113-117.

¹⁰⁷ UN Document A/Conf.48/WG.1/CRP.20, cited in Louis Sohn; "The Stockholm Declaration on the Human Environment," Harvard International Law Journal, vol. 14, No. 3 (Summer 1973), pp. 423-515.

¹⁰⁸ UN Document A/Conf.48/WG.1/CRP.22, cited in Sohn, Ibid., p. 468.

of environmental management. This amendment was consistent with their general argument that their environmental problems could not be improved in conditions of poverty. Several amendments were also submitted by India, Pakistan, and the Holy See on the original draft principle dealing with financial assistance. The Holy See proposed that reference be made to "natural disasters, wars and intolerable social conditions" and the need for national and international action under such conditions.¹⁰⁹ Pakistan recommended that the original principle calling for additional technical and financial assistance to the less developed countries should be amended by the addition of a phrase relating to massive financial assistance.¹¹⁰ A joint proposal by India, the Holy See, and Pakistan combined the concerns of the latter two into a single amendment.

Environmental deficiencies generated by:
 (a) the conditions of underdevelopment pose grave problems and can be best remedied by accelerated development through transfer of massive financial and technological assistance as a supplement to the domestic effort of the developing countries; (b) natural disasters, social degradation and wars call for timely remedial action at the national and international level for the afflicted countries concerned.¹¹¹

¹⁰⁹UN Document A/Conf. 48/WG.1/CRP.7, cited in op. cit., p. 467.

¹¹⁰UN Document A/Conf.48/WG.1/CRP.3, cited in Ibid., p. 467.

¹¹¹UN Document A/Conf.48/WG.1/CRP.15, cited in Ibid.

But for the references to "massive" financial assistance, under-development, natural disasters, social degradation, and wars, the new principle was not particularly different from the original one.¹¹²

The amendments, proposed largely by delegations from the less developed countries, clearly indicate a desire to increase the scope and specificity of principles relating to socio-economic development. This desire is consistent with their negotiation argument that poverty and underdevelopment constitute the greatest pollutants. Most of these demands were not new, but in the context of the Declaration, they substantially went beyond the pre-Conference consensus. Harmonizing them with the old draft required prolonged negotiations. The Tunisian Chairman of the Working Committee complicated the negotiations by his decision to set up a small drafting group open to only those delegations who had sponsored formal amendments. Because China had merely made oral proposals, it was excluded from the drafting group. China's understandable anger nearly caused the negotiations to break down. Privately, the Chairman's own group members were critical of his poor initiative but, publicly, nobody challenged him. The problems caused by his initiatives

¹¹²UN Document A/Conf.48/4, Principle 9, p. 3.

corroborate our argument that the initiatives that conference officers take can and do affect negotiation outcomes.

Canada acted skillfully to maintain the momentum of the negotiations. Relying on the useful lines of communication available to the Canadian rapporteur of the Working Group, it devised a new negotiation strategy. All delegations with proposals to make met in small groups to draft brief papers against the background of the information provided by the rapporteur. The agreements reached were then fed, anonymously, to the larger group for discussion. By this method, delegations excluded from the drafting process, but who had recommendations to make, were enabled to actively participate in the process.

South Africa, predictably, opposed the African delegations' condemnation of apartheid while the United Kingdom considered apartheid, colonialism and nuclear weapons issues out of place in the Declaration. ¹¹³ After hard bargaining, a slightly modified version of the African draft was inserted in the Declaration as the first principle. Similarly, a compromise principle on the joint amendment by the Holy See, India, and Pakistan was worked out after many delegations from

¹¹³UN Document A/Conf. 48/14, pp. 115-116.

the developed countries had unsuccessfully argued that the demand embodied in the principle had been met in the action recommendation on Development and Environment issue area. The final principle retained the references to underdevelopment and natural disasters but omitted those to social degradation and wars. The reference to "massive" transfer of assistance to the less developed countries was modified to read "substantial" transfer of assistance.¹¹⁴ The African delegations' principle dealing with the linkages between price stability, adequate earnings from primary commodities and raw materials on the one hand, and environmental management on the other, was also adopted and incorporated in the Declaration.¹¹⁵ Attempts by the developed countries, particularly the United States, to keep such specific trade questions out of the Declaration failed.

The nuclear question proved the most difficult to resolve. All delegations, nuclear and non-nuclear alike, supported the intent of the Chinese demand for a principle calling for the complete destruction of all nuclear weapons. But the United Kingdom, and the United States, along with Australia and Italy, contended that such strategic questions

¹¹⁴ UN Document A/Conf. 48/14/Rev. 1, Principle 9.

¹¹⁵ Ibid., Principle 10.

could not be resolved at Stockholm and, therefore, defended the milder principle agreed to during the pre-Conference negotiations.¹¹⁶ China did not insist upon the referral of the principle to the General Assembly for further discussions, as had been done by Brazil on the principle of cooperation and information exchange as a means of avoiding damage to the human environment beyond the limits of national jurisdiction. One could speculate that China miscalculated the extent to which a majority of delegations would be prepared to go all the way in defense of China's goal. Professor Lall has argued that nations tend to concentrate their diplomatic activities in international organs that can most appropriately resolve international problems or disputes.¹¹⁷ Because the Stockholm Conference was not widely perceived as the appropriate forum for strategic arms negotiations, China's insistence on its goal was not particularly appealing to a majority of delegations. One point which was repeatedly emphasized by many delegations during interviews was that, apart from the inappropriateness of the Stockholm Conference for strategic arms negotiations, China was being politically naive in assuming that the goal of

¹¹⁶UN Document A/Conf.48/14/Rev.1, p. 64, para. 315, p. 65, para. 327.

¹¹⁷Lall, op. cit., p. 103.

complete destruction of nuclear weapons could be achieved in the course of one conference negotiations. Additionally, the absence from the Conference of the Soviet Union made any premature adoption of China's principle unrealistic. Apart from a probable miscalculation of the chances for the adoption of its principle, China's failure to refer the matter to the General Assembly could be attributed to its unfamiliarity with UN conference procedures. It should be recalled that the Stockholm Conference was China's first encounter with UN conference diplomacy. Thus, for reasons of miscalculation and diplomatic inexperience, China risked diplomatic defeat by pressing its point. The attempt failed largely because a majority of delegations would only go as far as asking nuclear powers to seek prompt agreements in the relevant international organs on the elimination and complete
118
destruction of nuclear weapons. A further reason may be advanced to explain China's behavior on the nuclear issue. Its insistence on a principle calling for complete destruction of nuclear weapons might have been aimed at diplomatically embarrassing the West. If the West could be made to appear as opposed to such a principle, China could use this example to discredit the West's commitment to disarmament. Therefore, what may appear as miscalculation and unfamiliarity with UN

¹¹⁸ UN Document A/Conf.48/14/Rev. 1, Principle 26, p. 5.

conference procedures may be a calculated exercise in diplomatic propaganda.

China's bargaining position was also affected by factors immediately attributable to the on-going negotiation process. We are particularly concerned about the impact of some of the Chairman's rulings during the negotiations. On several occasions he attempted to force a compromise on China by ignoring its interventions and announcing that consensus had been reached. His unfavorable rulings against China were due, in all probability, more to fatigue of the Working Group (it held fifteen closed meetings from June 9 to June 15)¹¹⁹ and to a widespread desire to adopt the Declaration by consensus than to any political hostility toward China. However, in that atmosphere of physical exhaustion, coupled with the emphasis on consensus, perceptions of negotiation inflexibility were bound to result in loss of political support. Under normal circumstances, flexibility¹²⁰ is one of the rules of accommodation. Because the other nuclear powers had shown a readiness to agree to pursue the Chinese goal in relevant international organs, a certain

¹¹⁹Wade Rowland; The Plot to Save the World (Toronto/Vancouver: Clarke, Irwin, and Co., Ltd., 1973), p. 91.

¹²⁰Iklé, pp. 103-104

121

"community spirit" had emerged which made reciprocation from China a requirement for reaching agreement. Largely because of these considerations, China allowed the nuclear weapons principle to remain in its widely supported form-- that prompt efforts should be made to reach agreements on the elimination and complete destruction of such weapons. Instead, it made its objections public and elected not to participate in the plenary vote. To the extent that the Chairman's decisions placed China in an inflexible posture and, therefore, weakened its bargaining position, our claim that officers affect conference outcomes is corroborated.

Differences of positions between Argentina and Brazil on the principle of consultation and information exchange as a means of avoiding environmental damage to areas beyond the limits of national jurisdiction had some striking similarities to the nuclear negotiations. The disagreements were also political; they involved vital national interests. Other delegations were also interested,

121

The phrase is Iklé's. He suggests that in a "community spirit" type of negotiations, negotiators tend to dispense with some of the rigid rules of accommodation that are necessary between less friendly nations. See Iklé, op. cit., pp. 118-121.

and yet, the course and outcome of the negotiations were significantly different from the one on nuclear weapons. At Stockholm, Brazil proposed an amendment to the principle of consultation and information exchange to the effect that:

No state is obliged to supply information under conditions that, in its founded judgment, may jeopardize its national security, economic development or its national efforts to improve [its] environment.¹²²

The new amendment considerably limited the scope of the principle of consultation and information exchange. It was pointed out in the preceding chapter that Brazil had initially objected to this principle for being unduly restrictive of the exercise of national sovereignty. It only gave in when a majority support for it emerged. In order not to be restricted by Argentinian objections with respect to its dam construction projects, Brazil attempted to assert the supremacy of national security and economic development considerations over environmental responsibility. It would seem that Brazil was re-arguing its initial position at the inception of the environmental debate, namely, the improvement of the environment through development must take precedence over the environmental side effects. Interestingly, it was

¹²² Brazil, in UN Document A/Conf.48/14/Rev.1, p. 66, para. 33 (a).

delegations from the less developed countries who most forcefully objected to Brazil's attempt to restrict the scope of the principle. An amendment, introduced by Argentina and seventeen other African and Latin American delegations, would have made the provision of information dependent upon the request of any state.¹²³ Privately, some of them indicated that their defense of a strong principle on cooperation and information exchange was not an indication of their opposition to development but, rather, it was intended to ensure that development did not take place at the expense of others. Unable to resolve their differences, Brazil proposed the deletion of the whole principle from the Declaration. The proposal was unacceptable to a majority of delegations. At the initiative of Brazil, an agreement was reached to refer the whole principle to the General Assembly for further negotiations.

There are two conclusions which emerge from the outcome of the negotiations on consultation and information exchange. The first, which is a re-statement of a previous

¹²³ Brazil, op. cit., para. 331(b): The sponsors were Algeria, Argentina, Burundi, Cameroon, Congo, Costa Rica, Egypt, El Salvador, Guatemala, Guinea, Kenya, Libya, Mauritania, Senegal, Sudan, United Republic of Tanzania, Uruguay, and Zambia.

point, seems to be that the less developed countries were not a tight and homogeneous group on every issue. On a few occasions, strong national interests survived concerns about group unity and group solidarity. Although such differences were few and were handled with less fuss than had been the case in UNCTAD II,¹²⁴ it seems that group unity and solidarity are related to other factors. Leadership, issue area, and the role of the developed countries are some of these factors. Apart from the economic development and human rights aspects of the Declaration, there was no recognizable leader providing ideas for the group to discuss. Maybe it is issues which cause leaders to emerge rather than the other way around. However, because no group issue was perceived apart from human rights and socio-economic development, no group leader emerged on the legal principles. This, of course, is consistent with our earlier argument that the need for environmental law was not strongly felt by a majority of group members. Because no group interest was defined in relation to the legal principles, local and regional quarrels were expected to occur. It might also be argued that, because Brazil's dam-construction program was so vital to its

¹²⁴Nye, "UNCTAD: Poor Nations' Pressure Group,"
op. cit., pp. 356-357.

development planning and the maintenance of Argentina's national health standards were a vital national concern, no easy solution could have been found even if a specific group position had been defined. If it were the latter, then the obvious conclusion to this aspect of the negotiations would be that "national interest," however defined, remains a central issue in international politics.¹²⁵

In any event, the point that is being made is that intra-group disagreements were evident on some issues and were aired publicly. This does not contradict our earlier suggestion that intra-group differences tend to be de-emphasized or aired privately. Naturally, on issues in which strong national differences exist, such public disagreements are expected. With respect to the principle on consultation and information exchange, no group position had been defined. In fact, most of them had accepted it in the first place only as a result of Canada's persuasive

¹²⁵For the notion of national interest and its role in international politics, see the writings of Hans J. Morgenthau, especially Politics Among Nations, 4th ed. (New York: Alfred A. Knopf, 1966); In Defense of the National Interest (Chicago: The University of Chicago Press, 1950). For a good assessment of the concept of national interest, see Thomas W. Robinson; "National Interests" in James N. Rosenau (ed.); International Politics and Foreign Policy: A Reader in Research and Theory (New York: The Free Press, 1969), pp. 182-190.

efforts. In addition, the conflict did not involve a group and non-group member. It is reasonable to assume that if the conflict had involved Mexico and the United States, instead of Brazil and Argentina, Mexico could have mobilized group support to pressure the United States to make concessions. If our assumption is plausible, it could be suggested that group unity among the less developed countries partly depends upon the extent to which the developed countries, particularly the major ones, are perceived to be playing an adversary role with regard to the less developed group. That is, the role the developed countries play in negotiations with the less developed ones partly determines the processes of building and maintaining group unity among the latter. As will become evident in Chapter V, this hypothesis partly explains the success of Kenya's bid for the secretariat of the United Nations Environment Programme (UNEP).

The second point that needs elaboration relates to the majority decision to permit the referral of the principle to the General Assembly. A majority of delegations supported the retention of the original principle, and yet, Brazil was not pressured to accept the majority position. Several reasons could be advanced to explain Brazil's success in getting the decision postponed. One is related to its better

familiarity with UN diplomatic procedures and practices. Another has to do with the prestige it enjoys among many delegations, particularly those from the less developed countries. The most important explanation, however, has to do with the fact that the amendment proposed by Argentina and others went beyond the scope of cooperation and information exchange which many delegations were prepared to support. By making provision of information dependent on request, Argentina and others were in effect recommending a new principle. Four principles of different scope, therefore, were before delegations. The original principle aimed at encouraging delegations to cooperate to avoid unnecessary environmental damage to neighboring countries. One of Brazil's two proposals substantially limited the scope of cooperation while the second recommended deletion of the principle from the Declaration. Finally, Argentina and others recommended a much stronger principle. In these circumstances, it was less difficult to convince delegations about the need for more negotiations. Unlike destruction of strategic weapons, it was a controversy which could be resolved easily with a little additional time. The same could not be said about China's concern to have all nuclear weapons destroyed. That is, the nature of the issue gives delegations some leverage in their bargaining maneuverability.

II. Summary and Analysis of the Conference Negotiations

It is evident from the description of the Conference negotiations that the less developed countries continued to approach the environmental negotiations from the perspective of their revisionist economic and political demands on the developed countries. There was a slight increase in the scope of their demands. New socio-economic and financial demands included the establishment of an international fund for housing development and improvement of human settlements, and international distribution of industrial activity. As in the pre-Conference negotiations, the less developed countries came to Stockholm primarily to pin obligations on the developed countries. Within this specific framework of negotiations, the less developed countries achieved uneven success. With respect to the Principles of Additionality and Compensation, they were successful in extracting some concessions from most of the developed countries, although some of the heavy donors (in gross terms), such as the United Kingdom, and the United States, did not support these demands. The less developed countries' demands for a housing fund, for an international fund for development and environment and for international distribution of industrial activity were not supported by most of the developed

countries.

Pre-Conference negotiations on Additionality and Compensation, as we saw in the preceding chapter, had been inconclusive because of the unwillingness of the developed countries to grant the concessions asked for by the less developed countries. The concessions granted by most of the developed countries at Stockholm were, to some extent, expected because of a number of factors. First, the context of the Conference negotiations had undergone substantial changes, all of which were described in the introductory pages of this chapter. These changes had the effect of weakening the bargaining position of the developed countries. Two of these contextual changes were particularly important in this respect. These were the failure of UNCTAD III and the developed countries' loss of leadership to the less developed countries on some of the debating issues. The failure of UNCTAD III, as was pointed out earlier, was partly responsible for the escalation of the less developed countries' demands, as well as the outspokenness with which they defended their interests. The less developed countries' assumption of leadership on social, economic, and financial questions made the resolution of those questions central to the success of the Conference. Because of these factors, it is reasonable

to assume that the West's continued refusal to consider the Principles of Additionality and Compensation would have led to divisive and confrontation politics similar to UNCTAD meetings. Therefore, the fear of confrontation politics created a certain willingness on the part of most of the developed countries to grant some concessions to the less developed countries.

In this situation, all that the less developed countries had to do was to show a bit of skill in negotiating. To a large extent, they did this by combining bloc politics with reasoned arguments and bargaining. They escalated their exploitation of their underdevelopment to increase the probability that their demands would be met by the developed countries. Maintaining that they could not participate in the environmental program under conditions of poverty, the less developed countries seemed to have placed the burden of ensuring their participation on the developed countries. Additionally, the manipulation of their economic and financial weakness succeeded in this instance partly because most of the developed countries accepted the legitimacy of their weakness and the importance of helping them to avoid some serious environmental consequences. As a Canadian delegate privately pointed out: "If I were a member of their group, I would have made the

same demands." Professor Roger Fisher has noted that an adversary's perception of the legitimacy of its opponent's demands has an important effect on the resolution of those demands.¹²⁶ The transformation in the credibility of these demands, of course, is closely related to the altered context of the negotiations, particularly the high premium placed on the avoidance of confrontation and the reaching of accommodation.

Given this negotiation atmosphere, those developed countries wishing to support the Principles of Additionality and Compensation needed no lengthy persuasive arguments from the less developed countries. This bargaining atmosphere differed sharply from the pre-Conference negotiations where most of the developed countries maintained a strong opposition to the less developed countries' manipulation of their economic weakness. There were some difficulties, nonetheless, over the details of Additionality and Compensation. Basically, the difficulties boiled down to fixing the limits of expectations. According to Professor Thomas C. Schelling, "If one is about to make a concession, he needs to control his adversary's expectations; he needs a recognizable limit to

¹²⁶Roger Fisher; Basic Negotiating Strategy: International Conflict for Beginners, (New York: Harper and Row Publishers, Inc., 1969), p. 58.

his own retreat."¹²⁷ While the less developed countries pressed for the acceptance of Additionality and Compensation in principle, those developed countries wishing to support these demands wanted them to be specified so that the limits of their commitments could be established more clearly.

The approach adopted by the proponents of these principles had the double advantage of defining their own problems and proposing the answers.¹²⁸ The answers, as we pointed out earlier, were intended to secure the passage at Stockholm of recommendations recognizing the developed countries' acceptance, in principle, of those two demands and reserving the establishment of the limits of expectation for a later date. While the less developed countries won their point on Additionality, the recommendation on Compensation had to be amended to include the developed countries' expectations. Although Japan opposed the amended recommendation while Australia, New Zealand, Switzerland, the United Kingdom and the United States abstained, the support it received from other developed countries was a significant concession to the less developed countries. During the pre-

¹²⁷Thomas C. Schelling; The Strategy of Conflict (New York: Oxford University Press, 1963), p. 71.

¹²⁸For a similar approach during Commonwealth Africa's negotiation with the European Economic Community, see Zartman, op. cit., p. 111.

Conference negotiations, only France, Sweden and the Netherlands had shown some flexibility toward the Principle of Compensation.

The outcomes of the negotiations on Additionality and Compensation suggest that the relationship between UN conference interaction processes and issues must be supplemented by some notion of stages in the chain of interactions in conference diplomacy. What was unacceptable to most of the developed countries during the pre-conference negotiations became acceptable to most of them at Stockholm. Why? Two closely-related reasons have been suggested-- the altered context of the negotiations and the acceptance of the legitimacy of the less developed countries' demands. These are related to a third reason, namely, the value which most of the developed countries attached to a successful conference. It was pointed out in Chapter I that part of the negotiation difficulties which have beset UNCTAD meetings has been due to the fact that most of the developed countries have not had a positive attitude toward UNCTAD. Because of the latter's positive attitude toward the Conference, they were less inclined to provoke confrontations by rejecting every key objective sought by the less developed countries. These points are further developed in Chapter VI. For now, however, it must be pointed out that the outcomes of the negotiations

on Additionality and Compensation confirm Professor Kay's claim that "the politics of the United Nations is a politics of successive approximation toward goals [sought by delegations]"¹²⁹ This process involves compromises. The flexibility shown by most of the less developed countries toward a negotiated settlement, particularly on the Principle of Compensation, made accommodation of interests possible to reach. Similarly, the flexibility and conciliatoriness manifested by some of the developed countries, particularly Canada, France, West Germany, the Netherlands, and Sweden, on the Principle of Compensation permitted a different pattern of interaction, leading to a negotiated settlement.

But perception of possibilities of favorable responses to their demands may have encouraged some of the less developed countries to escalate their demands, thereby leading to their use of the vote in some instances when the developed countries refused to grant them further concessions. Clearly, most of the developed countries thought that the demands for a fund for housing, for industrial distribution and the use of

¹²⁹ David A. Kay; "The Politics of Decolonization: The New Nations and the United Nations Political Process," International Organization, vol. 21, No. 4 (1967), p. 811.

130

natural rubber instead of synthetic rubber, were excessive. Although it is hard to believe that any economic and financial demands by the less developed countries can be regarded as excessive in the light of the widening of the material gulf between them and the developed countries, the early successes of the former on Additionality and Compensation seemed to have become the justification for the latter's refusal of further concessions. It must be added, however, that on some of the demands under analysis, the less developed countries were less than skillful in their choice of strategy. A case in mind was their combination of two controversial demands-- increased use of natural rubber and industrial distribution-- under one demand package. This strategy complicated the accommodation process.

Equally dysfunctional to the process of reaching accommodation on the demand package was the lack of flexibility shown by most of the less developed countries. They outvoted a U. S. recommendation calling for a regional approach to the subject of industrial distribution. A suggestion by the United States that the matter be studied further was also

¹³⁰For a short discussion of the problems caused by "excessive" demands in negotiations, see Schelling, op. cit., p. 28.

rejected. In this situation, the proponents of the demand package were indicating their unwillingness to consider any alternatives proposed by the opponents. That inflexible posture left the opponents little or no specific alternatives, thereby leading to their refusal to support the recommendation. On this point, Professor Iklé has argued that "negotiation is a creative process: the less attached parties are to a certain position, the more receptive they will be to the discovery of new solutions."³¹ Iklé's point is valid if it is tied to types of negotiations. It is clear from this study that in a redistributational type of negotiation, there is a strong tendency for negotiations to be approached, not in terms of adjustment of interests, but in terms of concessions from the strong (rich) to the weak (poor). In this situation, flexibility tends to become a prisoner of the shifting moods of those seeking concessions. On the demand package under analysis, the mood of most of the less developed countries appeared to be against considering alternatives that fell short of their own demand. Because most of the developed countries refused to have the less developed countries set the framework of the negotiations, confrontation

¹³¹ Iklé, op. cit., p. 103.

was the outcome. The negotiation process on the less developed countries' demand package was typically UNCTAD-like: maximum demands came into conflict with limited responses.¹³²

The outcomes of the Conference negotiations on institutional arrangements from the point of view of the objectives of the less developed countries were equally mixed. These objectives can be summed up as broad political control over international environmental decision-making. The less developed countries achieved their goal of controlling the Governing Council when the Conference approved a fifty-four-member General Assembly body. The interest of the developed countries was partially met by the agreement that the Council will report to the Assembly through the ECOSOC. However, the success of the less developed countries was made possible through bloc voting. Initially, the developed countries won a narrow Committee support for a forty-eight-member Council. Had the less developed countries accepted that figure, they could still have been said to have influenced the developed countries to change their position since that figure was closer to the former's position than to the twenty-seven-member Council which the latter had proposed.

¹³² Kaufmann, Conference Diplomacy, pp. 150-151.

Although the decision to push the figure to fifty-four in the plenary Conference disturbed the principle that agreements reached should be kept, a significant aspect of the voting process was the refusal by those delegations from the less developed countries, particularly Brazil, which had arranged the earlier compromise to vote with their bloc for a new increase. This point strongly suggests that even if conciliatoriness did not always win, its importance was not absent from the negotiations.

Alongside political control of the Council, was the question of joint financial control of the secretariat by both the developed and less developed countries. In this area, the latter were less successful. While they won acceptance for their demand that the cost of the core secretariat officials be financed from the regular UN budget of assessed national contributions, the cost of experts on secondment to the secretariat was charged to the Environment Fund. Because of this split in financing of secretariat officials, the major donor countries to the Fund are potentially capable of exploiting their financial power to protect their interests in the Council's decisions on environmental programs. What is even more interesting is the fact that it was the less

¹³³For a short discussion of the importance of keeping agreements agreed to by all parties, see Ikle, op. cit., pp. 99-102.

developed countries-- India, in this instance-- which proposed this compromise. Here again is a further example of the importance that was attached to accommodating the interests of the developed countries. Although this was not the case on every issue, as has been indicated, enough examples have been mentioned which clearly suggest that avoidance of confrontation and lingering disagreements were the hallmarks of the Conference negotiations. In fact, the less developed countries dropped entirely their demand for an international fund for development and environment in response to a strong opposition by the developed countries. While this was a key demand, the less developed countries recognized, as they did not in 1966 with respect to the UN Capital Development Fund, that the developed countries would refuse to contribute to such a fund if their opposition were summarily ignored. Thus, even though the less developed countries could have mobilized their voting strength to pass this recommendation, they conceded defeat after failing to persuade the developed countries to support it. The former failed in this demand not because they had lost their controlling majority but because they chose not to use it in the face of a strong opposition from those whose cooperation was required to make the recommendation practically meaningful.

The impact of the less developed countries on the Declaration on the Human Environment was far-reaching. The draft Declaration which had been more clearly focused on environmental deterioration and the need for rational resource management practices was transformed into a document more reflective of human welfare, dignity and human rights than ecological concerns. Not only were socio-economic questions given increased emphasis, but the developed countries' obligations to contribute toward the achievement of general human welfare were more clearly and strongly spelt out.¹³⁴ Additionally, race issues, foreign domination and colonialism--all traditional political concerns of most of the less developed countries-- were recognized as relevant to the concept of quality environment. The success of the less developed countries in effecting these changes was not based on their voting strength, since the document was adopted by consensus. Primarily, new active participants from the less developed countries demanded changes more reflective of their socio-economic and political concerns. To accommodate these new activists and thus avoid concluding the Conference without the adoption of the Declaration, the developed countries saw

¹³⁴ See UN Document A/Conf.48/14/Rev. 1, pp. 3-4, preambular para. 4, Principles 8, 9, 10, 11, 12.

it fit to permit changes. The point was made explicitly in private that political expediency played an important part in the concessions granted by the developed countries. Another factor needs to be mentioned. Because of the developed countries' commitment to the adoption of the Declaration at Stockholm, their ability to block demands with which they disagreed was considerably weakened. This climate of negotiation substantially increased opportunities for accommodation of new demands.

In considering the role and impact of the less developed countries on the Conference negotiations, two other elements must be treated. First, the ability of the less developed countries to reach agreements on priorities did not always preclude intra-group differences on a few issues. As we saw earlier, national and regional interest considerations were much more important on issues such as increased utilization of natural rubber, consultation and information exchange within the context of protecting areas beyond the limits of national jurisdiction, and population control. Although no serious intra-group divisions occurred, such national and regional differences suggest that the less developed countries, while they manifested considerable unity, were not a monolithic body. However, what is more important

is the handling of these intra-group differences. With respect to Sri Lanka's recommendation on natural rubber, the group accepted it in spite of the lack of consultation on it. This acceptance was obviously intended to avoid serious intra-group disagreements. This practice seems to confirm the continuing relevance of group acceptance of the vital interests of members as one of the pre-conditions of group unity. This point is, however, more true of UNCTAD II than of the environmental negotiations.¹³⁵ On population policies, the right of African and Latin American countries, whose population densities are generally believed to be low, to pursue demographic policies consistent with accelerated economic development was recognized while Asia's right to control its population growth was similarly recognized. Argentine and Brazilian differences over consultation and information exchange were resolved, at least temporarily, by the strategy of postponing decision on the subject and giving them more time for further consultations. All this confirms the importance of group harmony as a pre-condition for successful

¹³⁵ For a short discussion of how differing interests of members of the Group of 77 affected the operation and effectiveness of the group, see Nye, *op. cit.*, p. 344; Branislav Gosovic; "UNCTAD: North-South Encounter," International Conciliation, No. 568 (May 1968), pp. 14-21.

bargaining with the developed countries. Additionally, it lends support to our assumption of the existence of a unified, but not necessarily, monolithic group of less developed countries at the environment conference.

The second element to be considered is that the less developed countries no longer look exclusively to their voting strength for their effectiveness but also to their style. They were willing to bargain and rarely resorted to voting to terminate debates, notwithstanding their tendency to view their demands as sacrosanct. Even on their key economic and financial demands, while they were unwilling to yield to any restrictive and vague compromise recommendations, their preferred negotiating style was largely one of bargaining. This negotiating style constitutes a considerable departure from their style at UNCTAD meetings and also during the anti-colonial struggle of the 1960s. Since the 1960s, the less developed countries have tended to assume that aspects of the international system with which they disagree can be changed merely by passing appropriate resolutions. The environmental negotiations, as described, reveal a skillful blending of bloc politics and bargaining. Bloc politics, therefore, need not necessarily be incompatible with bargaining.

The attitudes of some of the developed countries were equally flexible. This was related to a desire to avoid confrontations. But an additional reason was cited privately by some of the developed countries for their flexibility, namely, the greater preparedness of most of the less developed countries to consider most of the alternative proposals some of the developed countries offered. According to a Swedish delegate, the moderate developed countries, particularly Canada, France, West Germany, Norway, Sweden, and the Netherlands, were encouraged to actively search for compromise recommendations because of the less developed countries' willingness to consider alternatives on most issues. This bargaining situation increased the latter's opportunities for wielding influence in one important sense. Since the less developed countries retained the negotiating initiatives on their key demands, compromise recommendations were more likely to be closer to their demands than to those initially supported by the developed countries. This was the case on Compensation, size of the Governing Council and the adopted Declaration on the Human Environment. All this, however, does not invalidate the proposition that the grant of concessions by the developed countries remains the basis of accommodation in negotiations involving the developed and less developed countries.

CHAPTER V

THE LESS DEVELOPED COUNTRIES AND THE FINAL PHASE OF THE ENVIRONMENTAL NEGOTIATIONS

The final phase of the negotiations is of importance to our study because it is the last stage in the chain of negotiations characteristic of UN conference diplomacy. This stage generally involves the taking of the necessary procedural and substantive steps in the General Assembly for launching recommendations approved by delegations. Procedurally, the General Assembly, the supreme organ of the UN system, must adopt appropriate resolutions to legitimize conference recommendations.¹ There is nothing automatic about this procedure. Delegations may use the Assembly framework to alter conference recommendations which are not sufficiently protective of their interests. They may also use it to establish policy priorities for the policy-making governing bodies. This opportunity is particularly important in view of the limited membership of

¹For a good theoretical discussion and some empirical examples of the United Nations function of collective legitimization, see Inis L. Claude, Jr.; The Changing United Nations (New York: Random House, 1968), pp. 73-103.

governing bodies of the UN system.

Procedural as the final phase of UN conference diplomacy is, the legitimization of the recommendations of the environment conference is expected to produce some significant inter and intra-group differences on a few issues. These include Additionality, disbursement of the Environment Fund, environmental priorities, the disputed principle of environmental cooperation and information exchange, the size of the Governing Council, and the site of the environment secretariat. The desire of the Western countries, Japan and the less developed countries to avoid confrontations is expected to affect the resolution of these issues.² We expect the less developed countries to be motivated by the same desire, as noted previously, to seek the endorsement of their economic and political goals.

I. Negotiations

A. Development and Environment

Three issues which could be subsumed under the development and environment interrelations dominated the

²The Soviet Union and its Eastern European allies who boycotted the Stockholm Conference participated in the final round of negotiations, but they made it clear that they did not wish to obstruct the adoption of resolutions to legitimize the Conference recommendations.

debates. They were: (i) Additionality, (ii) disbursement of the Environment Fund, and (iii) priority environmental goals. Proposals submitted by the less developed countries are expected to reflect concerns about development.

1. Additionality

The issue of Additionality was raised again in the Second Committee in a Seven-power draft resolution entitled Development and Environment.³ Introduced by Pakistan and intended to embody the Conference recommendations on economic and financial issues, as well as to respond to aspects of a Swedish draft on Institutional and Financial Arrangements, the draft attempted to go beyond the Stockholm consensus on Additionality. Operative paragraph 4 read:

Reiterates that resources for environmental programmes, both within and outside the United Nations system must be additional to the present level and projected growth of resources agreed upon in the International Development Strategy, to be made available for programmes directly related to developmental assistance, including assistance to be provided through the United Nations Development Programme.⁴

³A/c.2/L. 1236 in Document A/8901, 29 November, 1972, pp. 21-23. Sponsors were Egypt, Iran, Lebanon, Pakistan, Peru, the Philippines and Sudan.

⁴Ibid., p. 22.

In the first place, the Stockholm consensus did not envisage an increase in the budget of UNDP. In fact, as pointed out in Chapter IV, the U. S. Scope Paper specifically rejected any attempts at increasing the budgets of organizations and agencies of the UN because of the environmental concerns. Primarily, the concept of Additionality as understood by the developed countries at Stockholm, was limited to the international development assistance programs of the various donor countries. Secondly, the attempt to blur the distinction between development and environment assistance was in excess of the Stockholm consensus. Although the two are clearly interrelated, insofar as development is conceived as the answer to most of the environmental problems of the less developed countries, a conceptual distinction was made at Stockholm.

The sponsors' attempt to extend the basis of accommodation generated both inter and intra-group disagreements. Brazil and a few others from the less developed group privately urged adherence to the agreed consensus. Having helped shape the original consensus, Brazil⁵ had to maintain its integrity by defending that consensus. It is reasonable

⁵For a discussion of the importance of maintaining good faith in negotiations, see Fred Charles Iklé, How Nations Negotiate, 2nd printing (New York: Frederick A. Praeger, 1968), especially pp. 95-102, 111-114; Johan Kaufmann; Conference Diplomacy: An Introductory Analysis (New York:

to infer that it was for this reason, rather than loss of militancy, as one secretariat official privately alleged, that Brazil initially did not join in the sponsorship of the draft. Australia, France, Japan, and the United Kingdom, among other developed countries, opposed the paragraph in question for its failure to state "categorically that it was international environmental assistance that should be in addition to development aid."⁶ Private consultations were held among the sponsors and those fundamentally opposed to operative paragraph 4. There was internal pressure within the less developed group for a more satisfactory wording of the paragraph to ensure the support of all delegations. Most of them, however, were in favor of retaining the emphasis on development assistance, but they wanted it to be conceived as a principle. In addition, most of them asked for the deletion of the specific reference to UNDP. The controversial paragraph was re-worded as follows:

Recommends respect for the principle that resources for environmental programmes, both within and outside the United Nations system, be additional

Oceana Publications, 1970), p. 131; K. J. Holsti; International Politics: A Framework for Analysis (Englewood-Cliffs, N. J: Prentice-Hall, Inc., 1967), pp. 236-244.

⁶Miss Darling (United Kingdom); A/C.2/SR. 1482, 8 November 1972, p. 4.

to the present level and projected growth of resources contemplated in the International Development Strategy, to be made available for programmes directly related to developmental assistance.⁷

With that revision, Brazil and the Syrian Arab Republic joined in sponsoring the revised draft.

Although the demand is ambiguously worded, it seems that the sponsors wanted to tie environmental assistance to projects related to development and not to environmental protection per se. Privately, some of the sponsors explained this emphasis on the basis of the impression given by some of the developed countries that environmental assistance was consistent with the targets and objectives set by the Strategy for the Second Development Decade.⁸ The desire to blur the distinction was intended to ensure that development programs would not take second place to environmental protection measures. Most of the developed countries continued to object to the new paragraph by insisting that environmental assistance, even when it did not contribute directly to the promotion of accelerated socio-economic development, was a valid assistance in terms of the International Development Strategy. Much time was spent on fruit-

⁷A/8901, p. 23, para. 49 (d).

⁸Australia had in fact argued this position. See A/C.2/SR. 1482, pp. 2-3.

less debates. Eventually, Australia requested a separate vote on the paragraph, which was adopted by 74 votes to 3, with 26 abstentions. The entire revised draft resolution was adopted by 85 votes to none, with 21 abstentions.⁹

One more important controversial issue was related more specifically to the Environment Fund, and, therefore, will be discussed under that issue.

It is evident that the adopted operative paragraph 4, in spite of its ambiguity, was so amended as to make the developed countries' adherence to it less imperative than the original one. The retention of the emphasis on development needs no further analysis. It corroborates the thrust of the thesis that developmental needs and strategies structured the attitudes and initiatives of the less developed countries. Similarly, the efforts to accommodate the interests of the developed countries confirm the claim that the style of the environment negotiations were in many instances uncharacteristic of other North-South negotiation processes. It is true that intra-group differences made further revision of the draft necessary but there was sufficient majority to carry it if the sponsors wished to do that. Most of the developed countries which voted against the entire draft on account of operative

⁹A/8901, p. 23, para. 51 (a).

paragraph 4 indicated that they did so either because of the ambiguity of the amended paragraph or because of the built-in assumption that development and environment resources were competitive. There is some validity in both points, but it was precisely the fear that environmental aid might not be related to developmental needs that seemed to have motivated the retention of the emphasis on development. The problem here is clearly one of over-reacting on the part of the less developed countries and under-responding on the part of the developed countries. This point is consistent with another made in the preceding chapter that the grant of concessions to the former by the latter is seen generally as the basis of accommodation in economic negotiations between both groups. The less developed countries' evident need for development resources makes any excuses for inaction appear unacceptable, even morally irresponsible to them. On the other hand, the developed countries reject their counterparts' desire to establish the framework of every economic negotiations between them. The outcome of the debates and the vote indicate that this is one of the most difficult problems in North-South negotiations. We expect to find the debates on

10

For a discussion of the problem of convictions in relation to US/Soviet negotiations, see Henry A. Kissinger; The Necessity for Choice (New York: Doubleday and Co., 1962), p. 211.

the Environment Fund to bear out these differences in negotiation objectives.

2. Environment Fund

The disbursement of the Fund with respect to its responsiveness to the developmental needs of the less developed countries had been a source of disagreements between the developed and less developed countries. The latter wanted the Fund to be conceived as both development and environment fund. The attempt failed at Stockholm although phrases were inserted in the final resolution on Institutional and Financial Arrangements which mentioned their development needs but did not charge them specifically to the Fund.¹¹ This was the only compromise acceptable to both sides.

The debate was reopened during Committee discussion of the Stockholm recommendation on Institutional and Financial Arrangements. A draft resolution introduced by Sweden on behalf of nineteen other delegations reproduced essentially¹² the resolution adopted at Stockholm on this subject. In other words, the Fund was to be used for general and regional environmental programs. While the less developed countries'

¹¹A/Conf. 48/14, 3 July 1972, p. 64, paras. 8, 10.

¹²A/C.2/L.1228 in A/8901, pp. 5-10.

need for additional resources was recognized, this was conceived of outside the scope of the Fund. This consensus appeared to have satisfied some of the delegations from the less developed countries. Fourteen of them had, in fact, co-sponsored the Swedish draft. Others were not so satisfied. The Pakistani resolution on Development and Environment, an aspect of which was discussed in the previous section, presented a different approach to how the Fund should be disbursed. Operative paragraph 1 of that draft read:

Stresses that such environmental measures, activities, projects and programmes as may also constitute a necessary part of the process of accelerating the economic development of developing countries should receive a higher priority in the formulation of programmes by the Governing Council for Environmental Programmes and especially when disposing of the resources of the Environment Fund.¹³

Pakistan justified this demand in terms of the importance of ensuring that environmental policies were integrated with those in the field of development. Sri Lanka was even more specific when it asked that at least 50 percent of the Fund's resources should be devoted to solving the environmental problems (that is, development problems) of the less developed countries.¹⁴ In addition to these demands, Chile suggested

¹³A/C.2/L.1236 in A/8901, p. 22.

¹⁴Mr. Karunatilake (Sri Lanka); A/C.2/SR.1469, 27 October 1972, p. 3.

that resources made available to the Fund should not increase proportionately faster than those to the UNDP. In the event that the Fund was over-subscribed, Chile recommended that the excess should be channeled to the UNDP immediately.¹⁵

Although these demands were consistent with their emphasis on development, the draft submitted by Pakistan on behalf of Egypt, Iran, Lebanon, Pakistan, Peru, the Philippines evidently went beyond the scope of the consensus reached at Stockholm and reproduced in the Swedish draft. According to Uganda, this attempt was justifiable because "the link between the concept of environmental hazards, on the one hand, and that of poverty, ignorance and under development, on the other, was much too weak."¹⁶ It is important to point out that the fresh attempt at reaching new accommodation indicates that the verbal assurances given at Stockholm by the developed countries that the Fund would not replace development assistance had not been enough to dispel the fears of some of the less developed countries.

¹⁵Mr. Cubillos (Chile); A/C.2/SR. 1468, 24 October 1972, pp. 16-17. See also Mr. Rizvi (Pakistan); A/C.2/SR.1467, 25 October, 1972, p. 7. Mr. Mohammed (Trinidad and Tobago); A/C.2/SR.1477, 27 October 1972, p. 19.

¹⁶Mr. Okelo (Uganda); A/C.2/SR. 1472, 27 October 1972, p. 21.

Apart from this obvious fear, it seems that delegations which had been largely passive or not so active in the negotiations were raising serious questions about the concessions worked out on their behalf by Brazil and others. For this reason, Brazil and others seemed to be working at cross-purposes with the new active participants from their group. In fact, there were frank admissions privately that coordination and consultation within the group broke down on some of these specific issues.

The breakdown of coordination and consultation not only hurt the effectiveness of those delegations from the less developed countries defending and asking for support for the Stockholm consensus, but created internal disagreements among members of the group. Group consensus had to be reached first before the terms of agreement with the developed countries could be debated. The over-all effect was to weaken the group's bargaining position on these specific issues. In addition to opposing the attempt to turn the Fund into development assistance, the developed countries rejected operative paragraph one of the Pakistani draft on procedural grounds. As Mr. Joseph of Australia pointed out "it was procedurally unfortunate that the General Assembly should be pre-empting the Governing Council for Environmental Programmes with regard to decisions which that Council should

make concerning the order of priorities for expenditure from the Environment Fund." ¹⁷ The most objectionable feature of the Pakistani draft was the strongly worded recommendation to the Governing Council, binding it in effect, to give higher priority to projects and programs that might also constitute a necessary part of the process of accelerating the economic development of the less developed countries. Some of the developed countries, particularly the United States, felt so strongly about this paragraph that they privately threatened to withdraw support from the Fund if it were adopted over their objections.

Following informal consultations between the leading sponsoring delegations of both the Pakistani and Swedish drafts, the paragraph was re-worded to merely stress that special consideration be given by the Governing Council to programs and projects that might also help to accelerate the development of the less developed countries. ¹⁸ The whole draft, as indicated earlier, was adopted by 85 votes to none, with 21 abstentions.

The outcome of the Pakistani draft raises a number of interesting analytical points. Firstly, as the number of

¹⁷Mr. Joseph (Australia); A/C.2/SR.1482, p. 2.

¹⁸A/C.2/L.1236/Rev. 1, in A/8901, p. 23, para. 49 (b).

active participants from the less developed countries increased, the consensus reached on some of the financial questions at Stockholm began to be questioned. Issues which were thought to have been resolved were re-raised when the new active members began to complain that certain provisions were not sufficiently protective of the interests of the less developed countries. The altered context of the negotiations made these demands rather difficult to achieve. There was a strong desire to avoid re-opening controversial issues. This conservative procedure made the defense of the Stockholm compromises take on as much independent character as possible. In this atmosphere, insuring against major alterations in the previous compromises was given priority over achieving new levels of compromises. An attitude of "let's stick with Stockholm agreements" developed.¹⁹ In such bargaining atmosphere, the most important tactic was to show the presence of new information indicating that the terms of the previous agreements were undesirable.²⁰ Unfortunately, the new demands were not based upon such information. The developed countries were thus free to complain that the new demands were

¹⁹For a discussion of honoring agreements, see Iklé, *op. cit.*, pp. 100-102. Oran R. Young, in The Politics of Force (Princeton: University of Princeton Press, 1968), suggests that conservative negotiation procedures are at times adopted as a loss-minimization tactic. See p. 33.

²⁰For a discussion of this point, see Iklé, p. 100.

based on over-exploitation of economic weaknesses. In addition, the developed countries made a credible use of their financial power. While no evidence was uncovered during interviews to indicate that the sponsors of the Pakistani draft revised the objectionable paragraph because of the threat of losing the Fund, it is reasonable to assume that the sponsors' desire to benefit from the Fund made them unwilling to test the credibility of the threat by completely ignoring it.²¹

The failure of effective coordination and consultation among the less developed countries was partly responsible for the need to amend the Pakistani demands. The "old activists," particularly Brazil, could not maintain their bargaining reputation if they appeared to be supporting two drafts, aspects of which were in conflict with one another. Their unwillingness to be stigmatized by negotiating in bad faith made them naturally demand amendments which would harmonize

²¹For a discussion of the role of threats in negotiations, see Thomas C. Schelling; The Strategy of Conflict (New York: Oxford University Press, 1963), pp. 35-43. Iklé; op. cit., pp. 62-75; K. J. Holsti; op. cit., pp. 232-236; Harold Guetzkow and Jack Sawyer; "Bargaining and Negotiation in International Relations," in Herman Kelman (ed.); International Behavior (New York: Holt, Rinehart and Winston, 1965), pp. 483-485. For threats as applied to conference diplomacy, see Kaufmann; op. cit., pp. 155-157.

both drafts. These intra and inter-group pressures could only lead to rather mild recommendations. Even if Pakistan and others had been forced into a position where significant amendments were required to increase the consensus behind their draft, that they were willing to do so is illustrative of a spirit of compromise which distinguished the environmental negotiation from others comparable to it, most specifically UNCTAD negotiations. Some of these compromises are, however, likely to lead to conflicts over the Fund's disbursement because of their ambiguities.

Despite the diplomatic difficulties and the compromise reached, which have just been discussed, it should be stressed that by reopening the issue of the Fund's responsiveness to developmental goals, the less developed countries re-emphasized the paramountcy of their development objectives. Additionally, it points to the greater priority which they accorded human welfare over ecological stability. Because this was the focus of their interest, their concern that resources made available to the Fund should not increase proportionately faster than those for development, appeared a logical one.

²²For the importance of bargaining reputation, see Young, op. cit., p. 35; Iklé, op. cit., pp. 76-86.

Finally, the insistence of the less developed countries that their specific development-related environmental concerns be written into the charter of the Fund shows a certain under-estimation of the political role of the Governing Council. Thus, for instance, during the debates on the Swedish draft, some of them felt that the draft should have provided for allocation of a quota of the Fund's resources to special programs to be carried out in their region.²³ However, given their numerical majority on the Council, it is unreasonable to assume that they could not achieve politically-bargained compromises that would meet some of their interests. In this respect, they were being, perhaps, a little less perceptive politically. On the other hand, one could speculate that given the considerable emphasis on accommodation, they did not anticipate extensive use of their voting power on the Council. Even if this were so, a skillful non-use of the vote could produce some effects.²⁴ The discussion below will indicate how they eventually moved away from how to influence the terms of the Fund's disbursement to how to make such disbursement responsive to their

²³Mr. Debhi (Algeria); A/C.2/SR. 1469, 27 October 1972, p. 10.

²⁴For the application of the concept of non-use of military forces to the analysis of deterrence strategy, see Schelling, op. cit., pp. 6-20.

interest through political bargaining.

3. Environmental Priorities

The suggestion was made in the preceding section that the less developed countries, after unsuccessfully attempting to write their specific development-oriented concerns into the constitution of the Environment Fund, decided to use politics to secure some of those interests. Human settlements and housing were defined as a priority area of concern with which the Governing Council of the UNEP and financial institutions, such as the World Bank, ought to preoccupy themselves. U Thant's report on the problems of the human environment had devoted considerable attention to the problems of human settlements and housing, particularly in the urban areas, in the less developed countries:

The influx of people tends to bring enormous pressure on water supplies and the arrangements for waste disposal, with the consequent appearance of diarrhoeal diseases. Overcrowding of premises and sites is typical. Inadequate housing accommodation is accompanied by shanty type construction and further unsatisfiable demands are made upon water supply and waste disposal facilities. Food supplies may be inadequate, badly distributed, or prepared and sold under unhygienic conditions. Malnutrition is not uncommon and in association with bowel infections is a common cause of death in young children born and living under those unsanitary conditions. Propinquity and overcrowding encourage

upper respiratory infections and venereal disease. This pattern in the propagation of disease overtaxes the whole medical care organization.²⁵

As we saw in Chapter IV, the less developed countries were so concerned about these problems that they ignored the opposition of the developed countries and supported a recommendation by India and Libya at Stockholm that an international fund be established to assist them to mobilize domestic resources for housing and improvement of their human settlements.²⁶ The initiative to designate housing and human settlements as priority items for the Governing Council of the UNEP were, therefore, consistent with their position at Stockholm. However, the developed countries raised procedural and substantive arguments against the initiative.

Jamaica and the Philippines led the debates. Both delegations introduced two related draft resolutions. The Jamaican draft called upon the World Bank and other international financial institutions to give high priority in their development assistance policies to requests from governments for assistance in housing and human settlements.²⁷

²⁵UN Document E/4667, 26 May, 1969, p. 8, para. 14.

²⁶UN Document A/Conf.48/14, 3 July 1972, Recommendations 1, 2, and 17, pp. 8-9, 14.

²⁷A/C.2/L.1230, 20 October 1972.

The Philippines recommended the establishment of an international fund for human settlements.²⁸ The latter's draft was much broader in scope than the one adopted at Stockholm. The Indian and Libyan drafts only asked for the provision of "seed capital" and not a large international fund, as envisaged in the draft by the Philippines. Both Jamaica and the Philippines based their defense of the drafts on the grounds that poor housing and human settlements constituted a primary source of their environmental problems. Brazil unsuccessfully attempted to recommend a slight revision of the Jamaican draft to stress that the requested funds from the World Bank and other international financial institutions would be additional to the level of their development assistance.²⁹ The strategy of attaching the concept of Additionality to every financial demand was widely believed to have reached the point of diminishing returns by most of the less developed countries. It was this general feeling which prompted the rejection of the Brazilian recommendation.

Delegations from the Western developed countries and Japan were generally sympathetic toward the drafts but

²⁸A/C.2/L. 1231, 23 October 1972.

²⁹Mr. Brito (Brazil); A/C.2/SR.1480, 7 November 1972, p. 11.

indicated they would oppose them on procedural, rather than substantive grounds. The Jamaican draft on multi-lateral financing of housing and human settlements was opposed by most of the developed countries for two procedural reasons. Firstly, they felt that it was procedurally wrong for the General Assembly to instruct governing bodies of other institutions concerning the policies which they pursue. According to the French delegate, Mr. Rouge:

The document would...have the General Assembly give directives to IBRD [International Bank for Reconstruction and Development (the World Bank)] concerning its day-to-day operations, a task which properly belonged to the Bank's governing bodies.³⁰

The second procedural point raised was in connection with the assumption contained in operative paragraph 4 of the draft that it was lending institutions, and not governments, which set development priorities. Australian delegate, Mr. Joseph, suggested that that recommendation should be addressed to governments and not to the UNDP and IBRD.³¹

³⁰Mr. Rouge (France); A/C.2/SR.1480, p. 9. See also Mr. Joseph (Australia); A/C.2/SR.1480, p. 9.

³¹Mr. Joseph (Australia), Ibid.

Mr. Brito of Brazil and Mr. Driss of Tunisia concurred³² in this point. Tunisia successfully amended that paragraph to make it clear that the Bank's provision of "seed capital loans" be done "in agreement with requesting Governments."³³ This amendment made the Jamaican draft acceptable to most of the less developed countries. The developed countries, however, continued to insist upon the procedural impropriety of the General Assembly issuing instructions to other governing bodies. The draft's supporters refused to amend that paragraph. Instead, Chilean delegate, Mr. Santa Cruz, pointed out that the General Assembly, as the supreme organ of the UN family, "had the right and indeed the obligation to make general recommendations which neither implied mandatory action nor in any way limited the field of action of those agencies."³⁴ The draft was subsequently adopted over the objections of the developed countries by 81 votes to none, with 34 abstentions. The Western developed countries³⁵ and Japan abstained in the vote.

³²Mr. Brito (Brazil); A/C.2/SR.1480, p. 11; Mr. Driss (Tunisia); Ibid., p. 8.

³³Mr. Driss (Tunisia); Ibid.

³⁴Mr. Santa Cruz (Chile); Ibid., p. 10.

³⁵A/8901, p. 18.

The draft by the Philippines calling for the establishment of an international fund for human settlements ran into similar procedural objections from the developed countries. The United Kingdom, supported by Denmark, France, New Zealand, Sweden and the United States, argued that it would be procedurally more appropriate to refer the draft to the Governing Council of the UNEP where it and other Stockholm recommendations could be integrated properly into an over-all plan of action.³⁶ Brazil and Chile found the procedural point persuasive but maintained that the General Assembly's political right to establish priorities for the Governing Council could not be denied.³⁷ This interpretation was widely supported by the less developed countries. Interestingly, the Jamaican draft was adopted without opposition. The reason for the lack of opposition will become clear presently. The vote was 81 to none, with 34 abstentions. Almost all the developed countries abstained.³⁸

The political use of procedure by both proponents and opponents of the drafts should be noted. Professor

³⁶Mr. McCarthy (United Kingdom; A/C.2/SR.1480, 7 November 1972, p. 7; Mr. Zagorin (United States); Ibid., p. 11; Mr. Granqvist (Sweden); Ibid., p. 11; Mr. Isakson (Denmark); Ibid., p. 14.

³⁷Mr. Santa Cruz (Chile); A/C.2/SR.1480, p. 10.

³⁸A/8901, pp. 15-16, para. 32(b).

Keohane has suggested that procedural points are more often than not used in UN political processes to promote or defend substantive interests.³⁹ The procedural debates were motivated by similar considerations. The proponents of the drafts were clearly exploiting the Assembly's higher political and moral authority (because of its broader representativeness) to set the direction of emphasis in the policy-making process within the UNEP Governing Council and the World Bank. The adoption by the Assembly of those drafts would, in the case of the Council, place them on top of its first agenda. The procedural point raised by the opponents was intended to remove this political advantage. Ambassador Zagorin of the United States frankly alluded to this in the course of the debates:

Action taken by the Committee and the General Assembly would not be unimportant and would have to be taken into consideration by the Secretariat as priority items for the first meeting of the Governing Council.⁴⁰

Although the proponents' procedural tactic was inconsistent with the spirit of negotiations and bargaining that had been emphasized repeatedly during the final debates,

³⁹Robert O. Keohane; "The Study of Political Influence in the General Assembly," International Organization, vol. 21, No. 2 (1967), pp. 233-236. For a brief discussion of the limitations on the political uses of procedure, see pp. 236-237.

⁴⁰Mr. Zagorin (United States); A/C.2/SR.1480, p. 11.

they had a political advantage over their opponents. This was not derived from their voting power but rather from the fact that the pre-eminence of the General Assembly as an organ of collective political legitimization has explicit constitutional recognition in the Charter of the United Nations (Articles 10 and 24). The developed countries did not yield to the constitutional argument presented by Brazil and Chile, but Ambassador Zagorin's concern in the statement just cited clearly suggests that the Assembly had the constitutional right to make such recommendations. At a more general theoretical level, it also seems to confirm Professor Claude's point that states "have respect for the significance, if not the validity, of adverse judgments by international organs."⁴¹ It seems that provision of the political basis for passing such adverse judgments in the event their interests were not met prompted the initiatives of the less developed countries.

The developed countries' voting behavior on both drafts further confirms our view that the procedural debates masked more substantive concerns. They abstained on the Jamaican draft while Belgium, France, Italy, Ireland, the United Kingdom and the United States actually cast

⁴¹Inis L. Claude, Jr.; The Changing United Nations, p. 92.

negative votes on the draft submitted by the Philippines. Because the Jamaican draft did not call for the establishment of a new international fund but merely sought to utilize existing international financial institutions, the developed countries had no compelling need to vote against it. Abstention therefore was seen as politically acceptable. If concern about procedural propriety were the sole consideration for objecting to both drafts, as was alleged by most of the opponents in the oral debates, one would have expected their voting behavior to have been the same on both drafts. However, since the draft by the Philippines called for the establishment of a new international fund for human settlements, a demand to which the major donor countries were particularly opposed, a negative vote was necessary to communicate their unequivocal opposition to the draft's supporters.

The less developed countries' unwillingness to give in to the opposition of the developed countries and their subsequent exploitation of their voting power similarly suggest that the procedural debates did not hinge merely on the Assembly's authority or lack of authority to make policy recommendations to other governing bodies. Rather, their

⁴²A/8901, p. 18, para. 39.

objective was how to make international environmental programs supportive of their development interests as opposed to defensive environmental strategies. In this sense, both drafts are indicative of an effort to impose development-oriented environmental programs on international organizations with interests in environmental quality matters.

The specific economic and financial controversies that emerged during the final negotiations strongly suggest that developmental needs and strategies continued to structure the initiatives of the less developed countries on the Development and Environment issue area. Interaction processes both within the group of less developed countries and with the developed ones, however, affected attitudes and expectations toward the resolution of some of the economic and financial issues. On some issues, particularly Additionality as applied to international organizations, and the disbursement of the Environment Fund, interaction processes produced compromises which fell short of the objectives they were intended to promote. Thus, while political processes cannot be sensibly appraised or evaluated in isolation from the issues with which they deal, as was suggested in Chapter I, it should be pointed out that they had an important effect on the outcome of some of the issues

themselves during the final negotiations. This is largely attributable to the considerable importance most delegations attached to the defense of the Stockholm compromises. Attention must now be focused on the Declaration of the human environment. The only outstanding issue here was the disputed Principle 20 (environmental cooperation and information exchange) which had defied resolution at Stockholm because of Argentinian and Brazilian disagreements over it. National and regional interests are expected to be the major factor in the disposition of this controversy. Considerations of group unity are, however, expected to exert some influence on the process of searching for a compromise. We also expect the interests of other developed countries, particularly Canada, to make the conflicts more varied. These "external pressures" are expected to have an impact on the speed with which Brazil and Argentina resolve their disagreements.

B. Declaration on the Human
Environment

Environmental Cooperation and
information exchange (Principle 20)

The disputed principle dealt with the problem of

⁴³For a fuller discussion of the interrelations between political processes and issues, see Lawrence S. Finkelstein; "International Organizations and Change: The Past as Prologue," International Studies Quarterly, vol. 18, No. 4 (December 1974) pp. 491-492.

how to balance the principle of national sovereignty over exploitation of natural resources with responsibility not to damage the environment of others or of areas beyond the limits of national jurisdiction. The principle read as follows:

Relevant information must be supplied by States on activities or developments within their jurisdiction or under their control whenever they believe, or have reason to believe, that such information is needed to avoid the risk of significant adverse effects on the environment in areas beyond their national jurisdiction.⁴⁴

The language of the principle had been adopted verbatim from a revised working paper submitted to the pre-Conference Working Group on the Declaration by Brazil, Costa Rica, Egypt, Yugoslavia, and Zambia.⁴⁵ It represented a compromise between proponents of a weak and a strong principle on this subject. Canada, for example, had recommended a language the thrust of which implied a more severe restriction on sovereignty over resource exploitation:

States should give notice to other states (or appropriate international agency, if any) and, where requested, should undertake international consultations before proceeding with activities which may

⁴⁴UN Document A/Conf.48/4, 11 April 1972, Principle 20, p. 4.

⁴⁵UN Document A/Conf.48/PC/WG.1 (II)/CRP.3/Rev. 4, 19 January 1972.

cause damage to the environment of another State or to the areas beyond the limits of national jurisdiction, such notice shall include sufficient facts as will permit the recipient State to assess the probable effect of the proposed activities.⁴⁶

The less restrictive Brazilian and others' formulation which was adopted by the Working Group, however, suffered from deliberate vagueness and lacked balance. It seems obvious that since the state whose activities are likely to damage the environment of other states is to determine if such damage is likely as well as decide what information is 'relevant' to supply, the compromise principle essentially favors the state doing the damage. This ambiguity and imbalance may have helped those in favor of a weak principle, particularly Brazil, to achieve their political objectives. The weak restriction on sovereignty may have been sufficient to persuade many delegations to reject the Canadian language. At Stockholm, as we saw in Chapter IV, Brazil, which was concerned to retain its freedom to construct its dams on shared waterways with Argentina, however, attempted to further restrict the scope of the principle. Argentina countered that proposal by proposing amendments intended to make the provision of information less dependent upon the

⁴⁶UN Document A/Conf.48/PC/WG.1 (II)/CRP.4, 5 January 1972, Principle 5, p. 2.

determination of the state providing it. These more parochially-based conflicts subsequently led to a Brazilian recommendation to delete the entire principle from the Declaration. The confusion that was created by these amendments helped to generate a favorable reception for the Brazilian suggestion that the matter be referred to the General Assembly for final resolution.

During the intervening period, Argentina and Brazil worked for a compromise that would more accurately recognize the competing claims of state cooperation and sovereignty over resource exploitation. The result of their informal consultations was embodied in a draft resolution co-sponsored by fifty-nine other delegations, most of whom were from the less developed countries.⁴⁷ The sponsorship itself confirms our earlier suggestion that group interests exerted some influence on the disposition of the Argentinian and Brazilian disagreements. During interviews, many group members alluded to the desire of the group to avoid lingering disagreements which might force members to take sides against one or the other. To the extent that this is true, it implies that parochial or regional interests, even when they defy appeals to group unity, are not free of such pressures-- in their

⁴⁷A/C.2/L.1227 in A/8901, p. 4.

open and subtle varieties-- in group politics in UN political processes. Additionally, it points to the importance of group interests as a factor in deciding on the "merits" of issues in UN political processes.

The fifty-nine-power draft resolution asked states, in their development activities, not to produce "significant harmful effects" on areas beyond the limits of national jurisdiction.⁴⁸ They were to cooperate in environmental matters by providing "technical data relating to the work to be carried out...within their national jurisdiction with a view to avoiding significant harm that may occur in the human environment of adjacent areas."⁴⁹ To protect the principle of sovereignty over natural resource exploitation, operative paragraph 3 appealed to states to recognize that technical data "will be given and received in the best spirit of cooperation and good neighbourliness, without this being construed as enabling each state to delay or impede" the development objectives of the state providing such information.⁵⁰

During the debates, Brazil over-extended the scope of

⁴⁸A/C.2/L.1227 in A/8901, p. 4, operative para. 1.

⁴⁹Ibid., operative para. 2.

⁵⁰Ibid., operative para. 3.

the new resolution by implying that it was fully in line with the operational intent of the Canadian principles on state responsibility and liability with respect to damage caused to the environment of other states or to areas beyond the limits of national jurisdiction (Principles 21 and 22 of the Declaration.)⁵¹ Canada objected to that interpretation and maintained that much more than mere exchange of information was required to give operational effect to Principles 21 and 22. As its delegate, Mr. Hardy, pointed out: "...those two principles involved not only the right to exploit resources but also the responsibility not to damage others in the course of exploitation activities and to develop new laws and procedures enabling the disputes to be settled if damage did occur. Clearly, to achieve those objectives, something more than the publication of information was required."⁵² This interpretation of Principles 21 and 22 was backed by the United States, Australia, Mexico, New Zealand, and Panama. The United States, however, endorsed the fifty-nine-power draft on the basis that the Declaration and each principle in it should stand alone as indicating norms of conduct, despite the adoption of any subsequent

⁵¹Mr. Frazao (Brazil), A/C.2/SR.1466, 23 October 1972, p. 15.

⁵²Mr. Hardy (Canada), A/C.2/SR.1469, 27 October 1972, p. 14.

interpretive documents. Canada was not completely reassured and, therefore, proposed an amendment to the Brazilian and Argentinian draft.⁵³

The intent of the Canadian amendment, which was subsequently co-sponsored by New Zealand, was to view information exchange as merely facilitating, rather than effectively achieving, as stated in the fifty-nine-power draft, the implementation of Principles 21 and 22. The amendment further called on states to cooperate by implementing those principles rather than cooperate for their implementation as contained in the new draft resolution.⁵⁴

Because of Canada's strong concerns and the unwillingness of the draft's supporters to prolong the debates, a scenario of offering recorded interpretations was adopted. Brazil, Argentina and the United States indicated that the scope of Principles 21 and 22 was not intended to be diminished by the new draft resolution.⁵⁵ Canada also observed that the new draft focused exclusively on the disagreements over original Principle 20 and could in no way affect Principles 21 and 22

⁵³A/C.2/L.1233, 23 October 1972, in A/8901, p. 4, para. 12.

⁵⁴Ibid.

⁵⁵A/C.2/SR.1479, 7 November 1972, p. 5.

of the Stockholm Declaration.⁵⁶ These interpretations made it possible for Canada to withdraw its own draft amendment. The new draft resolution was subsequently adopted by 114 votes to none, with 10 abstentions.⁵⁷

The desire to protect parochial interests was so strong that shortly after the adoption of the new resolution, Mexico, on behalf of Canada, Australia, New Zealand, and Panama, introduced a new draft resolution entitled "International Responsibility of States."⁵⁸ The new draft was intended to give legal status to the interpretations offered by supporters of the fifty-nine-power draft. It asked the General Assembly to declare that no resolution adopted at its Twenty-Seventh session could affect the status of Principles 21 and 22 of the Stockholm Declaration.⁵⁹ The Mexican draft was passed by 111 votes to none with 11 abstentions.⁶⁰

The negotiation processes and outcomes just described indicate that the role of the less developed countries in

⁵⁶Op. cit., p. 5.

⁵⁷Ibid., p. 7.

⁵⁸A/C.2/L.1240 in A/8901, p. 5.

⁵⁹Ibid.

⁶⁰Ibid., p. 5, para. 18.

the resolution of Principle 20 was dictated primarily by the national interests of a few members. Group considerations were important, as was pointed out earlier, because many of the members did not wish to be engulfed by the disagreements. This acted as an external pressure, forcing Argentina and Brazil to find a compromise that would not involve group members' having to choose sides in the disagreements. Such a compromise having been found, the Canadian attempt to propose amendments was not viewed with favor by supporters of the draft. The compromise was further strengthened, politically, when the United States endorsed it. Canada, consequently, was unable to mobilize sufficient opposition against the draft. The desire to terminate the disagreements made prolonged debates unacceptable to many delegations, particularly those from the less developed countries.

Subsequent interpretive differences, however, widened the scope of the original disagreements. Those delegations that were particularly vulnerable, environmentally, and who did not participate in the accord worked out between Argentina and Brazil could not accept the broadening of that accord to include Principles 21 and 22 dealing with state responsibility and liability with respect to environmental damage. Canada, Mexico, and Panama were particularly concerned about any attempt to weaken those principles

because of their proximity to the United States, the world's greatest industrial country and, potentially, its greatest polluter, too. Australia and New Zealand were anxious to protect their environment from the effects of French nuclear testing in the Pacific.

Two conclusions emerge from the debates. Firstly, the less developed countries' attitudes and initiatives appear to have been shaped primarily by considerations of parochial or national interests. From the perspective of those most actively involved in the disagreements, group attitudes, while important, were clearly secondary. That is, intensely-felt national interests largely structured the interaction process. Argentina and Brazil merely took advantage of the group's desire to have the matter quickly resolved. That desire, as was indicated earlier, acted as a constraining factor on the disputants, but most of the members of the group made no substantive contributions to the resolution of the dispute. They merely legitimized Argentinian and Brazilian accord. Secondly, the dispute transcends the North-South divide that was so characteristic of most of the economic and financial questions. Canada, Australia, New Zealand, Mexico, and Panama had a similar attitude toward the interpretations offered by Brazil on Principles 21 and 22. Here, common national interests, rather than any abstract concern for the evolution of inter-

national environmental law, provided the political cement that united them. It is evident from the foregoing that the less developed countries did not behave as a monolithic bloc on all issues. Further differences, but in this instance at regional levels, are expected to be found on the negotiations on the issue area of Institutional and Financial Arrangements.

C. Institutional and Financial Arrangements

This issue area had been controversial throughout the negotiations. It had been understandably so because of the desire of delegations to structure the institutions in ways supportive of their political and economic interests in the environmental negotiations. From the perspective of the less developed countries, the Stockholm compromises included two of their three key objectives. A fifty-four-member Governing Council elected by the General Assembly and reporting to it through the ECOSOC was adopted. This assured them maximum political control over the Governing Council. The expenses of the core secretariat officials of the UNEP were charged to the regular UN budget of assessed national contributions. This formula, theoretically, ensured that there would be joint financial control over the core secretariat officials. This protected them against the

effects of any undue financial pressures on the secretariat from the major donors to the Environment Fund which had been recommended as an alternative source of funding. The less developed countries were, however, unsuccessful in turning the Fund into a development and environment fund.⁶¹ But as was evident in the first section of this chapter, they exploited their voting majority by using the General Assembly to make some policy recommendations to the Governing Council of the UNEP. These dealt with housing and human settlements, both of which are generally regarded as development objectives.

The only outstanding issue was a decision on site for the UNEP secretariat. Largely because of the substantial concessions granted by the developed countries at Stockholm on the institutional and financial arrangements and the preference of most delegations for a site in either Geneva or New York, a smooth approval of the Stockholm compromises was expected by most delegations. This turned out to be illusory. Asian delegations rejected the fifty-four-member Governing Council on the grounds that the distribution of seats was inequitable with regards to Asia. Instead, they proposed a fifty-eight-member Council, with the extra four

⁶¹UN Document A/Conf.48/14/Rev. 1, pp. 29-31.

seats being divided equally between Africa and Asia. Kenya also rejected the widespread expectation that the secretariat will be sited in either Geneva or New York. Instead, it recommended a site in a less developed country. Because of the substantial concessions given by the developed countries (they originally proposed a twenty-seven-member Council), we expect the new Asian move to be strongly opposed by them. The attempt to reject the Stockholm consensus is also expected to create some intra-group differences among the less developed countries. The re-adjustment of the regional representation formula is expected to complicate Latin American delegations' negotiation attitudes on this subject. Having been the most instrumental among the less developed countries in working out the Stockholm compromises on this matter, the defense of the compromise was a requirement if they were to avoid charges of negotiating in bad faith. The principle of group solidarity also might make demands on Latin America's negotiation attitude on this new demand. Finally, since the attempt to change the regional distribution formula works against the regional interest of the Latin American delegations, a certain uneasiness should be expected.

The complex negotiation situation facing Latin America is expected to lead them to evince a certain negotiation behavior which attempts to balance concerns about group

solidarity with regional interests as well as with keeping good faith in negotiations. Thus, the Asian initiative not only illustrates the importance of regional interest considerations in the diplomacy of the less developed countries, but it also provides an opportunity for determining the relative importance of the principle of group solidarity in the negotiation behavior of this group.

The Kenyan initiative on the question of site for the UNEP secretariat provides the best test case of the politics of prominence in the diplomacy of the less developed countries. The politics of prominence, as was suggested in Chapter I, constitutes the second dimension of the scope of the North-South set of international relations. For sure, day to day foreign policy decision-making in the South is primarily concerned with problems of poverty and underdevelopment.⁶² Bread and butter considerations are perceived as the primary threats to the independence and survival of the South

⁶² For general discussions of the problems of underdevelopment and development, see Henry Bernstein (ed.); Underdevelopment and Development: The Third World Today; (Harmondsworth: Penguin Books, 1973); Peter Donaldson; Worlds Apart: The Economic Gulf between Nations; (Harmondsworth: Penguin Books, 1973); Robin Jenkins; Exploitation: The World Power Structure and the Inequality of Nations; (Harmondsworth: Penguin Books, 1972); Immanuel Wallerstein; "Dependence in an interdependent World: The Limited Possibilities of Transformation within the Capitalist world Economy," African Studies Review, vol. 17, No. 1 (April 1974), pp. 1-26.

as a political community. As President Nyerere of Tanzania told the preparatory meeting of the non-aligned states in Dar-es-Salaam in April 1970:

The real urgent threat to independence of almost all the non-aligned States...comes not from the military, but from the economic power of the big States. It is poverty which constitutes our greatest danger, and to a greater or lesser extent, we are all poor.⁶³

But in spite of the fact that socio-economic development considerations demand first priority, the states of the South "have assumed the broader task of seeking to exercise power and influence as active participants in the international system."⁶⁴

The behavior of the less developed countries on the Kenyan initiative is expected to confirm the assumption that political prominence of the South constitutes an important motivational force in the diplomacy of the group. Group

⁶³Quoted in John J. Okumu; "Some Thoughts on Kenya's Foreign Policy," The African Review, vol. 3, No. 2 (June 1973), p. 290.

⁶⁴Abdul A. Said; "The Impact of the Emergence of the Non-West upon Theories of International Relations," in Said (ed.); Theory of International Relations: Crisis of Relevance; (Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1968), p. 103. Professor Said limited his reference to Africa and Asia, but the statement is equally applicable to Latin America for the latter has re-asserted its independence only after the grant of independence to most of Africa and Asia in the 1960s.

oriented motivation should structure the debates and determine the interaction processes and outcomes. This political approach to the subject of deciding sites for UN secretariats is expected to be opposed by the developed countries for two reasons. Firstly, the precedent being set might be applied to other future secretariats to the disregard of their views and interests. Secondly, considerations of effectiveness, efficiency and cost minimization are expected to make a site in a less developed country unattractive to the developed countries.

1. Size of the Governing Council

The immediate issue that triggered off the Asian demand for further enlargement of the size of the Council was a Swedish draft resolution on "Institutional and Financial Arrangements for international environmental cooperation." Except for three modifications, the draft reproduced the Stockholm compromises on this issue area.⁶⁵ One of the

⁶⁵A/8901, 29 November 1972, pp. 5-10. The two non-controversial modifications were:

(i) Operative para. 2, under Section 2 of the Swedish draft was added the phrase "for a term of four years" to operative para. 5 of the Stockholm resolution on Institutional and Financial Arrangements regarding the term of office of the Executive Director of UNEP secretariat. Many delegations, however, did not interpret this modification as precluding a second term of office.

(ii) The second modification was a logical one. Operative para. 9 of Section III ("Environment Fund") of the

modifications, which apparently fell short of Asian expectations, would have the General Assembly base its distribution of the seats on the fifty-four-member Council of the UNEP in accordance with the principle of equitable geographical distribution as contained in Assembly resolution 2847 (XXVI). This resolution which enlarged the ECOSOC and its sessional committees from twenty-seven to fifty-four members allotted seats to the regional groups as follows: fourteen for African states, eleven for Asian states, ten for Latin American states, thirteen for Western European and other states, and six for Eastern European states.

The Swedish draft, co-sponsored by eighteen other delegations, mostly from the less developed countries but including Canada, New Zealand and the United States, had been tabled only after thorough informal consultations. Expressing as it did the Stockholm compromises and because of the intensive informal negotiations undertaken by Sweden in its preparation, the draft appeared acceptable to most delegations and a smooth adoption was expected. However, the

Stockholm resolution became operative para. 3 of Section II "Environment Secretariat" of the Swedish draft. Since the paragraph in question related to the costs of servicing the Governing Council and the Environment Secretariat, which were to be borne by the regular UN budget of assessed contributions, and not by the Fund, the change was procedurally necessary.

eleven seats it allotted to Asian states were rejected by them.

Although the precise formula for allotting seats did not become a serious negotiation issue at Stockholm, the matter had been raised by West Germany. Anxious to gain a seat on the Council and not suspecting that a political formula could be found by which two seats would be reserved for both East and West Germany to be filled on their admission into the UN, West Germany had proposed two formulas at Stockholm. One recommended the adoption of the Vienna formula by which, presumably, any member of the UN or one of its agencies or of the International Atomic Energy Agency (IAEA) would qualify to be considered for a seat on the Council (West Germany was then a member of a number of specialized agencies). The other formula recommended that preference be given to countries making substantial contributions to the Voluntary Environment Fund. Because of the difficulties that had characterized the negotiations in this issue area and the controversiality of the proposed formulas, the United States successfully persuaded West Germany to drop the idea of recommending the Vienna formula. In the Committee discussion of the matter, however, West Germany insisted on a language favoring important contributors to

the Fund but was defeated on it. Those proposals, having been defeated, all delegations had agreed to the formula of equitable geographical distribution, and no reference was made in the Stockholm resolutions to this formula was to be worked out. Thus, the Swedish recommendation on this issue represented an effort to apply an old formula.

The Asian delegations rejected the old formula as inequitable. Thailand introduced a twenty-seven-word amendment on behalf of the Asian group calling for a fifty-eight-member Council, with Africa and Asia receiving the extra four seats equally.⁶⁷ It also asked for a postponement of the vote on the Swedish draft and on the amendment to permit further informal negotiations among delegations.

The Asian move surprised almost all delegations, including those from Africa, who later came to support the amendment. For those African delegations who supported the Swedish draft, the Thai amendment posed a political

⁶⁶ Report of the United States Delegation to the Conference on the Human Environment, Stockholm, June 15-16, 1972. Document UNEP D - 341/72, p. 4.

⁶⁷ A/8901, p. 11, para. 2.

embarrassing situation. On the one hand, supporting it would make their sponsorship of the whole Swedish draft untenable and expose them to charges of negotiating in bad faith. On the other hand, they had a political interest in the amendment, coming as it did from an important sub-group of their larger group. At issue here was the principle of group solidarity. Additionally, since they stood to benefit from the requested increase, they could not readily reject the amendment.

The Latin American group faced even greater political embarrassment because most of them had been much more instrumental than the African group in the broad consensus that had emerged on the institutional question. Sudden shifts in position would expose them to stronger charges of negotiating in bad faith. Furthermore, since the draft amendment did not envisage any increase in their own regional representation it, in effect, reduced the size of their own regional representation vis-à-vis Africa and Asia. In the context of UN politics, such regional imbalances could have important bargaining consequences, particularly in the event of intra-bloc rivalry. For these reasons, therefore, Latin America had no strong incentives to support the Asian amendment. The point was made in private, however, that Latin American delegations were acutely aware of the effects

on the group as a whole of any vocal public opposition on their part to the Asian amendment. To the extent that group interests constrained Latin American delegations on this matter, it further corroborates the point made earlier that issues before the UN are not decided on their "merits" alone.

For the Western developed countries, the Asian amendment was most objectionable. Having reluctantly acquiesced at Stockholm in an increase from a forty-eight to fifty-four member Council, they saw no justification for further increase. The Eastern European countries also had no strong incentive to encourage the Asian amendment. As the Polish delegate, Mr. Czarkowski, pointed out, any increase would have the effect "of reducing the proportion and participation of the Socialist countries of Eastern Europe."⁶⁸

Thus, the Asian amendment posed unique political problems for all delegations and regional groups. However, since the amendment was intended to accommodate a section of the less developed countries and thereby augment the group's voting power on the Council, the negotiations on this issue should be regarded as falling within the scope of the object-

⁶⁸Mr. Czarkowski (Poland), A/C.2/SR.1479, 7 November 1972, p. 15.

ives of the group. For this reason, strong public opposition is expected primarily from only the developed countries.

Once the developed countries had decided to oppose the amendment, they wasted no time in unfolding their strategy. The Thai request for a postponement of the vote on its own amendment and on the Swedish draft was opposed by most of the developed countries. The procedural strategy adopted was well-conceived for the Thai amendment clearly did not enjoy as yet the support of most delegations. The tactic was to kill the initiative before it gained support. Three logical reasons were advanced by the United Kingdom to declare the request unnecessary. Firstly, it pointed out that the Asian delegations had supported the enlargement of the Council from forty-eight to fifty-four at Stockholm. The United Kingdom implied, therefore, that the Asian group should have opposed the enlargement at the time if they found it inadequate. Since they did not do so, good faith required them to stick to a measure for which they had voted previously. The second logical argument raised by the United Kingdom against the postponement of the vote was based upon the Asian group's failure to challenge the Swedish formula during the informal consultations conducted by Sweden. Britain inferred from that failure an indication of support for, or at least an absence of opposition to, that formula. Finally, it

argued that the Swedish draft had been circulated for more than two weeks and, therefore, all delegations should have made up their minds as to how they intended to vote. For this reason, Britain saw no justification for the request to postpone the vote.⁶⁹

Thailand countered Britain's logical arguments with political ones. It noted that while the defense of the Stockholm consensus was important, the General Assembly's right to take the final decisions should not be denied. Delegations wishing to change their minds on Conference recommendations could only do so through the authority of the General Assembly. The arguments may be different but the political use of the General Assembly here is similar to that noted earlier in the debates on the drafts on housing and human settlements initiated by Jamaica and the Philippines. There, the authority of the Assembly was cited by the less developed countries, particularly Brazil and Chile, in support of their policy recommendations to the UNEP Governing Council and the World Bank. Thailand's argument further extends the political role of the General Assembly in conference diplomacy. The Assembly, for these delegations, represents the final political body through which those

⁶⁹Mr. McCarthy (United Kingdom), A/C.2/SR.1479, p. 10.

dissatisfied with particular conference recommendations can seek redress. Stretched to its logical conclusion, Thailand's argument implies that no conference recommendation is final until it has passed through the Assembly's political mill. Before that, changes in position should be expected. This may be procedurally correct but it tends to loosen all the restraints imposed by compromises reached during the conference. If over-done, action by the Assembly on conference recommendations can never be expected to be smooth. In that case, the whole purpose of pre-conference and conference negotiations becomes difficult to justify. It was this concern which led Ambassador Zagorin of the United States to ask the Asian group "if it was really any use to work out agreements if the results achieved one day could be questioned the next."⁷⁰ The Thai argument is probably particularly useful to the less developed countries which have the vote if they agree to use it. Such "rampant⁷¹ majoritarianism" only weakens the legitimacy of UN resolutions since the minority in all probability will ignore the

⁷⁰Mr. Zagorin (United States); A/C.2/SR.1479, p. 12. Kissinger regards the avoidance of tentative negotiation positions as one of the most important bargaining maxims. See his The Necessity for Choice, p. 212.

⁷¹The phrase is Professor Keohane's. He uses it in connection with the tendency of procedural restraints being loosened on colonial and neocolonial issues in the General Assembly because of the intensity of feeling on these issues. See Keohane, op. cit., p. 236.

decision if they can do so.

Thailand's political response skirted around the logical questions raised by Britain, particularly why the Asian group had taken so long to indicate their opposition to the Swedish formula. That failure prolonged the debates because Britain and others insisted that Thailand had not justified the need for postponing the vote. The Asian group got an important but certainly unintentional political help from the Canadian Chairman of the Second Committee, Mr. Rankin. Eager to avoid acrimonious debate, although regretting the delay in the vote, the Chairman appealed to members not to rush into a decision and urged delegations concerned to hold the necessary negotiations as quickly as possible.⁷³ His refusal to rule the Thai request for postponement of the vote out of order was an important procedural victory for the Asian group, a point again illustrative of how conference officers can affect negotiation outcomes through their interpretation of the rules of procedure. Most

⁷²For a discussion of the problems posed for the legitimacy of General Assembly resolutions of "rampant majoritarianism," see Ruth B. Russell; The General Assembly: Patterns/Problems/Prospects (New York: Carnegie Endowment for International Peace, 1970), pp. 54-57.

⁷³The Chairman, A/C.2/SR.1479, 7 November 1972, p. 9.

delegations conceded privately that if the vote had been taken as Britain suggested, the outcome of the Thai amendment could have been different.

In response to the Chairman's appeal, and definitely in the interest of the less developed countries as a whole, Tunisia successfully proposed the suspension of the meeting to permit further consultations.⁷⁴ Informal consultations among the less developed countries were confined to Africa and Asia. Privately, the Latin American group had indicated that they could not support the Thai amendment. After informal consultations between the two groups, followed by an informal group meeting, the African group decided to support the Asian amendment. Many delegations pointed out privately that no pressure was brought to bear on the Latin American group to support the African and Asian accord. The Afro-Asian group merely accepted the position of the Latin American group on the amendment. The fact that those African delegations also co-sponsoring the Swedish draft were supporting conflicting proposals did not seem to have exercised any strong restraints on them. In this instance, regional interests superseded good faith and consistency in negotiations. The Western developed countries had privately

⁷⁴Mr. Driss (Tunisia); A/C.2/SR.1479, p. 10. Tunisia's procedural intervention was carried by 87 votes to 6, with 31 abstentions.

anticipated the possibility of an eventual African support for the Asian amendment. In their own informal consultations they attempted to prevent this from happening by agreeing to transfer one of their seats to the Asian group so that the Council's membership could be kept at fifty-four. The Asian group, however, rejected this compromise. Having won the support of the African group, the Thai delegation withdrew its proposal to postpone the vote on the Swedish draft and on its own amendment.

The procedural manipulation was reversed with Britain and other Western countries now assuming the role of wanting to delay the vote. Britain wondered whether the Chairman would proceed to call a vote without giving the Committee a chance to discuss the amendment fully. This corroborates a remark which Professor Keohane attributes to "a highly experienced permanent representative:" "It is a general principle that whoever can take advantage of the rules of procedure will do so."⁷⁵ Britain, however, received a procedural set-back again when the Chairman insisted on having the vote taken, promising instead to give delegations an opportunity to explain their vote. The Chairman had not become an unconscious supporter of the Asian amendment. Rather, as many delegations pointed out privately, he wanted

⁷⁵Quoted in Keohane, op. cit., p. 233.

no protracted negotiations on the matter. In fact, his own reason for insisting on a vote is logical. He argued that while the formal Thai amendment had had a short period of circulation, its content had been well-known to all delegations during the oral debates to make further postponement of the vote unnecessary.⁷⁶ Feelings were so high that debates continued for a while in spite of the Chairman's desire to terminate them. The United States made a final but unsuccessful appeal to the need and importance of defending the Stockholm consensus.

The Eastern European countries injected legal, political, and technical considerations into the debates. In their view, the Thai amendment should have been withdrawn because it was in conflict with General Assembly resolution 2847 (XXVI) laying down criteria for seat distribution on limited membership bodies. It is interesting to note that it is not Western countries alone that find appeals to legality attractive. At any rate, the Asian group did not interpret the formula adopted under that resolution as applicable to all limited membership bodies. The second argument advanced by Eastern Europe against the Thai amendment was based on their concern that any further increase

⁷⁶The Chairman, A/C.2/SR.1479, p. 11.

would reduce their representation and participation in the environmental program. Finally, they indicated that efficiency and effectiveness would be affected by further enlargement of the Council.

If the developed countries won the arguments, they lacked the votes with which to back them. It was clear to all that the Thai amendment would pass if the vote were taken, the only element of suspense being provided by the uncertainty as to how the Latin American group would vote. During the informal consultations, as we saw earlier, that group had indicated that they could not support the Asian amendment although for reasons of group unity, they had not taken an active role in persuading the Asian group to withdraw the amendment. In fact, the point was made explicitly in private that the Latin American group had hoped that some kind of compromise could be found to meet the Asian demand so that the amendment would not be necessary to vote upon. This having failed, their general attitude had been largely one of not supporting the amendment but doing nothing to obstruct its passage. This illustrates the difficulties which delegations sometimes have in taking a stand on the merit of issues before the General Assembly.

Having decided to press its amendment to a vote, Thailand successfully moved to terminate the debates and

called for a roll-call vote on its amendment. The Asian amendment was adopted by 72 votes in favor to 36 against, with 21 abstentions. Half of the Latin American group voted against the amendment while the other half abstained. Only Australia, Japan, Israel and Yugoslavia from the developed countries voted in favor of the resolution. Iran, Malta, and Nigeria were the lone abstainers from the African and Asian groups.⁷⁷

Although no evidence was found to suggest that the Latin American group deliberately split their vote, the voting behavior is interesting particularly when seen against the factors of group solidarity, regional interest and defense of the Stockholm compromises that needed to be balanced. It seems that by so splitting their vote, they served the interest of demonstrating the importance of all three factors to them. On the one hand, by splitting their vote, they served the principle of group solidarity by keeping the margin of victory sufficiently large. On the other hand, the negative vote served notice to Africa and Asia that the Latin American group did not think that either their regional interest or the importance of keeping good faith and consistency in negotiations was served by the Thai amendment.

Private views, as well as those publicly expressed by Chile before the vote was taken, confirm the inferences just

⁷⁷For the vote tally, see A/C.2/SR.1479, p. 17.

made from the voting behavior of the Latin American group. Two arguments were adduced to support the group's position. Firstly, the move was regarded as being inconsistent with the earlier Stockholm consensus. In other words, the group's position illustrates the importance of consistency in negotiations. Because all delegations had voted for a fifty-four-member Council at Stockholm, as well as supported the Swedish draft during informal consultations on it, the Latin American group felt that good faith should have been kept by not amending the draft at that late stage. That a completed agreement should not be broken, as previously pointed out, is normally regarded as one of the rules of accommodation in negotiations. However, the fact that the African and Asian groups were willing to break the earlier compromise raises an important question: Under what conditions do good faith and consistency in negotiations lose their restraints on delegations? It is evident that what united the African and Asian groups was the perception of a political advantage. It can be concluded, therefore, that in the face of a perceived political advantage, good faith and consistency tend to lose some of their restraining force. In this sense, it might well be that the Latin American group was able to pay deference to good faith and consistency in negotiations partly because they did not see the Asian

amendment as also serving their regional interests.

The last point leads on to the second reason advanced by the Latin American group for not supporting the Asian amendment, namely, the increase would proportionately reduce their representation and participation in the Council's decision-making. In this sense, the Latin American countries were arguing the same principle which had led to the introduction of the amendment in the first place-- the principle of equitable geographical representation. In view of this concern, it might be stated that their common objectives notwithstanding, the less developed countries also value, within their larger group, the principle of balanced regional representation on policy-making UN bodies.

These Latin American concerns should have made them take an unambiguous stand on the Thai amendment. In refusing to support the amendment, they did not put public pressure on the Asian and African groups to withdraw the draft. It is reasonable to infer that group solidarity principles were operative in this behavior. Realizing the complexities inherent in the issue, the Latin American group took a stand and refused to antagonize their group partners by remaining largely passive during the debates and informal negotiations on the amendment. The Latin American behavior may illustrate the politics of combining conflicting interests in negotia-

tions, but it shows that, in addition to group interests, other interests, in this instance consistency and good faith in negotiations and regional interests, are clearly valued within the less developed group. Group solidarity in this issue was not regarded by either Africa or Asia or Latin America as an overriding principle in the same sense as was the Kenyan initiative (to be discussed presently.) Therefore, the opposition of the developed countries to highly valued interests of segments of the less developed countries need not always result in "rampant majoritarianism." The developed countries did not win, but at least other valued considerations prevented the Latin American delegations from adding their vote to Africa's and Asia's. Similarly, Africa and Asia did not use group solidarity principles to pressure the Latin American group to support the Thai amendment.

The behavior of the developed countries was consistent with their position on the size of the Council, namely, to keep it as small as possible. Although they advanced logical and persuasive arguments against the Thai draft, they were clearly fighting an uphill battle. Ultimately, their lack of the vote was their major weakness. But the negotiation strategy adopted by the Asian group further weakened the bargaining position of the developed countries. Electing to

surprise all delegations and privately expecting that the solidarity of the less developed group would prevail, the Asian group had kept its intentions most secret. As a frustrated British delegate observed:

At no time had the Chairman of the Asian or African group sought to make contact with their European counterpart, which indicated that they had not intended to change the positions by means of negotiations or consultations.⁷⁸

Actually, what the Asian group sought to do was to negotiate only after a reasonable chance of passage of their amendment had been secured. Knowing the developed countries' position on the issue, the Asian strategy was to canvass support among the African and Latin American delegations before beginning formal negotiations with the developed countries. This point was made even more explicitly in private. Thus, while the timing of the amendment was poor in the sense that it was tabled long after most delegations had informally agreed to the Swedish draft, from the point of view of its effects on the bargaining maneuverability of the developed countries, it was an effective strategy. It denied them the chance to dissuade the African delegations from supporting the Thai amendment. A repertoire of parliamentary skills with which to reduce the huge negotia-

⁷⁸Mr. McCarthy (United Kingdom); A/C.2/SR.1479, p. 12.

tion advantages which most of the developed countries enjoy because of their greater economic, financial and technological resources, are available to the less developed countries.

Secrecy as a negotiation tactic, particularly in UN diplomacy, is a double-edged weapon. According to Iklé, it is useful if the intention is to confront other partners "with a finished agreement which it will be difficult to oppose."⁷⁹ However, if group cohesion is to be maintained, "partners who negotiate secretly must be careful not to give the impression of 'ganging up' on the others."⁸⁰ Consequently, secrecy as a negotiation tactic in UN diplomacy, as in negotiations in general, "is a matter of degree."⁸¹ Clearly, if the African delegation had not perceived an expected gain from supporting the Asian amendment, the whole Asian tactic would have backfired. As was seen earlier, although the Latin American delegations did not get the impression of being "ganged up on" they certainly felt a certain betrayal of trust that the Stockholm compromises

⁷⁹Iklé, p. 135.

⁸⁰Ibid., pp. 135-136.

⁸¹Ibid., p. 135. For a further discussion of the role of secrecy in negotiations, see Schelling, op. cit., pp. 29-30.

they had helped to work out had not been respected.

The secret strategy worked for an additional reason. The developed countries were unwilling to resort to threats, as some pointed out privately, for fear of destroying the Stockholm achievements. For this reason, their only bargaining weapon was the use of reasoned arguments. However, with the coup de grâce already executed by the Asian group through the alliance they struck with the African group, appeals to such principles as consistency and good faith in negotiations, protection of the Stockholm consensus, inter-group consultation, and efficiency in Council policy-making failed to make the desired impact. Little wonder, then, that the Western countries' decision to offer one of their own seats to Asia was rejected!

Although the Asian group won their amendment, it clearly did not enjoy a broad support. They failed to induce the opponents to support their amendment. It appears that the African and Asian commitment to further enlargement of the Council precluded a negotiated settlement. Nonetheless, the Western countries' decision to offer one of their seats to the Asian group confirms our claim that negotiated solutions appeared to have been preferred to settlement by the vote on several issues in the environmental negotiations. Of course, it is recognized that a negotiated settlement

served the Western countries' interest of not enlarging the Council further. However, it should be noted that the transfer would have represented two losses to the West. One entailed a net loss of one vote and the other a net gain of one vote for the less developed countries.

2. Location of the Environment Secretariat

The negotiations on the Kenyan demand that the environment secretariat be located in a less developed country will now be discussed. As was pointed out earlier, this issue is illustrative of the less developed countries' desire to be injected more fully into the international political system. International political prominence, we have suggested, constitutes the other important ideological theme in the foreign policies of leaders of the less developed countries.⁸² This aspect of the North-South set of international relations is often overlooked by students and commentators alike. Foreign policy in the South tends to be analyzed solely on the basis of its success or failure. The ideological underpinnings of foreign policy do not always attract students in foreign policy decision-making in the

⁸²Foreign policy ideology is used broadly here to mean the set of values which inspire the formulation and execution of foreign policy.

less developed countries. Thus, in his otherwise extremely useful contribution to the analysis of Ghana's foreign policy from 1957-66, Professor Thompson appears to criticize Nkrumah for attempting to transcend "the limits of the influence of one man bound to one small state."⁸³ Thompson fails to sympathize with, or analyze the rationale behind, Nkrumah's foreign policy pursuits. While he suggests that many Africans might admire Nkrumah's attempts to project "the African Personality" onto the international plane, Thompson insists that "those who do consider Nkrumah the greatest African of his period are hardly likely to have reached this conclusion from an analysis of his foreign policy."⁸⁴ Thompson is clearly applying the criteria of substantive achievements. That is a legitimate exercise, but the norms and rationale or ideology behind Nkrumah's foreign policy are equally important. The policy of detente between the Soviet Union and the United States, for example, may fail but that is no reason why the rationale behind that policy should not be given as much analytical emphasis as its successes and failures.

Kenya's initiative to have the environment secretariat

⁸³W. Scott Thompson; Ghana's Foreign Policy, 1957-1966 (Princeton: Princeton University Press, 1969), p. 437.

⁸⁴Ibid.

located in a less developed country is part of a continuing effort by the less developed world to use international forums to seek economic and political justice in the international political system. In terms of the scope of this study, the initiative illustrates the desire of the less developed countries to turn the environmental negotiations to their economic and political advantage. This initiative is best described in terms of Iklé's notion of bargaining for side-effects.⁸⁵ The concerns of Kenya went beyond the immediate issue of environmental deterioration and the need for a secretariat to provide leadership and administrative support. The initiative was intended to achieve recognition for the principle that the less developed world is politically equal with the developed one and that, therefore, regional equality as regards distribution of UN bodies should be respected. Because the desire was to reduce the political marginality of the less developed world, we expect Kenya to be able to mobilize group support behind the initiative. As indicated earlier, the developed countries are expected to oppose the political approach to the decision on the site for the secretariat for political, economic, and technical considerations. The linkages between those considerations

⁸⁵Iklé, op. cit., pp. 42-58.

will emerge in the discussion of the negotiations.

The issue of where to site the environment secretariat had defied solution at Stockholm. The detailed resolution on Institutional and Financial Arrangements adopted there made no mention of the issue.⁸⁶ The Third Committee's recommendation to the plenary Conference that the matter should be left for the General Assembly's future consideration was accepted. The Secretary-General was asked to prepare a factual report on all proposals of locations formally offered. Delegations interested in offering their cities were given up to July 16, 1972 to submit their offers to the secretariat.⁸⁷ Geneva, Kampala, London, Madrid, Mexico City, Monaco, Nairobi, Nicosia, New Delhi, New York, Valetta, and Vienna had all been offered as possible sites during the Stockholm negotiations.

While no decision was reached at Stockholm, the point was made privately that many delegations favored either Geneva or New York. Because of past tradition of locating most UN bodies in these cities, they have all the facilities and organizational framework already in existence. Additionally, most governments would not need to build up a

⁸⁶ UN Document A/Conf.48/14/Rev.1, pp. 29-31.

⁸⁷ Ibid., p. 62, para. 292.

new diplomatic mission in order to keep in touch with the activities of UNEP, if either of the two cities were selected. Because of considerations of cost minimization, both for governments and for the UN, and organizational efficiency, most delegations and the conference secretariat seemed more keen on either Geneva or New York than on any other city. Most delegations were, however, in no rush to reach a decision when the Second Committee began its debate on institutional and financial arrangements. In fact, only a few of them mentioned the location question in the initial debates.

The flexibility of delegations on this outstanding issue was reflected in the failure of the Swedish draft on institutional and financial arrangements to cover the location question. That it had not been covered in the draft was not raised by any delegation during informal consultations and open debates. The only controversy the Swedish draft ran into, as we saw earlier, concerned the size of the Governing Council. The secretariat also assumed that "for the first year of operation...the environment secretariat could continue to be accommodated in Geneva,⁸⁸ where the secretariat of the conference is now located."

⁸⁸A/C.2/L.1232, 23 October 1972, p. 3.

This, then, was the political context in which Kenya decided to seize the initiative, on behalf of the less developed countries, to remind the Second Committee that it was about time the General Assembly located a secretariat in a less developed region.

Instead of efficiency and cost criteria, Kenya systematically developed a case for the less developed region's political right to host UN secretariats. For Kenya, the practice of locating all UN bodies in Europe and North America reflects a feeling on the part of the developed countries that the less developed ones occupy an unequal status in the community of sovereign nations. It attacked the failure to locate any UN secretariat in their region as politically unjust. In the interest of political justice, Kenya asked delegations from the developed world which had offered their cities to withdraw them so that the UNEP secretariat could be located in the less developed region. Additionally, it indicated that since the secretariat would deal with problems of creating a decent human environment for the people of the world, it should be located in the most populous region of the world where, most importantly, environmental deterioration was most serious. The morality of the second argument may be sound but it was political considerations-- the desire to change the norms and practices which have relegated them to the periphery of international

politics and diplomacy-- that motivated Kenya's initiative. As Ambassador Odero-Jowi told the Second Committee of the General Assembly:

We of the developing countries see life from a different angle-- a frog's perspective. We see it from below.⁸⁹

Ambassador Odero-Jowi's concerns were unambiguous: the less developed countries must also begin to see life from the 'top.' Once this political principle was digested, Kenya's initiative began to gain support among delegations from the less developed countries, particularly African delegations. However, the issue had not as yet become a matter of political principles. While most of the less developed countries found the principle sound, some still preferred either Geneva or New York primarily for economic reasons. This observation does not invalidate the role of political norms in the diplomacy of the less developed countries. It merely indicates the primacy of economic considerations. To Kenya, however, exclusive concern with economics would be bad foreign policy. Kenya was implying that nations, just as human beings, did not live by bread alone. It implied that rapid socio-economic development should be pursued simultaneously with international influence and

⁸⁹ Quoted in Wallace Irwin Jr.; "The Further Odyssey of 'Only one Earth'," Vista (February 1973), p. 42.

political equity.

Economic considerations were not the only considerations with which the less developed countries were faced. The offers of Kampala, Mexico City, Monaco, Nicosia, Nairobi New Delhi, and Valetta still stood. To have to choose from among this list, as some delegates pointed out privately, was likely to lead to political in-fighting and create unnecessary bitterness within their group. India compounded this problem further when its own offer was strongly renewed shortly after Kenya's initiative was launched. Here again, the foregoing observation does not invalidate the value of international prominence to the less developed countries; it rather confirms it. The large number of offers from the group and the initial unwillingness to give in to one member, however, indicate that national and regional interests are important factors in their diplomacy in spite of a common ideological framework of foreign policy.

Anxious to avoid the charge of invoking general

⁹⁰ For a discussion of the general characteristics of the less developed countries, see J. D. B. Miller; The Politics of the Third World (London: Oxford University Press, 1966); Roland Robertson and Andrew Tudor; "The Third World and International Stratification: Theoretical Considerations and Research Findings," Sociology, vol. 2 (1968), pp. 47-64.

political principles to pursue a narrow national interest, Kenya had tactfully refused to indicate, when it began its unexpected initiative, that it wanted the secretariat to be located in Nairobi. All it meant to do was to emphasize a political principle; it was up to the whole group to decide which one of their cities should be selected. However, by circulating a seventeen-page press release detailing the merits of Nairobi shortly after launching the initiative, Kenya left no doubt that it was actively preparing the ground for a strong bid for the secretariat. According to a senior Western diplomat, Ambassador Odero-Jowi of Kenya came to New York with two specific instructions from President Kenyatta. One was to get Kenya on the Security Council, which he did in 1973. The other was to get a UN secretariat located in Nairobi. Kenya may have used group principles to build support for its self-interested and very specific objective, but in fairness to it, the initiative was cast in terms of general principles, with no specific city in mind. All interested members of the Group of 77 were still in contention. In saying this, the use of general principles to support specific objectives in UN diplomacy is not being denied.

At any rate, the novelty of the Kenyan approach and the unpreparedness of most delegations for it made intensive

informal consultations within the Group of 77 necessary. After that, Kenya was able to circulate, on November 2, 1972, a draft resolution sponsored by thirty-two delegations from Africa and Yugoslavia.⁹¹ A novel political concept in the history of the UN appeared in the preamble to the draft. It pointed out that "Secretariats of United Nations bodies or agencies should be located having regard to equitable geographical distribution...."⁹² As a corollary to that concept, the first operative paragraph called for the location of the environment secretariat in a less developed country. Historically, the doctrine of equitable geographical representation has been applied only to limited UN membership bodies and the recruitment of staff for international secretariats. Before Kenya's initiative, the doctrine had never been applied to location of UN bodies or agencies. The novelty of the Kenyan approach only made the initiative a little difficult in the early stages; it neither stopped it nor made it an unpleasant task. In fact, most delegations privately conceded that it was perhaps the most brilliant and creative exploitation of the

⁹¹A/C.2/L.1246, 2 November 1972.

⁹²Ibid., 5th preambular paragraph.

egalitarian ideology of the Charter on record. Well-prepared and confident of ultimate group support, the Kenyan Ambassador displayed a firmness of resolution from which he never wavered.

In his presentation of the draft to the Second Committee on November 3, Ambassador Odero-Jowi systematically and forcefully amplified the importance of the political ideas in which his draft was embedded. He maintained that the practice of locating all UN bodies in Europe and North America was based less on the alleged technical advantages those states provided than on historical and political reasons. He implied that UN bodies are in their present locations because in the past European and North American capitals have dominated UN decision-making processes. Kenya, therefore, rejected the claims advanced, especially by the Western countries, that technical and efficiency criteria have been the traditional considerations on decisions relating to locations of UN secretariats. It suggested that technical and efficiency criteria were being emphasized by the defenders of the status quo largely because they lacked the political strength to stress political factors. For this reason, Kenya argued that continued location of UN secretariats in the developed countries was a subversion of the traditional political approach to such questions and, therefore, unjust

to the new controlling bloc of states in the United Nations. In keeping with historical tradition and in the interest of political justice, Ambassador Odero-Jowi insisted that "the developing countries wished the General Assembly to exercise political judgment alone in selecting the site of the environment secretariat."⁹³

The use of political principles to achieve changes in the international political and economic order has been typical of the diplomacy of leaders of the less developed countries. The policies of these leaders toward colonialism and the law of the sea are cases in point. In the 1960s, African and Asian delegations used the principle of self-determination to legitimize their decolonization campaign in the General Assembly.⁹⁴ In his study of the 1958 and 1960 UN Conferences on the Law of the Sea, Professor Robert L. Friedheim found that many of the spokesmen for the less developed countries ('dissatisfied states')

⁹³Mr. Odero-Jowi (Kenya); A/C.2/SR.1480, 7 November, 1972, p. 5.

⁹⁴For a fuller discussion of the Afro-Asian role in proposing the formula for swift decolonization, see Yassin El-Ayouty; The UN and Decolonization: The Role of Afro-Asia (The Hague: Martinus Nijhoff, 1971), especially pp. 207-217; David A. Kay; "The Politics of Decolonization: The New Nations and the UN Political Process," International Organization, vol. 21, No. 4 (1967), pp. 786-811. For a theoretical discussion of the impact of the decolonization process on the UN, see Claude, The Changing United Nations

used the principle of participation as the basis for
95
challenging traditional laws of the sea. Because the
dissatisfied states claimed that the framework of inter-
national law of the sea was established before most of them
attained their independence, they regarded the old laws as
unjust and demanded changes that would free them of their
European-centered past.

Kenya's desire to democratize the UN family through
the new principle of equitable geographical distribution of
secretariats' sites, therefore, was very much compatible
with the previous uses of principle in the diplomacy of the
less developed world. For leaders of these countries, UN
forums must be used to achieve their economic and political
rehabilitation. The proliferation of economic development
agencies under the UN family is part of this collective
effort to use group politics to achieve their political and
economic ends. Kenya was able to mobilize the support of the
Group of 77 behind its initiative by appealing to the

(New York: Random House, 1968), pp. 49-72.

⁹⁵For a discussion of the attitudes of delegations at
the 1958 and 1960 Law of the Sea Conferences, see
Robert L. Friedheim; "The 'Satisfied' and 'Dissatisfied' States
Negotiate International Law: A Case Study," World Politics,
vol. 18, No. 1 (October 1965), pp. 20-42.

importance of such broad political principles and also by the application of subtle pressure tactics.

Ambassador Odero-Jowi told the Group that what was at stake was not economics but political equity. In the group's caucus, he strongly urged that group solidarity should be demonstrated; that the principle of locating the environment secretariat in the less developed region should be supported and that failure to do so would be an act of betrayal and a breach of the spirit of the Group of 77.⁹⁶ Kenya also invoked the Georgetown Declaration of the Group of 77 which, among other things, urged closer cooperation among group members and deplored the developed countries' tendency to resolve important global problems outside the UN framework. The need to eliminate the latter tendency and to promote the widest possible participation of member states, on the principle of a more broadly-based geographical representation, in the principal UN organs, particularly at the policy-making level,⁹⁷ was also emphasized.

Although the latter point makes the debatable assumption that locating a UN secretariat in a less developed region would necessarily increase the group's voice in the machinery, what appears more significant is the Kenyan use of group

⁹⁶Mr. Odero-Jowi (Kenya), A/C.2/SR.1480, 7 November 1972, p. 5.

⁹⁷Ibid.

principles and pressure to mobilize support for its initiative. Group unity was stressed in Chapter I as one of the most important sources of the influence of the less developed countries. Having rejected a decision based on economics, Kenya told the Second Committee that if facilities did not exist in the city to be selected, it was up to the UN to create them. Such an act, in itself, would constitute, in Kenya's view, vindication of justice for the less developed group in that it would make much needed technology available to them. In this connection, Sri Lanka's delegate pointed out that:

...the installation of UN bodies in the developed countries had had beneficial effects on their economy. It was therefore logical that developing countries should also have the opportunity of profiting from advantages which had so far been denied them.⁹⁸

The pressure and persuasion tactic employed by Kenya and the acceptability of the principle of equitable geographical distribution of secretariats to most of the less developed countries permitted group endorsement of the initiative.⁹⁹ The problem of rallying behind only one candidate, however, remained. Kenya and India emerged out of the informal

⁹⁸ Mr. Karunatilake (Sri Lanka), A/C.2/SR.1483, 9 November 1972, p. 11.

⁹⁹ Malta and Tunisia were, however, a little uneasy about the Kenyan approach. See Mr. Marmara (Malta); A/C.2/SR.1480, p.6; Mr. Driss (Tunisia); A/C.2/SR.1482, 8 November 1972, p. 9.

consultations as the two serious candidates. Kenya had two advantages over India. Many members pointed out in private that having led the initiative, there was a natural tendency to reward Kenya for its ideas, leadership, and tenacity. Secondly, Kenya's earlier press release expounding the merits of Nairobi had given interested delegations a basis, however propagandistic, on which to judge the strengths of its candidacy. Since there was no comparable information on New Delhi, India was tactically at a disadvantage, particularly with respect to those delegations with open minds on the question. Additionally, as some delegates privately pointed out, the African group exploited their earlier decision to support the Asian demand for Council enlargement by asking for an implicit quid pro quo deal on the location question. Notwithstanding this private demand for a return of favor, India had not stepped down in favor of Kenya when the Committee resumed its debate on November 6, 1972.

Understandably, shortly before the debate on the Kenyan draft began, Egypt successfully requested suspension of the meeting to permit further informal consultations among the less developed countries. When the meeting resumed, Egypt, speaking on behalf of the less developed group, proposed an oral amendment to the second operative paragraph of the Kenyan draft. Instead of the original paragraph requesting

that the location question be settled by the current Assembly session, it was amended to read: "Further decides to locate the environment secretariat in Nairobi, Kenya."¹⁰⁰ In a remarkable show of group unity, India had withdrawn in favor of Kenya. This having been achieved, negotiations on the Kenyan draft began in earnest.

The opposition of the developed countries to the Kenyan draft was made known almost immediately. The U. S. delegation conceded the importance of locating UN secretariats in the less developed countries but rejected the Kenyan approach by which the environment secretariat would be located only in a less developed country. Such an approach, according to Ambassador Zagorin of the United States, was divisive. Even more divisive and unacceptable to the United States was the decision to consider only Nairobi as the secretariat's site:

Goodwill was needed in a political forum such as the UN in order to stimulate delegations to convey to their Governments and peoples the new idea of a dynamic and interrelated world society in which harmony was essential; the employment of a bloc approach which meant that matters were virtually decided in advance would make it more difficult for

¹⁰⁰ Amended draft subsequently issued as A/C.2/L.1246/Rev. 1, 6 November 1972.

some to feel involved and to accept their commitment to such a system.¹⁰¹

For this reason, the United States insisted on a decision based on effectiveness and efficiency rather than mere politics. A veiled financial retaliation was alluded to when Ambassador Zagorin pointed out to the Group of 77 that his government had pledged substantial support for the environment program and that if political criteria replaced efficiency criteria, "such a commitment would be difficult to justify to those responsible for appropriating funds."¹⁰² He, therefore, appealed to the supporters of the Kenyan draft not to summarily dismiss other sites which, like Nairobi, had been offered in good faith.

The Netherlands based its objections on the impossibility of the environment secretariat performing its coordination functions effectively if it were placed so far away from the agencies and organizations whose activities it was supposed to coordinate. In the view of the Netherlands delegate, the

¹⁰¹Mr. Zagorin (United States); A/C.2/SR.1482, p. 7.

¹⁰²Ibid., p. 8. In the view of some diplomats, "Congress would never agree to it" is a familiar negotiation tactic of U. S. negotiators. It is used when they are unwilling to consider a particular position. Professor Arthur Lall has, however, linked this argument to a broader theoretical consideration, namely, the impact of structures of government on delegate maneuverability in negotiations. See his Modern International Negotiations, p. 235.

Group of 77 would, in fact, be serving their interest better if they located the secretariat closer to organs concerned with development, particularly UNCTAD.¹⁰³ In addition to these considerations, Sweden cited the need for the secretariat to maintain close contact with missions of different countries as one of the factors that should be weighed in selecting Nairobi. Since only twenty-three less developed countries had diplomatic missions in Nairobi, Sweden implied they would be economically wiser to think of either Geneva or New York where they were all represented.¹⁰⁴

Kenya and many other members of the Group of 77 rejected these alleged advantages of locating the secretariat in either Geneva or New York. According to Kenya, cost and efficiency criteria alone would never promote the political right of the less developed countries to host UN bodies because of their weak economic and technological base. For that reason, political considerations must be the only criteria.¹⁰⁵ With regard to the claim that the environment secretariat's primary function of coordination would be best

¹⁰³Mr. van Gorkom (Netherlands); A/C.2/SR.1483, 9 November 1972, p. 3.

¹⁰⁴Mr. Granqvist (Sweden); A/C.2/SR.1483, p. 6.

¹⁰⁵Mr. Odero-Jowi (Kenya); A/C.2/SR.1480, pp. 5-6, See also A/C.2/SR.1483, pp. 19-21; Mr. Findley (Liberia); A/C.2/SR.1482, p. 12.

served by a site in Geneva or New York, supporters of the Kenyan draft pointed out that the day-to-day coordination function was the work of the Environment Coordinating Board and not the secretariat, thereby implying that it was not necessary to have the latter near the agencies and organizations concerned.¹⁰⁶ Ambassador Odero-Jowi also defended the structure of his draft by noting that "nothing prevented other countries from submitting a draft resolution of their own."¹⁰⁷ Chile's delegate similarly dismissed as politically naive the claim that Kenya's draft deliberately polarized the developed and less developed countries:

...a confrontation existed permanently, even when it remained dormant, because a large group of countries felt frustrated by the increasing deterioration of international cooperation and by the fact that, as a result, their established goals were becoming increasingly unattainable.¹⁰⁸

Chile implied, therefore, that if a confrontation appeared to have been created, it was largely because that course of action had become unavoidable in view of the developed countries' efforts to frustrate the will of the majority in

¹⁰⁶For the composition and functions of the Environment Coordinating Board, see General Assembly resolution 2997 (XXVII), 15 December 1972, operative para. 4.

¹⁰⁷Mr. Odero-Jowi (Kenya); A/C.2/SR.1483, p. 19.

¹⁰⁸Mr. Santa Cruz (Chile); A/C.2/SR.1483, p. 14.

the Assembly.

The arguments advanced by the supporters of the Kenyan draft clearly confirm our claim that dissatisfaction with their situation and role in international politics, rather than concerns about environmental management, structured their initiatives and attitudes. The issue was one of diplomatic visibility of the less developed region vis-à-vis the developed ones and the importance of the capitals of the former as international problem-solving centers. Before these principles, cost and efficiency factors paled in importance. It was largely because the issue was conceived and discussed at the level of principles that the technical arguments of the developed countries did not seem to make much impact on the proponents of the principles. Professor Nye is certainly right that it is far easier to bargain over concrete issues than over norms or principles.¹⁰⁹ When issues are elevated to the level of principles, excuses for inaction appear irresponsible, even immoral, in the eyes of those asserting such principles. Negotiations, however, are never conducted only at the level of principles. Therefore, the developed countries maintained

¹⁰⁹Joseph S. Nye, Jr.; "UNCTAD: Poor Nations' Pressure Group," in Robert W. Cox and Harold Jacobson (eds.); The Anatomy of Influence (New Haven: Yale University Press, 1973), pp. 369-370.

their opposition despite their bargaining disadvantage. Having failed to gain any ground by their technical arguments, they tried parliamentary or procedural maneuvering.

Parliamentary maneuvering

Three procedural points were raised by the developed countries. Canada requested legal ruling concerning the status of the other sites offered in the light of the structure of the Kenyan draft resolution. ¹¹⁰ The United States, supported by Britain, insisted that under rule 155 of the rules of procedure, no vote could be taken on the Kenyan draft until a statement of financial implications had been furnished by the secretariat. ¹¹¹ Because the only available financial statement had been based on Geneva, a favorable ruling for the developed countries would have considerably reduced the chances of taking action on the Kenyan draft before the dissolution of the Assembly, a delay which the opponents, as some of them pointed out privately, badly needed. To make that delay as long as possible, the United States requested financial statements of all sites

¹¹⁰Mr. Hardy (Canada); A/C.2/SR.1482, p. 12.

¹¹¹Rule 155 of the General Assembly rules of procedure stipulates: "The Secretary-General shall keep all Committees informed of the detailed estimated cost of all resolutions which have been recommended by the Committees for approval by the General Assembly."

offered and not withdrawn so as to permit cost comparability. Finally, the developed countries suggested that past decisions on sites had been taken by a secret ballot and, therefore, the sponsors of the Kenyan draft should permit an amendment to provide for it. Because the proponents of a secret ballot assumed that some members of the Group of 77 had actually been pressured to support the Kenyan draft, it was hoped that if other sites were offered and a secret ballot conducted, there might be an enhanced opportunity to defeat Kenya's bid.

Kenya contested these procedural points. As was seen earlier, it did not accept the claim that its draft was procedurally improper. With respect to the furnishing of financial statements, Kenya cited the failure of the Second Committee to demand a statement of financial implications on a previously adopted Canadian draft calling for the convening in Canada of "UN Conference/Exposition on Human Settlements" as illustrative of the flexibility of the rule.¹¹² Kenya's counter-argument raised a problem about the applicability of rule 155 to its draft. Finally, Kenya indicated that a secret ballot procedure was not legally necessary for deciding sites of UN secretariats, even if it had been used previously.

¹¹² General Assembly resolution 3001 (XXVII),
15 December 1972.

The UN legal counsel, who had been brought in to rule on the procedural controversies, upheld Kenya's position on two procedural points, namely, its draft was valid and properly structured; that a secret ballot, while permissible, was not necessary for deciding among proposed sites. The developed countries' position on the applicability of rule 155 to the Kenyan draft was sustained by counsel.¹¹³

It is interesting to note that the disputants were willing to resort to legal counsel to resolve political disagreements. It is often assumed that international law is merely an instrument of foreign policy and, as such, states are unwilling to submit their political disputes to legal settlement.¹¹⁴

The procedural issues raised are clearly minor points on the role of law in inter-state diplomacy, but the fact that a negotiated solution was not sought or a vote taken suggests, among other things, that the UN may be developing some legal capabilities. In any event, the favorable ruling on the legal

¹¹³Mr. Stavropoulos (Legal Counsel); A/C.2/SR.1483, p.2.

¹¹⁴Morton A. Kaplan and Nicholas DeB Katzenbach; The Political Foundations of International Law (New York: John A. Wiley and Sons, Inc., 1966); Louis Henken; How Nations Behave (New York: Frederick A. Prager, Inc., 1968); Stanley Hoffmann and Karl W. Deutsch (eds.); The Relevance of International Law (Cambridge, Mass: Harvard University Press, 1968).

propriety of Kenya's draft brought the initiative closer to victory. Rule 132 of the Assembly rules of procedure stipulates that the order of filing of draft resolutions determines priority in voting. Since Kenya had filed its draft first, it had a decisive advantage over any new draft. The structure of the draft and the group support it enjoyed assured swift passage in any subsequent voting.

The favorable ruling on the balloting procedure was also important to Kenya. The point was made privately by some delegates that Kenya blamed its loss of the UNIDO secretariat to Austria in 1966 largely because of the secret ballot procedure. Many delegates, however, privately rejected this claim and insisted that Kenya was not a strong candidate in 1966. Although no delegate doubted Kenya's ultimate victory with respect to its draft on the UNEP secretariat site, the secret ballot procedure recommended by the developed countries was viewed with some apprehension by the sponsors of the draft. As indicated earlier, the secret ballot procedure had been recommended by the developed countries on the assumption that some delegations in the Group of 77 had been under pressure to support the Kenyan draft and that if they were free to express preferences, Kenya's bid might not enjoy as much support as claimed for it. In fact, there had been explicit references to such pressure tactics by Colombia

and Tunisia. Colombia, the only member of the Group of 77 favoring a secret ballot procedure, indicated that an open ballot would prevent states from exercising their opposition.¹¹⁵ Tunisia, in hoping for a consensus to be reached on the location question, suggested that in the event that failed, it "would respond to the appeal of the representative of Kenya for a political decision, and would vote with the Group of 77 in favour of the proposed amendment."¹¹⁶ While such restive voices were very few, the sponsors of the Kenyan draft did not want any defections which would either defeat the intent of the draft or reduce its legitimacy. Consequently, the favorable ruling was seen as a significant victory for the sponsors of the Kenyan draft.

The UN Legal Counsel rejected Kenya's procedural arguments with respect to the flexibility of rule 155. While conceding that the Canadian draft on Conference/Exposition on Human Settlements had been adopted without knowing its financial implications, counsel pointed out that because the Canadian government had offered to pay much of the cost of the Conference, the cost to the UN would be minimal. Additionally, he noted that because the draft had been approved virtually

¹¹⁵Mr. Gerlein (Colombia); A/C.2/SR.1483, p. 8.

¹¹⁶Mr. Driss (Tunisia); A/C.2/SR.1482, p. 9.

by consensus, the applicable rule of procedure could be suspended. Since there was no such consensus on the Kenyan draft, the rule of procedure could not be suspended.¹¹⁷ The importance of this rule to the developed countries' procedural strategy became even more obvious when the secretariat indicated that it would require six to eight weeks to prepare financial statements on all the sites offered and not withdrawn.¹¹⁸ The secretariat's projected time effectively reduced the chances of passing the Kenyan draft during the Twenty-Seventh session of the General Assembly. Predictably, the sponsors of the Kenyan draft sharply criticized the secretariat for its failure to have the necessary financial statements ready, particularly because it had had in its possession a list of sites since the conclusion of the Stockholm conference in mid-June. Kenya subtly charged the secretariat of collaborating with opponents of its draft. No evidence was found to substantiate this charge. Like most delegations, the secretariat had not anticipated Kenya's political initiative and had based its preparation of financial statements on the assumption that Geneva would serve as the home of the UNEP secretariat for at least one year.

¹¹⁷Mr. Stravropoulos (Legal Counsel); A/C.2/SR.1483, p. 2.

¹¹⁸Mr. George Saddler (Budget Division); A/C.2/SR.1482, p. 10.

In any event, as one senior secretariat official privately pointed out, the implied charge of dereliction of duty was difficult to answer.

The pressure mounted on the secretariat by sponsors of the Kenyan draft led to a significant revision of the time needed to compile a statement of financial implications. Instead of six to eight weeks, the secretariat promised to circulate, within four days, the statement requested by the developed countries. This revision constituted a serious negotiation setback for the developed countries. Britain and the United States, therefore, openly wondered why the secretariat had changed its mind in revising its original timetable. ¹¹⁹ The reason, they were told, was that the secretariat had discarded on-the-spot surveys in favor of extensive questionnaires, the answers to which would be analyzed by experts in New York. ¹²⁰ Privately, the opponents of the Kenyan draft were not reassured by the secretariat's explanation. However, they could not impugn the honesty and integrity of the secretariat, as Kenya implied, because in 1966 the decision on the site of the UNIDO secretariat had

¹¹⁹ Mr. Kitchen (United States); A/C.2/SR.1483, p. 22.
Mr. McCarthy (United Kingdom); A/C.2/SR.1483, p. 23.

¹²⁰ Mr. Saddler (Budget Division); A/C.2/SR.1487,
14 November 1972, pp. 7-8.

been based upon approximate estimates of financial implications.¹²¹

The proponents of the Kenyan draft won the procedural debates, but the financial statements furnished by the secretariat on Geneva, Nairobi and New York bolstered up the opponents' financial concerns. They showed that while Geneva would cost the UN \$1,322,000 for 1973,¹²² and New York \$1,453,500,¹²³ Nairobi would cost \$2,308,500.¹²⁴ Thus, the cost of Nairobi was approximately \$1 million more than Geneva, which was widely preferred by many delegates until the Kenyan initiative. For this reason, the opponents of Nairobi renewed their financial arguments and questioned the wisdom of locating the secretariat there. They insisted that the Group of 77 should not ignore the financial implications for the UN of their draft.

The supporters of the Kenyan draft resisted these appeals. Sri Lanka pointed out that because the infrastructures did not exist in Nairobi, it was natural that it should cost more to operate the secretariat there in the short run. In the long run, it added, Kenya would prove less

¹²¹Mr. Odero-Jowi (Kenya); A/C.2/SR.1483, p. 20.

¹²²A/C.2/L.1232, 23 October 1972.

¹²³A/8783/Add. 2.

¹²⁴A/C.2/L.1255, 9 November 1972.

125
expensive. Kenya and many members of the Group of 77,
however, continued to demand a decision based on politics
and not economics.¹²⁶ As the debate progressed, it became
clear that most members of the Group of 77 did not accord
the financial implications the same degree of importance as did
the developed countries. Consequently, the latter had little
chance of using cost considerations to weaken the solidarity
of the Group of 77. The latter, viewing traditional alloca-
tion practice from the perspective of its political
injustice, refused to be persuaded by cost and efficiency
considerations.

Having failed to gain ground through economic and
efficiency arguments, the developed countries finally
attempted to amend the Kenyan draft. This was a considerably
difficult task for two reasons. First, the opponents them-
selves were unable to agree on a text. Second, the procedural
tactic adopted by the opponents, as pointed out privately by
a number of supporters of the Kenyan draft, had hardened
support for Nairobi. One amendment submitted by the
Netherlands on behalf of Finland, Sweden, and the Netherlands
called for the postponement of the decision on the location

¹²⁵Mr. Karunatilake (Sri Lanka); A/C.2/SR.1487, p. 3.

¹²⁶Mr. Odero-Jowi (Kenya); A/C.2/SR.1487, p. 3.

of the environment secretariat to the Twenty-eighth session of the General Assembly. The amendment conceded the importance of locating some UN secretariats in the less developed countries, but it recommended that this should be done only after the completion of a comprehensive survey of all the proposed sites, as well as an in-depth examination of the present geographical and regional distribution of secretariat units of the UN and its affiliated and subsidiary organizations.¹²⁷ Kenya challenged the amendment by insisting that it was a new draft resolution and not an amendment to its draft. The Chairman upheld Kenya's procedural point. According to him, the Dutch amendment so completely changed the sense of the Kenyan draft as to make it a new draft rather than an amendment. The so-called amendment was subsequently withdrawn.

Tunisia, which privately endeavored to have the location question resolved by consensus, rather than by vote, submitted its own draft. It recommended that the General Assembly accept the principle of locating some UN bodies in the less developed countries. The environment secretariat was to be located provisionally in one of the proposed sites pending a final decision on the matter by the Twenty-eighth

¹²⁷A/C.2/L.1249, 6 November 1972.

session of the General Assembly. The Tunisian amendment, like the Dutch one, sought a middle ground by conceding some room to the principle of equitable geographical distribution of secretariats and/or postponing the decision on the Kenyan draft without closing any options. Nonetheless, the Tunisian amendment was not supported by most members of the Group of 77. The supporters of the Kenyan draft were opposed to postponement of the vote. Although no evidence was found to suggest that Tunisia was criticized by other members of the Group of 77 for wishing to postpone the vote, it was under considerable private pressure to withdraw its amendment. Tunisia had, in fact, given in to the pressure but was unable to withdraw its amendment before the vote on it was conducted. The amendment was subsequently rejected by 68 votes to 20, with 35 abstentions.¹²⁹ Thereafter, Tunisia appealed to all delegations which had submitted amendments to withdraw them so that the Committee could decide by consensus to locate the environment secretariat in Nairobi.

Britain, having indicated its unwillingness to go along with the Tunisian appeal because of the evident lack of

¹²⁸A/C.2/L.1251, 6 November 1972.

¹²⁹A/C.2/SR.1487, p. 11.

consensus on the Kenyan draft, pressed its own amendment forward. It recommended that all the proposed sites offered and not withdrawn should be considered by a secret ballot in the General Assembly.¹³⁰ The success of the British amendment would have retained the possibility that other sites could still be considered even if the Kenyan draft won in the Second Committee. Consequently, Senegal raised questions about the legal propriety of the British amendment.¹³¹ The Chairman, on the advice of the legal counsel, pointed out that the Committee had been asked by the plenary Assembly to make recommendations to it on the Conference report and, therefore, the British amendment represented one of the several possible methods that the Committee could recommend to the Assembly.¹³² Britain's procedural manoeuvre, however, failed with the defeat of its amendment by 81 votes to 30, with 12 abstentions. The Group of 77 was by no means solidly united in their rejection of the British amendment. Dominican Republic, Fiji, Iran, Malawi, Malta, and Singapore¹³³ abstained.

¹³⁰A/C.2/L.1250, 6 November 1972.

¹³¹Mr. Fall (Senegal); A/C.2/SR.1487, p. 10.

¹³²The Chairman, A/C.2/SR.1487, p. 10.

¹³³UN Document A/8901, p. 30.

After the defeat of these amendments, there was certainly no doubt as to the vote's outcome. But the Western developed countries, particularly, still were bothered privately by the future implications of using equitable geographical distribution as the only criterion for deciding locations for UN secretariats. Although they had privately conceded political defeat, they were anxious to ensure that the principle of equitable geographical distribution did not become the sole criterion for selecting sites for UN bodies. Consequently, Australia, on behalf of the Western delegations, successfully proposed an oral amendment to the Kenyan draft by adding the phrase "inter alia" to the fifth preambular paragraph, thereby making equitable geographical distribution only one of the criteria for selecting sites for UN bodies.¹³⁴ This amendment having been accepted by sponsors of the Kenyan draft, the Committee adopted the amended draft by 93 votes to none, with 31 abstentions. Only Cuba, Fiji, and Malaysia from the Group of 77 abstained. All the developed countries, except Albania and Israel which voted in favor of the draft, abstained.¹³⁵

Earlier, Cuba had demonstrated its solidarity with

¹³⁴Mr. Joseph (Australia); A/C.2/SR.1487, p. 12.

¹³⁵A/C.2/SR.1487, p. 14.

the Group of 77 by requesting a separate vote on the operative paragraphs one and two (locating the environment secretariat in the less developed region and further locating it in Nairobi) and voting for them. Its abstention in the final vote, it pointed out, was because of the reference in the opening preambular paragraph to the Stockholm Conference which it had boycotted and, therefore, found unacceptable. The Soviet Union and its allies also explained their abstention on the whole draft resolution for similar reasons. However, their emphasis throughout the debates on financial considerations as the criterion for deciding location of UN bodies and their abstention on operative paragraphs one and two would seem to suggest that non-participation at Stockholm was used as a convenient diplomatic excuse for abstaining on a draft with which they disagreed.

Consistent with the unusual emphasis on compromise and accommodation which had characterized the environmental negotiations, the developed countries, led by the United States, subsequently accepted the arguments of the Group of 77. The United States praised the sponsors of the Kenyan draft and indicated its readiness to accept the vote's outcome. Although the United States erroneously assumed that the unanimity shown by the Group of 77 pointed to their strong interest in environmental problems, it is still

important to note that the developed countries did not stick to their guns but accepted the political verdict. Primarily, the guns were without bullets, as it were, because the developed countries' determination to get started on the job of making the new environmental consciousness a success precluded the threat of withdrawal of financial support for the secretariat. Privately, the sponsors of the Kenyan draft were aware of this constraint on the developed countries and it partly influenced their decision not to yield to their opponents' financial arguments.

The conciliatory atmosphere that emerged after the Committee vote encouraged Tunisia to recommend orally that the draft resolution be adopted by a consensus in the plenary General Assembly. During informal consultations, the Western countries decided to support the resolution in the Assembly. This decision, according to one Western delegate, was passed on to the Soviet Union and its allies who were going to abstain during the Assembly vote. This diplomatic about-face enabled the General Assembly to approve the Committee resolution by 128 votes in favor, none against, and none abstaining.

¹³⁶ UN Document A/PV.2112, 15 December, 1972, p. 15.

The negotiations on the location of the secretariat further confirm the assumption made in this study that the less developed countries approached the environmental negotiations against the background of the revisionist demands they have made on the developed countries since the mid-1950s and not narrowly in the context of the specific issues at stake and their respective merits. In an effort to establish an identity and a role within a stratified international political system, leaders of the less developed countries have used UN forums to propound changes in the current norms of international politics. Whether it is decolonization, economic development, law of the sea or the environment, the goal seems to be the same-- the use of group pressure to attain their economic and political ends. The desire is to reduce their dependency status and low political visibility in the international system. Kenya's initiative was part of this larger task. Thus, while the group sought to promote their socio-economic development interests throughout the negotiations, they also exploited the opportunity created by the new issues to demand respect for their political right to host UN bodies.

While their victory on the location question does not mean that they will control the decision-making processes in the machinery, spokesmen for the less developed countries have demonstrated their determination to propound new norms which

will recognize their political right to host UN bodies. Additionally, it appears that they achieved a certain sense of accomplishment by increasing the diplomatic visibility of their region. Although their immediate interest in the environment secretariat was political, they conceded the economic contributions such secretariats could make to their economies, in terms of transfer of technology. Thus, the location question was approached by the less developed countries, just as they approached the First and Second and Third Law of the Sea Conferences, not as an isolated issue to be determined on narrow technical grounds, but as an integral part of their revisionist economic and political demands on the developed countries. Viewing the issue from this perspective, they refused to be persuaded by considerations of financial costs and operational efficiency. This attitude resembles their approach to decolonization during the 1960s. During the 1960s inexperience in "democratic" self-government and lack of material progress as the basis of continued colonial domination were rejected by the new nations of Africa and Asia, with the support of Latin America. Instead, they forged consensus on the right of colonial subjects to self-determination, thereby denying legitimacy to colonialism.

Just as colonialism and the traditional international law of the sea are historically illegitimate insofar as the

less developed countries are concerned, so is the practice of locating all UN bodies in Europe and North America. That practice appears to leaders of the less developed countries as symbolizing their dependence and subordinate status in the international political system. In rejecting their opponents' technical arguments, the Group of 77 did not imply that these arguments were absolutely unimportant. Rather, expensiveness and operational efficiency were regarded as less important than political equality and justice. Naturally, people seeking to change the status quo are not concerned about cost-benefit arguments which generally have a built-in conservative bias. As Kissinger has pointed out, challengers of the status quo are motivated exclusively by the new reality they want to bring about and are not impressed by any argument that tends to defend the status quo.¹³⁷ Apart from the plausibility of this general proposition, exclusive reliance on technical arguments, particularly in view of the widening gap between the rich and poor nations, would never help to achieve recognition of the latter's political right to host UN bodies. Therefore, the political approach defended by the Group of 77 was to a large extent inevitable. The debates and the outcomes further confirm

¹³⁷Henry A. Kissinger; American Foreign Policy: Three Essays (New York: W. W. Norton and Co. Inc., 1969), p. 39.

our assumption that the grant of concessions by the North to the South constitutes the basis of North-South accommodation in negotiations involving both groups. The disagreements between both groups, however, point to the continuing difficulty of working out formulas that meet the revisionist demands of the South and protect the North's interests simultaneously.

It is evident from the preceding discussion that the location question must be subsumed under the revisionist demands made by the South on the North. Significant as the South's change from a position of indifference to the negotiations in the initial stages to a successful demand to have the environment secretariat located in their region is, the reasons were due more to political than environmental considerations. It merely happened that when the South decided to use politics to achieve recognition of their political right to host UN bodies, the secretariat awaiting a home was the environment one. It is in this sense that the United States and the Conference Secretary-General did over-generalize from the South's determination to locate the environment secretariat in their region. Mr. Strong, for instance, interpreted that desire as indicating "the extent to which their interests are deeply involved in this

138
new programme."

One final aspect of the negotiations on the location of the secretariat should be mentioned. It is obvious that group unity remains the most important source of influence of the less developed countries. The advocacy of egalitarian principles increased the likelihood that group support for Kenya's initiative would emerge. However, group support cannot be explained exclusively by reference to the advocacy of egalitarianism. Informal consultations, group pressure tactics, persuasion, ideas, the leadership furnished by Kenya, and the perceived hostility to their principle by the developed countries, all contributed to the closing of the ranks of the Group of 77. Colombia, Fiji, Malaysia, and Tunisia were unhappy about the attempts to ignore the opposition of the developed countries but no widespread group disagreements occurred. The group's ability to match the parliamentary maneuverings of the developed countries also helped to maintain group unity and the credibility of their demand.

¹³⁸Quoted in Sally Jacobsen; "Maurice F. Strong: Stockholm-- A Year Later," Science and Public Affairs; June 1973, p. 36.

II. Summary and Analysis of the Final Phase of Negotiations

The context of the final round of negotiations was more relaxed than the previous rounds. However, because the negotiations were conducted within the framework of the same basic differences in political and economic interests of the developed and less developed countries, the final round of negotiations was not entirely free of divisive paths of debate. The urgency of the less developed countries to develop and reduce their dependency status continued to dominate their approach to the final round of negotiations. The strong influence exerted on them by this perspective led to the reopening of certain economic and financial issues for further debate. Additionally, new demands on housing and human settlements were made. Finally, a traditional political concern-- the diplomatic visibility of the less developed countries-- was tied to the debates on the location of the environment secretariat.

The controversiality of the debates on the disbursement of the Environment Fund and the two resolutions on housing and human settlements tabled by Jamaica and the Philippines make these issues the natural focus of analysis of the issue area of Development and Environment. Pakistan, on behalf of Egypt, Iran, Lebanon, Peru and the Philippines,

reopened the debates on the disbursement of the Fund. These delegations were responding to the same fears, namely, that the verbal assurances given at Stockholm by most of the developed countries about making additional funds available to the less developed countries for purposes of environmental protection had not been enough. In reopening the debates on the Fund, they were seeking ways of committing the developed countries to allocate part of the Fund's resources to environmental programs supportive of the development goals of the less developed countries. While this was a shrewd way of overcoming the developed countries' opposition to turning the Fund into a development assistance Fund, the attempt was a departure from the Stockholm consensus. At Stockholm, it had been agreed that the special needs of the less developed countries should be considered when disbursing the Fund. The developed countries' attachment to this consensus prevented them from supporting the new attempt by Pakistan and others to alter the compromise reached at Stockholm.

The Stockholm consensus was less specific and thus permitted differences in interpretation. Anxious not to lose the advantages offered by the ambiguity of that consensus, the developed countries privately threatened to withdraw support for the Fund if attempts were made to turn it into

a development assistance fund, whereupon the less developed countries returned to the old consensus. By threatening to use the ultimate sanction available to them, the developed countries were indicating that their position on the issue could not be changed by further debates.¹³⁹ The outcome of the debates illustrates the difficulties of bridging the gap in political and economic interests of the less developed and developed countries. It, however, reinforces the assumption underlying this study that for the less developed countries, the direct benefit of the environmental program lies in its contribution to their accelerated socio-economic development. Rather than give up the promise that their development needs would be considered in the utilization of the Fund, Pakistan and others gave up their strong efforts at extracting more specific concessions from the developed countries. In other words, they preferred a minimum position to no agreement at all.

The acceptance of a minimum position was partly related to the attitude adopted by most of the less developed countries that the Stockholm compromises should not be changed. Closely related to this was the breakdown of

¹³⁹ For a discussion of techniques of dissuading an opponent from further bargaining, see Iklé, op. cit., pp. 21-52.

consultation and coordination of initiatives among the less developed countries. This problem weakened their negotiation position because the developed countries did not experience any strong pressures to respond favorably to the demands made on them. Although a better system of coordination and consultation would not have necessarily changed the attitudes of the developed countries, the apparent differing postures adopted by the less developed countries reduced the force of the position adopted by Pakistan and others. This was also the case in Pakistan's attempts to attach the concept of Additionality to the operational activities of international development agencies and organizations. On Additionality and the Fund, interaction patterns, rather than bloc voting, decided the outcomes. The emphasis on negotiated settlements was influenced primarily by the widespread desire to stick to the Stockholm compromises.

The adoption of the drafts by Jamaica and the Philippines was made possible through bloc voting. The two demands constituted a renewed effort to use politics to derive some benefits from the Environment Fund, in particular, and other international financial institutions. Two reasons can be advanced to explain the behavior patterns manifested by the less developed countries. First, because they felt problems of housing and human settlements constituted their most serious environmental problems, there was a certain

self-righteousness about their approach to the drafts by Jamaica and the Philippines. In his analysis of East-West negotiations, Kissinger has observed that strong convictions tend to complicate the process of negotiations.¹⁴⁰ The assertion that a demand or a position is morally justifiable tends to rigidify attitudes. The more rigid the attitude, the less likely that alternatives will be considered. The rigidity of the attitudes of the less developed countries on these drafts was affected by historical considerations as well. As a Brazilian delegate pointed out: "In the past, the developed countries had granted concessions to the developing countries only after intense pressure had been brought to bear on them." Therefore, rigidity in this instance was used as a tactic to bring about re-evaluation of the developed countries' position on the drafts. The tactic, however, failed.

The negotiation behavior of the less developed countries can also be interpreted in another way. In rejecting the opposition of the developed countries, the less developed countries appeared to have adopted the strategy of using the General Assembly framework to establish the direction of pressure during the UNEP Governing Council's formulation of

¹⁴⁰ Kissinger; The Necessity for Choice, pp. 214-216.

environmental priorities. In this sense, their rejection of the developed countries' opposition did not preclude further negotiations in the Council. The less developed countries sought to place their concerns above those of the developed countries by having the General Assembly, the most authoritative, imprint higher priority on their particularistic goals. In other words, their behavior on this issue was aimed at improving their negotiation prospects in the Council. The General Assembly served as a public forum for pressure to improve their bargaining position in the Council.

The behavior of the developed countries lends plausibility to the second interpretation. The reference attributed earlier to the U. S. Ambassador, Mr. Zagorin, clearly indicates that the developed countries' alleged procedural objections to the two drafts under analysis were intended to remove the negotiation advantage which a policy recommendation from the Assembly to the Council would give to the less developed countries. If this were the case, as it seems to the writer, then the less developed countries made a shrewd use of procedure to improve their bargaining prospects on the demands on housing and human settlements. It is not unimportant to note here that at the second session of the UNEP Governing Council, held in

March 1974, the developed countries agreed to a recommendation to the General Assembly to establish an international fund for human settlements as of January 1, 1975.¹⁴¹ The outcome confirms what Professor Kay found out in his study of the new nations' pressure on Britain to agree to UN-imposed sanctions against Rhodesia for its unilateral declaration of independence. Kay attributed the success of the new nations in part to their patient application of UN parliamentary processes.¹⁴² Numerous initiatives and persistent calls for action by the Special Committee of Twenty-four and its Subcommittee, finally, led to Britain's abandonment of its opposition to a UN discussion of the Rhodesian situation, thereby paving the way for the Security Council to impose economic sanctions against Rhodesia. A similar pattern of pressure politics and calls for the establishment of a fund for human settlements eventually broke the opposition of the developed countries. The less developed countries' failure to obtain the developed countries' support at Stockholm did not prevent them from re-raising the demand in the General Assembly and at the first Governing Council meeting in Geneva in 1973. Finally, they won their point at

¹⁴¹See UNEP: Report of the Governing Council on the work of the second session, 11-22 March 1974. UN General Assembly, Official Records, Twenty-ninth session, Supplement No. 25 (A/9625), pp. 76-79. For a summary of the debates, see pp. 28-31.

¹⁴²Kay; "The Politics of Decolonization," op. cit.

the second session of the Council in 1975.

There is, therefore, a utility dimension to confrontation politics whose importance may often be clouded by the well-known rigid negotiation postures it engenders. Confrontation is an obstacle to negotiations in the sense that sustained bombardment of the opponent may lead him to adopt an intransigent position and refuse to negotiate. Patient application of confrontation politics may also bring about negotiations, as was the case on the Fund for human settlements and also on other economic and financial demands, such as the principles of Additionality and Compensation.

The less developed countries did not limit their negotiation objectives to the specific issues of environmental protection. They also negotiated for political side-effects which, while not immediately related to the negotiation issues, were consistent with their traditional desire to reduce their political and diplomatic marginality in international affairs. This type of negotiation was manifested in the question of the location of the UNEP secretariat.

One must view as an outstanding achievement by Kenya its successful forging of consensus against the practice of locating all UN bodies in Europe and North America. There

is little doubt that Kenya successfully and skillfully used the politics of group indignation to serve a strong national desire to have a UN secretariat located in Nairobi. The more analytically interesting questions concern the principle invoked, the conduct of the negotiations, and the future implications of the Kenyan approach to the question of the location of UN bodies.

The principle of equitable geographical distribution of secretariats invoked by Kenya was a skillful extension of an old principle. Although never before applied to sites of UN bodies, the principle is particularly susceptible to the kind of creative extension attempted by Kenya. Article 1, paragraph 2, of the UN Charter affirms that the Organization is based on the principle of sovereign equality of member-states. The veto power given to the five permanent members of the Security Council has not diminished the importance of the egalitarian spirit of the Charter. Kenya could, and did, defend its draft resolution calling for the environment secretariat to be located in the less developed region of the world in terms of this egalitarian spirit of the Charter.

If the developed countries accepted the persuasiveness of the Kenyan arguments then their emphasis on economic and technical criteria must have been motivated by political considerations. Their last-minute amendment of the Kenyan

draft to make the principle of equitable geographical distribution only one of the criteria to be applied in deciding sites of UN bodies seems to suggest that they felt rather uneasy about the precedent which an exclusive political approach would set. This fear was expressed even more strongly in private. A similar attitude was manifested by the "satisfied" states (mostly developed countries) at the First and Second Law of the Sea Conferences. At those Conferences, the satisfied states relied on expert opinions and technical arguments as though "law [was] an abstract perfectible entity, divorced from the compromises required by the politics of competing state interests."¹⁴³ In other words, their use of economic and technical arguments to oppose the Kenyan draft was done politically to discourage change. Surely, the \$1 million additional cost expected from locating the secretariat in Nairobi was not so large a sum of money that could not be found if the political will existed.

The interaction process itself brings out two points which need emphasis. One concerns the unity manifested by the less developed countries while the second relates to the developed countries' abandonment of their opposition. From

¹⁴³Friedheim; "The 'Satisfied' and 'Dissatisfied' States Negotiate International Law: A Case Study," op. cit. p. 36.

the point of view of the interest of the less developed countries, the Kenyan initiative was well-conceived. A certain selfless motive was present in the initial Kenyan draft resolution. The draft advanced a group goal. One student of groups and group behavior has argued that "one of the potent sources of influence on a member as he chooses a personal aspiration for his group is an awareness of what others will prefer."¹⁴⁴ Although most of the less developed countries were not initially enthusiastic about the Kenyan initiative, the intent of the initiative was compatible with the group's desire to reduce their inferior status in the community of nations. Certainly, the practice of locating UN bodies only in Europe and North America is a symbolic confirmation of the less developed countries' dependence and subordinate status in the international system. Given the latter's economic and technological weaknesses, a political approach represented the only realistic way of challenging past practices which reflect on their inferior status in the system.

Explaining the unity manifested by the less developed countries in terms of the attractiveness of the egalitarian principles advocated by Kenya or the compatibility of the Kenyan demand with some of the group's traditional political

¹⁴⁴ Alvin Zander; Motives and Goals in Groups (New York: Academic Press, 1971), p. 25.

goals is, however, only partly true. Group caucusing and the leadership furnished by Kenya also contributed to the emergence of group support. The latter factors helped the task of mobilizing and keeping the less developed countries together.

In spite of the unity manifested by the group, they, however, did not exploit their voting power to cut off negotiations. Rather, they relied on the force of their egalitarian principles and were willing and able to counter the developed countries' parliamentary maneuvering to defeat their initiative. For instance, the timing of the Kenyan draft and its structure gave the less developed countries an immense negotiating advantage over the developed countries which were then struggling to agree on a text. Admittedly, it was the less developed countries' voting strength which won them their demand in the end, at least in the Second Committee. It must be pointed out, however, that the vote was resorted to only after it had become clear that by insisting upon the criteria of economy and efficiency the developed countries did not accord sufficient importance to the political undercurrents of the issue. In the context against which the less developed countries approached the issue, the developed countries' attitude did not help accommodation and made a vote show-down somewhat inevitable.

One point about the interaction process which should be stressed is that a bloc-sponsored proposal need not preclude bargaining. Therefore, if the less developed countries succeed in striking a balance between the two, they should be able to open a new level of negotiation strategy.

The second element of the negotiations to be treated is the developed countries' abandonment of their opposition, thereby permitting the less developed countries' demand to be adopted by consensus by the plenary General Assembly. The developed countries accepted the validity of the Kenyan arguments. For political reasons-- prevention of an unacceptable precedent-- however, they were unwilling to support it in the Second Committee. Their diplomatic about-face, as one American delegate privately remarked, was primarily brought about by their recognition and acceptance of political defeat. This still does not explain the developed countries' failure to threaten the less developed countries with financial boycott of the secretariat. According to the same American delegate, such a boycott would have amounted to a poor diplomatic judgment. Therefore, adverse diplomatic judgment acted as a constraint which prevented the developed countries from exploiting their financial power. The deference to an "international public

opinion" confirms Professor Alger's concept of the non-
resolution consequences of UN resolutions.¹⁴⁵ Alger suggests
that international coverage of UN debates affects the
behavior of delegations. Additionally, Assembly resolutions,
according to Alger, have some impact on a broader range of
international problems. It was concern for this adverse
potential spill-over effects or non-resolution consequences
of using financial power to deny the less developed countries'
right to host UN bodies which the American delegate may have
had in mind when he considered financial boycott as poor
diplomatic judgment. Another explanatory reason was
suggested privately by a senior secretariat official for the
non-availability of the financial weapon to the developed
countries. According to him, the developed countries were
so eager to get the environment program started that the
threat of financial boycott of the secretariat was not an
attractive bargaining tactic. If this were the case, then,
one of the strongest bargaining weapons in the less developed
countries' favor was this deep interest which the developed
countries' had in the success of the environment program.

¹⁴⁵Chadwick F. Alger; "Non-resolution Consequences
of the United Nations and their Effect on International
Conflict," Journal of Conflict Resolution, vol. V, No. 2,
(June 1961), pp. 128-145.

If the former can succeed in keeping their particular interests at the center of the program's over-all purpose and adopt skillful negotiation postures, they should stand a better chance of turning the program to their advantage.

It is clear from the less developed countries' rejection of the developed countries' economic and technical arguments that, in their view, a world organization, because of financial and technical considerations, should not be operated from only two bases. What is involved in this decision are symbols of political equality and justice. The location of the secretariat in Nairobi does not necessarily imply that the less developed countries' political and economic interests would be met more satisfactorily than would have been the case if another site had been chosen. Thus, what the less developed countries went after were symbols of equality and justice. The emphasis on psychological gratification, however, need not diminish the economic side-effects for Kenya of the presence of the secretariat there. New sources of national income have been opened up. For a country experiencing balance-of-payments difficulties, this is not an unimportant source of income. In fairness to Kenya and the rest of the less developed countries, considerations of justice and equality were regarded as much more important than economic benefits. While the crucial linkages between the principles of justice and equality on the one hand, and

economic rewards on the other, were recognized by the group, the debates centered around concerns for justice and equality. In fact, it was only the delegation of Sri Lanka that once emphasized the economic benefits that would accrue to the less developed regions if UN secretariats were located there. The point was made even more strongly in private that while the presence of the economic motive in Kenya's initiative was not ignored, it was not that motive which persuaded most of the less developed countries to support the initiative.

It is evident from this discussion that the less developed countries are not relying exclusively on their numerical majority. They are continuing their practice of using principles to challenge the prevailing norms of international politics. Whether Kenya's successful challenge on the subject of equitable geographical distribution of UN bodies is the beginning of a process toward increasing demand for more and more decentralization of UN bodies is hard to tell. It all depends upon the rate of proliferation of international organizations and the attitudes of the developed countries toward change in the norms and practices of international politics. It is reasonable to assume that, given the less developed countries' insistence on change in the international system, they are unlikely to drop their revisionist demands with respect to this subject matter. What this

will mean in terms of Western affection for the UN is a purely speculative question.

A final characteristic of the negotiation should be mentioned. The less developed countries exercised greater restraint on economic than political issues during the final round of negotiations. The attempts by new activists to seek revisions of the Stockholm compromises on economic and financial issues, particularly the principle of Additionality and the disbursement of the Environment Fund, were not enthusiastically supported by most of the less developed countries. Most of them appeared either satisfied with the Stockholm compromises or felt that they were the best for which they could negotiate. Because of this negotiation posture, the new activists within the group were under pressure to favor certain outcomes rather than others. In so doing, confrontations were considerably reduced. As a matter of fact, confrontations were serious only in relation to the drafts on housing and human settlements. Thus, on the key economic and financial questions, the negotiations appeared to have changed over time toward more conciliatory-type negotiations. This point confirms an earlier one made in the preceding chapter that discussion of UN conference processes must include the concept of stages in the chain of interaction processes.

On political issues, no such restraint was manifested by the less developed countries during the final round of negotiations. Thus, the Asian demand for a further increase in the size of the Governing Council and Kenya's bid for the UNEP secretariat were all characterized by prolonged confrontations and bloc voting in the Second Committee. The developed countries, however, abandoned their opposition on both drafts and voted for them in the plenary General Assembly. In spite of the similarity of the interaction processes on both drafts, the two drafts were separable. On the Asian draft, the confrontation involved Africa and Asia on the one hand and the developed countries on the other, with Latin America playing a passive role. The Kenyan draft, as we just saw, was largely a straight less developed-developed countries' confrontation. The negotiation difficulties encountered on the two drafts, perhaps, are not unrelated to the inadequateness of the time available for discussion. Of course, it is not being suggested that prolonged period of discussion, as was the case in the economic and financial questions, would have made negotiations necessarily easier. However, it may have reduced the total time spent on acrimonious debates. As well, it may have brought to the fore some less polarizing formulae. The two demands apparently caught most delegations unprepared.

Even on these polarizing issues, attempts were made to reach negotiated settlements. For instance, the Western European and Others group offered one of their seats to the Asian group so as to keep the size of the Governing Council at fifty-four. On the Kenyan draft, alternative suggestions were offered, particularly one by the Nordic countries which, among other things, called for a postponement of the vote so that a more comprehensive survey of the present geographical and regional distribution of secretariat units could be undertaken with the view to relocating some of them in the less developed region. Tunisia similarly recommended the location of the environment secretariat provisionally in one of the proposed sites pending a final decision by the next Assembly session. Although these alternatives failed, the emphasis on negotiated settlements is worth bearing in mind. It confirms our assumption that while the environmental issues were typically North-South issues, the interaction patterns were not so typical.

CHAPTER VI

SOURCES OF INFLUENCE OF THE LESS DEVELOPED COUNTRIES IN THE ENVIRONMENTAL NEGOTIATIONS

The summaries of the preceding chapters have dealt mostly with the role of the less developed countries' delegations in the environmental negotiations and the outcomes. However, a simple analysis which deals with only outcomes does not provide genuine insights into the real determinants of these outcomes. The successes of the less developed countries in the negotiations are associated with other clusters of variables. This chapter, therefore, seeks to gather together previously mentioned clusters of variables into a summary discussion of how these variables enabled the less developed countries to achieve most of their objectives¹ in the negotiations.

¹It is important to distinguish between successful passage of resolutions during UN conference processes and the implementation of such resolutions. An adopted resolution may be so controversial as to reduce its chances of being implemented by all member-states. Further, it is not uncommon in UN diplomacy for delegations to support resolutions without intending to implement them. However, for purposes of theoretical inquiry, the process of passing resolutions and the implementation of these resolutions belong to two different levels of analysis. An analyst may and should pass judgment on the wisdom of a particular resolution adopted in conference diplomacy but his judgment should not lead him to blur the analytical distinction that can be made between the processes of passing resolutions and the problems of implementation.

The shift in analytical focus brings us back to the question raised in Chapter I: Can the weak (poor) in negotiations with the strong (rich) escape from their weaknesses and obtain concessions from the strong? According to dependency and international stratification theorists, as well as the realist school, pervasive disparities in economic, military, scientific-technological, and communication capabilities ultimately determine international issues. The positions of states in the "international power structure" are what count in negotiations. The higher a country's position, "the more can it be expected to participate intensively in the international system and to exercise influence." Even in UN² diplomacy with its heavy emphasis on voting, countries high on the scale of capabilities are said to be the most influential because of their control over the resources to which the weak countries are aspiring.³ In the terminology

The implementational aspects of the less developed countries' recommendations will not concern us in this study.

²Klaus Jürgen Gantzel; "Dependency Structures as the Dominant Pattern in World Society," Journal of Peace Research, vol. 10, (1973), p. 205.

³In their studies of eight international organizations (ITU, ILO, UNESCO, WHO, IAEA, IMF, GATT, and UNCTAD), Professors Robert W. Cox, Harold K. Jacobson and associates found that the Western developed countries have been the most influential in all the organizations studied. See Cox and Jacobson (eds.); The Anatomy of Influence: Decision-Making

of Professors Robert W. Cox and Harold K. Jacobson, the strong countries retain vetoing and controlling influences over outcomes in UN diplomacy.⁴

Unlike dependency theorists, Cox and Jacobson recognize other sources of influence in decision-making in international organizations. These include initiation of resolutions, brokerage roles, the limitations imposed by issue areas, the roles of executive heads of international organizations, and other constraints inherent in decision-making in international organizations. It is these other sources of influence and the constraints on the exercise of influence to which Professor I. William Zartman draws attention when he calls for the analysis of "power in the context of negotiations."⁵ According to Professor Thomas C. Schelling, skillfulness in debates, possession of financial resources, physical strength, military potency "are by no means universal advantages in bargaining situations; they

in International Organization (New Haven: Yale University Press, 1973), especially the concluding summary, pp. 371-436.

⁴Ibid., pp. 12-14.

⁵See I. William Zartman; The Politics of Trade Negotiations between Africa and the European Economic Community: The Weak Confront the Strong (Princeton: Princeton University Press, 1971), p. 206.

often have a contrary value."⁶ He goes on to assert flatly that "in bargaining weakness is often strength."⁷ Clearly, in terms of the capabilities scale, it is hard to trace the sources of the less developed countries' influence in the environmental negotiations, and for that matter, in any negotiations with most of the developed countries. Neither can we focus exclusively on their voting strength for, as is evident in the study, they did not press every issue to a vote. For a fuller understanding of the less developed countries' sources of influence in the environmental negotiations, several clusters of variables must be isolated through an analysis of the Conference process.

I. Exercise of Influence by Means of bloc Politics

Popular scholarship ascribes to bloc politics the major source of the less developed countries' influence in the United Nations.⁸ While it is true that bloc-sponsored

⁶Thomas C. Schelling; The Strategy of Conflict (New York: Oxford University Press, 1963), p. 22.

⁷Ibid.

⁸For studies on bloc politics as a source of influence, see Cox and Jacobson, op. cit. p. 394; Robert O. Keohane; "Political Influence in the General Assembly," International Conciliation, No. 557 (March 1966), p. 5; David A. Kay; "Instruments of Influence in the UN Political Process," in

resolutions and bloc-voting constitute the strongest negotiating asset of the less developed countries, bloc politics is effective only if there is bloc unity. Therefore, an analysis of the role of bloc politics in increasing the less developed countries' potential for wielding influence must discuss the general problem of how they developed and kept the bloc together.

Kay (ed.); The United Nations Political System (New York: John Wiley and Sons, Inc., 1967), p. 105. The phenomenon of bloc politics at the UN has been studied intensively. Much of the literature has focused on bloc identification and voting cohesiveness of blocs. The most comprehensive study attempted thus far is Thomas Hovet's Bloc Politics in the United Nations (Cambridge, Mass.: Harvard University Press, 1960). Hovet distinguishes between blocs and caucusing groups. He restricts the term bloc to "a group of states which meets regularly in caucus and the members of which are bound in their votes in the General Assembly by the caucus decision." (p. 30). Caucusing group is applied to "any group of member states in the Assembly which has some degree of formal organization" but is not bound by bloc decisions. (p.31). For other studies of bloc politics at the United Nations, see M. Margaret Ball; "Bloc Voting in the General Assembly," International Organization, vol. 5 (1951), pp. 3-31; Bruce M. Russett; "Discovering Voting Groups in the UN," American Political Science Review, vol. 60 (1966), pp. 327-339; Hayward R. Alker and Bruce M. Russett; World Politics in the General Assembly (New Haven: Yale University Press, 1965). In our study, the less developed countries are referred to as a bloc not in terms of Hovet's definition but in terms of Furey's. Furey suggests that "essential to the definition of a bloc is a sense of solidarity and definite purpose." (Quoted in Arend Lijphart; "The Analysis of Bloc Voting in the General Assembly: A Critical Proposal," American Political Science Review, vol. 57, 1963, p. 902). Furey's definition seems to be compatible with what is empirically known about the behavior of the less developed countries at the United Nations.

It is clear from this study that bloc unity was one of the major sources of influence of the less developed countries on the outcomes in the environmental negotiations. They resorted to bloc-sponsored resolutions and bloc-voting on many issues of key interest to them, particularly during the pre-Conference phase. But bloc politics did not operate in the same way as it does within UNCTAD where, among other things, the group structure "allows a determined individual to block agreement."⁹ In the three issue areas studied, there was widespread group agreement on conceptual approach, as well as on most of the more specific demands made by group members. Although a few made demands on issues particularly relevant to their national and regional interests, such as Argentina and Brazil on the principle of consultation and information exchange; Sri Lanka on natural rubber; the African group on apartheid and colonialism; and the Asian group on the Governing Council, conflicts increasingly fell along North-South lines.

Several factors helped the process of developing and keeping the bloc together on most of the issues discussed. First, initial participation by the less developed countries

⁹Cox and Jacobson, op. cit., p. 396; see also Branislav Gosovic; "UNCTAD: North-South Encounter," International Conciliation, no. 568 (May 1968), p. 25.

was extremely low. In fact, Brazil and, to a less extent, Chile assumed the initial leadership role of defending the interests of the less developed countries and defining the terms of their participation in the Conference. This limited participation in the initial debates reduced the scope of intra-group conflicts over strategies to be adopted. Indeed, Brazil, in particular, appeared to have had a free hand during this period in making demands on behalf of the Group of 77 and later mobilizing group support behind them. Brazil was able to seize the initiatives because it showed greater understanding of the implications of the environmental issues than most of the other delegations from the less developed countries. Expert knowledge in the field in which the UN is engaged is regarded generally as a frequent source of influence.¹⁰

Brazil also had a particular national interest to defend. As one of the fastest developing of the less developed countries, introduction of environmental protectionism now had more immediate serious implications for its projected rate of growth than countries yet to begin their industrialization process. It was, thus, in Brazil's interest to seek to mobilize the sentiments, however inchoate, of the disadvantaged group of less developed countries to a level sufficiently

¹⁰Cox and Jacobson; op. cit., p. 396.

strong to make their views respected by the initiators of the Conference. In the process, Brazil provided the initial framework for the emergence of group unity. Soon the interests of the less developed countries coalesced primarily around the economic and financial implications of environmental quality policies. Brazil's initial role is of analytical importance because, according to students of community conflict, the more one-sided conflicts are made to appear, the more effective they are in mobilizing the attention of group members.¹¹ Because the threats to their developmental objectives were made to appear as the central issue, there was little potential for disrupting the group of less developed countries.

The re-structuring of the debates placed the issues in the realm of redistributational type of negotiations, thereby making a certain pattern of demand-making familiar and acceptable to most of the less developed countries. This context of the debates helped the process of building and maintaining group unity in the sense that the re-structured issues had all the potential of mobilizing the group.

¹¹For a discussion of this point and the process of issue transformation in community conflicts, see James S. Coleman; Community Conflict (New York: The Free Press, 1957), pp. 10-25.

Besides the leadership role furnished by Brazil and a few others, the careful and extensive pre-Conference preparations provided the less developed countries with opportunities to harmonize their demands. The Founex recommendations and the regional seminars on development and environment considerably reduced areas of potential disagreements among the less developed countries. As well, the Second Ministerial Meeting of the Group of 77 contributed to the emergence of unity by agreeing to a set of policy recommendations to be sought in the environmental negotiations.¹² It must be reemphasized that the less developed countries' frustration over the outcome of UNCTAD III made it easier for them to maintain group unity and apply group pressure to compensate for their losses at UNCTAD III. In this sense, losses at UNCTAD III gave the environment conference an added political importance and underscored the need for group cohesion. On one occasion, group unity was maintained through the application of group pressure. This process characterized aspects of Kenya's initiative on the question of site of the environment secretariat.

¹²For the total scope of the recommendations, see II Ministerial Meeting of the Group of 77, October 25-November 6, 1971, Lima, Peru, (UN Document A/C.2/270, 15 November 1971).

It must not be inferred from the above that there were no national and regional differences among the less developed countries. Mention has already been made of some of these differences. Additionally, there was a mild division of opinion over population control, with most of the Asian countries calling for a recommendation on population control while most of the African and Latin American countries were less so inclined. Although an acceptable compromise was found, Argentina tried to frustrate the search for a compromise by unsuccessfully attempting to exploit group solidarity principles. As well, differences over tactics emerged among the less developed countries on a few occasions. Thus, Ghana, Liberia, Malta, Sierra Leone, Singapore, and Trinidad and Tobago abstained during the pre-Conference voting on the group's resolution on Development and Environment because they preferred the issues raised to be negotiated rather than settled by the fiat of the vote. On the whole, however, group interests were so strong that individual differences tended to be played down. This was evident in Kenya's bid for the environment secretariat. Tunisia's role on this question particularly corroborates our contention. Favoring a consensus solution to the question, Tunisia attempted to initiate a compromise recommendation which would have considered other sites in the developed

countries along with sites in the less developed countries. Under group pressure, however, Tunisia abandoned its preferred position and voted with the Group of 77.

Bloc unity is only a source of influence. As Professor Thomas Hovet aptly points out: "It provides an opportunity to create a combined voting power which can be a critical factor in negotiating with other groups."¹³ Therefore, the relevance of bloc unity as a source of influence in UN diplomacy depends on how it is used, as well as the presence of other complementary variables. It is on how bloc politics was used by the less developed countries and its effects on their opportunities for wielding influence that we will now focus. This will be discussed under negotiating style. Other complementary clusters of variables are treated later.

II. Negotiating Style of the Less Developed Countries as a source of Influence

The tendency for the less developed countries to rely on bloc voting to achieve their diplomatic objectives at the United Nations has received mixed comments in the literature. Some students have criticized it as being particularly susceptible to manipulation by a smart and unscrupulous delegate or group of delegates. More particularly,

¹³Hovet, op. cit., p. 112.

bloc politics (bloc voting) is frowned upon by its critics because it makes negotiation of compromise agreements more difficult. It is argued that instead of introducing flexibility into the negotiation process, it rather conduces to group inflexibility and "irresponsible" bargaining behavior.¹⁴ Other students maintain that bloc voting dissociates real power (economic, military, scientific-technological and communication capabilities) from voting power and, therefore, makes UN resolutions less authoritative. This lament over the dissociation of real power from voting power, according to Professor Ali A. Mazrui, "stems from the premise that the more powerful a country is, the greater should be not only its capacity but also its right to determine what ought to happen in the world. Its vote in the UN should count for more than the vote of a small country."¹⁵

Other students have been a little bit more tolerant of bloc politics at the United Nations because they see it as necessary for the protection of the interests of small and

¹⁴For discussions of some policy implications of bloc politics, see Hovet, op. cit., pp. 112-120; Johan Kaufmann; Conference Diplomacy (New York: Oceana Publications, Inc., 1970), pp. 148-152; Ruth B. Russell; The General Assembly: Patterns/Problems/Prospects (New York: Carnegie Endowment for International Peace, 1970), pp. 53-57.

¹⁵Ali A. Mazrui; "The United Nations and Some African Political Attitudes," International Organization, vol. 18 (1964), p. 511. Emphasis is original.

weak countries. Professor Mazrui has asserted that:

The purpose of the UN should not be to make the powerful a little more influential; on the contrary, the United Nations should be concerned with moderating the immense capacity for independent initiative which power gives to the powerful. And in this task of moderation, a distortion of the vote in the UN to favor the small countries might be precisely what is needed.¹⁶

It is certainly difficult to generalize about the advantages and disadvantages of bloc politics for the effective conduct of UN conference diplomacy. There is little doubt that as a bargaining style, it has the potentiality of complicating consensus-formation in UN negotiations. In addition, it can be misused if it is relied upon as the dominant negotiating style.

In the past, bloc voting has been used by the less developed countries to express moral protest against, for example, colonialism and apartheid, and to force changes in the norms of international politics. It has also been used in the realm of economic development to establish economic development organizations under the authority of the General Assembly. The Special Fund, UNIDO, UNCTAD, UN Capital Development Fund are creations of such political processes. On these issues, the less developed countries have tended to

¹⁶Op. cit., p. 512.

judge proposals submitted by the developed countries, especially the West, not in terms of search for compromises but in terms of their reasonableness. The criterion of reasonableness has usually been the extent to which proposals by the West go toward achieving social, economic, and political justice for the less developed countries. This moral approach to negotiations tended to lead to the use of the vote to express moral protest against perceived diplomatic "stalling" on the part of the developed countries. This approach is true of the SUNFED, the Capital Development Fund, the decolonization, and UNCTAD I and II negotiations.

On the environmental issues, however, the less developed countries showed a skillful blending of bloc and bargaining politics. Although they showed strong unity on their demands and supported bloc-sponsored resolutions, for the most part, they appeared willing to talk and bargain rather than take advantage of their numerical majority to pass resolutions over the objections of the developed countries. The less developed countries shrewdly manipulated their economic and financial underdevelopment and used it as the source of their moral pressure and demands for concessions from the developed countries, especially the West. For most of the time, as will become evident in the discussion under their bargaining tactics, spokesmen for the less developed

countries relied on reasoned arguments, appeals and bargaining, rather than voting as their major negotiating style. Even though this diplomatic style did not cause the developed countries to support every demand made by the less developed countries, it created an atmosphere conducive to bargaining and increased the latter's chances of winning voluntary concessions from the former.

Closely related to their bargaining style was the flexibility manifested by most of the less developed countries on some of their controversial demands. As noted before, on their demands for additional aid and compensatory financing, they were willing to accept moderate solutions. They even dropped their demand for an international fund for development and environment in deference to the opposition of the West. As was pointed out previously, the less developed countries ignored a similar opposition and established the UN Capital Development Fund in 1966. The less developed countries' preference for bargaining during the environmental negotiations had one important effect: it increased their opportunities for influencing the developed countries. As a Canadian delegate privately pointed out, their willingness to consider alternatives which fell short of their demands encouraged some of the more flexible delegations from the West, particularly Canada, France, the Nordic countries, and West

Germany, to actively search for broadly-based compromise recommendations. Some of these compromises, such as the Principles of Additionality and Compensation, may not have met the less developed countries' criterion of reasonableness, but when compared to what they had before or what most of the developed countries previously were prepared to offer, they appear to be substantial concessions. Further, the Declaration on the Human Environment, adopted by consensus, embodied most of the key demands of the less developed countries. To the extent that the less developed countries' preference for bargaining and willingness to accept some compromises made some of their key demands acceptable to a majority of the Western countries, their negotiating style increased their chances of getting something more than they had before.

It should not be concluded from the above that the less developed countries' negotiating style was entirely free of rigid postures. Such rigid postures at times cost them influence. Their tendency to elevate some demands to the level of moral imperatives and symbolic decision-making did not always permit flexible negotiations. Such was the case on international distribution of industrial activity, fund for housing and human settlements, and site of the environment secretariat. On these issues, the less developed countries

won, at least initially, on the basis of bloc voting. In addition, occasional frustration at the West's diplomatic stalling, as well as the availability of the vote, prevented them from using effective counter-arguments. For instance, in refusing to support the Principle of Compensation, the United States based its defense on the lack of historical precedent and the need for encouraging environmental responsibility. With respect to the Principle of Compensation, Edwin Martin has questioned the validity of the U. S. defense. "Certainly," he has argued, "compensation has a long GATT¹⁷ history." Instead of citing historical precedents to sustain their demand for trade compensation, the less developed countries merely stuck to their demand and reiterated their need to protect their incomes from trade. Ability to weaken the bargaining arguments of one's opponent and, thus, limit his options, is an important diplomatic skill and strategy, but the less developed countries, apparently, failed to use this weapon effectively in this case. It is purely speculative whether the exploitation of this strategy would have changed the attitude of the United States on the question of trade compensation. However, it certainly would have

¹⁷Edwin M. Martin; "Environment and Development in the Light of the Stockholm Conference," in Development Cooperation: Efforts and Policies of the Members of the Development Assistance Committee, OECD, 1972, Review, p. 155.

weakened the credibility of its position on this issue.

Additionally, the less developed countries' assumption of the existence of group unity led to a breakdown of inter and intra-group consultations on some issues during the final round of negotiations. This had two effects on the conduct of the negotiations. First, the lack of intra-group consultation and coordination weakened the less developed countries' capacity for wielding influence. This was so because some of them were placed in untenable diplomatic positions by initiatives launched by new active members. Partly to reconcile differences and thus maintain their diplomatic credibility, some of the less developed countries were forced to either seek revisions on measures which they could be persuaded to support, for example, the Pakistani draft on Additionality, or to oppose them altogether, as did Latin America on the Asian draft on the size of the Governing Council.

The second important effect of the breakdown of the consultation process was the frequent resort to the use of the vote by the less developed countries during the final round of negotiations. Thus, the Asian amendment on the Governing Council, the drafts on housing and human settlements introduced by Jamaica and the Philippines, and Kenya's draft on the site of the secretariat were all characterized, at

least initially, by bloc voting. Although most of the developed countries probably would not have supported these demands anyway, the absence of inter-group consultation created the impression that the less developed countries were shifting away from the emphasis on bargaining and negotiated settlements to bloc voting.

Privately, some delegates from the less developed countries explained the group's negotiating rigidities on some issues as a response to what they thought was the developed countries' unresponsiveness to 'reasonable' and 'sober' demands. These delegates suggested that in comparison to other North-South encounters, their demands in the environmental negotiations were not extreme. Unfortunately, some of the developed countries, especially the United Kingdom and the United States, saw the Conference not in terms of any obligations to 'help' the less developed countries achieve their political objectives but in terms of adjustment of competing interests. Thus, on the question of site of the environment secretariat, most of the developed countries refused to view the issue as a struggle for political justice and equality. Rather, they saw it in terms of efficiency and cost minimization. Therefore, the persistence of differing world views often affected the climate of bargaining and made accommodation difficult to reach.

By and large, however, it remains true that the most striking feature of the environmental negotiations was the less developed countries' preference for hard bargaining and negotiated settlements over bloc voting. As an Indian delegate privately summed it up: "We have become more discriminating in the use of the vote." This discriminating use of the vote encouraged the more moderate of the delegations of the developed countries to reciprocate by encouraging and leading the search for compromise recommendations on some key issues. This climate of the environmental negotiations, as has been stressed repeatedly, contrasts sharply with the decolonization and UNCTAD negotiations. In UNCTAD forums, face-saving compromises are resorted to only in the final hours of the conference. Even if the compromises reached on the environmental negotiations did not meet all the objectives of the less developed countries, they represented significant shifts in the attitudes and positions of most of the developed countries.

The evidence from the environmental negotiations permits one to offer the tentative hypothesis that bloc political approach to negotiations in the UN need not lead to confrontation, "irresponsible" bargaining behavior, and stalemate. The issues in the North-South conflict processes have not changed but the style of negotiation may be changing.

As previously mentioned, the change in negotiating style was evident at the Third Law of the Sea Conference held in Caracas when, on the initiative of most of the less developed countries, there was an agreement not to use the vote until all avenues at reaching a consensus had been exhausted.

III. Bargaining Tactics as a Source of Influence

The instruments and techniques used by the less developed countries included initiation of resolutions, obligation of the developed countries through exploitation of economic weaknesses, passivity, parliamentary maneuvering and exploitation of the egalitarian ideology of the UN Charter.

A. Initiation of Resolutions

Many students of influence-wielding in international organizations have pointed to the existence of a strong relation between assuming leadership on an issue through sponsorship of resolutions and capacity for exercising influence.¹⁸ A delegate or group of delegates has to assume

¹⁸For useful commentaries on the relationship between initiatives and capacity for wielding influence in UN political processes, see Robert O. Keohane; "Political Influence in the General Assembly," op. cit., pp. 24-28; David A. Kay; "Instruments of Influence in the United Nations Political Process," op. cit., pp. 106-107; Johan Kaufmann; Conference Diplomacy, pp. 76-79; Ernst B. Haas, Robert L. Butterworth, and Joseph S. Nye; Conflict Management by International Organizations (Morristown, N. J.: General Learning Press, 1972), pp. 8-9; Cox and Jacobson; The Anatomy of Influence.

leadership on an issue by introducing a resolution and persuading other members to support it in order to begin the process of debates and decision-making in international organizations. Initiating a resolution permits the initiator "to create the framework for subsequent debates, to define the issues, and to express ideas and grievances in a forcible and widely publicized way."¹⁹ Ability to define the issues in ways favorable to one's position, as was pointed out previously, is one way of increasing the probability that outcomes will be favorable to one's position. Therefore, the role of sponsorship of resolutions as an instrument of influence in UN political processes is that it provides the sponsors with "a bargainable commodity" in the sense that they can shift "the terms of debate and negotiations towards [their] positions."²⁰

The less developed countries made an effective use of leadership by initiation of resolutions. Naturally, their initiatives were restricted to issues of special interest to them. Their resolution on Development and Environment, for example, introduced a completely new set of issues into the debates and negotiations. It re-ordered the priorities

¹⁹Keohane, op. cit., p. 24.

²⁰Kay, op. cit., p. 107.

to be sought in the debates. By arguing that the eradication of poverty and underdevelopment ("pollution of poverty") was a morally superior goal to the eradication of "pollution of affluence," the less developed countries re-structured the terms of the debates by injecting a social and moral dimension into the Conference. This approach diversified the issues and weakened the developed countries' previous monopoly over the preparation process. Instead of being exclusively concerned about the pollution problems caused by industrialization, the developed countries were forced to place their concerns in the larger context of the socio-economic development of the less developed countries. Thus, as the preparations peaked, most of the developed countries accepted the importance of giving priority attention to the problems caused by poverty.

The developed countries' policy responses did not always reflect their acceptance of the priority of problems of poverty. However, the fact that most of them were saying "Concern about the environment stemmed basically from concern for improving the quality of human life, and clearly the most striking factor impairing that quality was poverty,"²¹ suggests that the less developed countries' initiatives were successful, at least at the conceptual level. For a

²¹Mr. Ringnalda (Netherlands); A/C.2/SR.1427, 7 December 1971, p. 3.

Conference which was initiated primarily to find solutions to problems caused by social and material progress, the emphasis on poverty was a significant shift in conceptual approach. The initiation of resolutions favorable to them enabled the less developed countries to place their objectives on the agenda of the Conference. In addition, it increased the level of their participation in the Conference, thereby making it unlikely that the developed countries would summarily ignore their interests. In view of the importance which most of the developed countries attached to the less developed countries' active participation in the Conference, the latter's heightened interest was not an inconsiderable source of influence.

Given the effectiveness of the less developed countries' leadership roles, a question needs to be asked and answered: What kind of leadership produces how much consensus in UN political processes? It is evident from this study that the leadership furnished by the less developed countries was not of the harassing, uncompromising kind. Although they were less compromising in their demands during the pre-Conference phase of the negotiations, most of the less developed countries, as we have illustrated previously, were more receptive to compromises and even diplomatic defeats on some of their demands. There is, therefore, a

relationship between leadership types and the quality of consensus that emerges in conference diplomacy. Cox and Jacobson, however, have suggested that there is an additional dimension to this relationship. They assert that types of decisions affect leadership types. They, for example, relate intransigent leadership in UNCTAD forums to the fact that decision-making there has a large symbolic component.²²

Assuming leadership in sponsoring resolutions is one thing, getting them adopted is another. Sponsors of resolutions may limit the range of effective alternatives available to others, but they do not always succeed in causing opponents to vote for the resolutions or acquiesce in the position adopted by the majority. A discussion of the less developed countries' successes in obtaining a fairly broad support for most of their initiatives in the environmental negotiations must identify and discuss bargaining tactics other than sponsoring resolutions. Because the major developed countries have a virtual vetoing and controlling

22

Cox and Jacobson; The Anatomy of Influence, p. 396. Symbolic decisions are defined by Cox and Jacobson as "primarily tests of how opinions are aligned; no practical consequences in the form of actions flow directly from these decisions." (p. 9). Although no direct consequences flow from symbolic decisions, they cumulatively affect the milieu of international relations (pp. 9-10).

23

influence over many initiatives in international organizations, analysis of the less developed countries' successes should also be able to explain why the developed countries' pattern of responses was remarkably different from, for instance, what is empirically known to happen in UNCTAD forums. Here, the nature of the issues, the interests of the developed countries in these issues, and the importance attached to the less developed countries' participation in the environmental program have a direct bearing on any discussion of outcomes. These variables, as sources of the less developed countries' influence, are discussed later. For now, other bargaining tactics must be treated.

B. Exploitation of Economic Weakness

Bloc unity and politics and leadership by initiation of resolutions have been identified as having conferred bargaining advantage on the less developed countries in the environmental negotiations. Other bargaining tactics were used to strengthen their bargaining position. One was the

²³Cox and Jacobson have argued that vetoers and controllers can complicate negotiations by blocking demands for change. A vetoer is any actor that has "the power to prevent a decision by whatever means he may require." (p. 12). Controllers are those actors "whose known or surmised views may have to be taken into account because of their control of resources or their formal authority, or for some other reason." (p. 12). For a theoretical discussion of initiation,

exploitation of economic weaknesses to obligate the developed countries. Schelling's claim that in bargaining, weakness is often a source of strength, has been mentioned already. Assertion of simple incapacity has also been identified by Zartman as one of the ways by which alternatives in negotiations can be limited.²⁴ The process of limiting alternatives is, in reality, a process of wielding influence because the range of one's opponent's options becomes limited. Clearly, in the environmental negotiations, the strategy of obligating others to increase the potential for wielding influence was more available to the less developed than to the developed countries. Most of the latter had the resources and skills which most of the former did not have and, therefore, the incapacity tactic was difficult to use.

How did weakness get converted into strength?

Primarily, the conversion process took two forms. First, the less developed countries used reasonable and moral arguments to increase the probability that the developed countries

vetoing, controlling and brokerage as means of influence in decision-making in international organizations, see Cox and Jacobson, op. cit., pp. 12-14.

²⁴For a fuller discussion of the process of limiting alternatives in negotiations, see Zartman; The Politics of Trade Negotiations between Africa and the European Economic Community, pp. 206-211.

would recognize the legitimacy of their weakness. Thus, the theme that poverty does not improve the quality of life was repeatedly asserted by speaker after speaker. By constantly reiterating this theme, the less developed countries kept it at the forefront of the debates. Along with the theme that poverty and environmental quality are incompatible, went their appeals to the developed countries to place the welfare of two-thirds of mankind living in the less developed world at the center of the environmental program. It has been pointed out that some of the developed countries, notably the United Kingdom and the United States, did not define the negotiation issues in moral terms. However, the

²⁵The relationship between international politics and moral norms is a controversial area of study in the literature. For some theoretical discussions on the subject, see Hans J. Morgenthau; Politics Among Nations: The Struggle For Power, 4th edition (New York: Alfred A. Knopf, 1966), pp. 224-317; Ernst B. Haas and A. S. Whiting; Dynamics of International Relations (New York: McGraw-Hill Book Co., 1956), pp. 385-427; Charles O. Lerche and Abdul A. Said; Concepts of International Politics (Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1963), pp. 168-184; K. J. Holsti; International Politics: A Framework for Analysis (Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1967), pp. 387-441; John G. Hadwen and Johan Kaufmann; How United Nations Decisions Are Made (New York: Oceana Publications, 1962), pp. 67-68; Arnold Wolfers; "The Pole of Power and the Pole of Indifference," World Politics, vol. 4 (1951), pp. 39-63; Werner Levi; "The Relative Irrelevance of Moral Norms in International Politics," Social Forces, vol. XLIV (1965), pp. 226-233.

impact of the less developed countries' demands on the conceptual approach to the Conference and on the Declaration are clearly evident. As we saw in Chapter V, the first principle in the Declaration deals with human welfare, dignity and human rights issues. Similarly, at Stockholm, the delegation heads of Canada and Japan justified the legitimacy of the less developed countries' Principle of Additionality in terms of the logic that poverty does not improve the quality of life.

Secondly, the less developed countries' conversion of their weakness into strength took the form of warnings of non-participation in the environmental consciousness. If warning in negotiations is defined in Zartman's terms as indicating future consequences beyond the warner's control,²⁶ then the less developed countries were telling the developed countries: "If you don't provide us with the means to implement environmental protection measures, don't blame us if we pollute." In effect, the former were using their economic weakness to establish the limits of their ability to participate in the environmental program. This changed the bargaining situation by shifting the burden of concession-making to ensure the participation of the less developed

²⁶Zartman, op. cit., p. 208.

countries onto the developed nations. To the extent that the latter were eager to commit the former to environmental protection measures, this strategy placed them in a seemingly untenable diplomatic position. Had the developed countries refused the grant of some concessions, they would have exposed themselves to charges of hypocrisy or of attempting to use environmentalism to arrest the development of the less developed countries.

C. Passivity as a Source of Influence

It is almost a contradiction in terms to suggest that passivity is conducive to influence-wielding. To be passive is to allow others to do things for you, thereby increasing the likelihood of external control. Influence-wielding, however, connotes some level of involvement in any decisional situation. The relevance of passivity as a source of influence for the less developed countries in the environmental negotiations lies in its special meaning here. As well, it relates to its dynamic interaction with other clusters of variables, particularly bloc unity, and the eagerness of the developed countries and the environment secretariat to have the less developed countries become active participants in the Conference. Its temporal dimension is also important; the period of passivity occurred early in the planning phase and, therefore, did not cost the

less developed countries much influence. In fact, we are contending that it rather increased their opportunities for bringing about favorable changes in the conceptual approach to the Conference.

It was remarked in Chapter III that the less developed countries' initial passivity, in the context of the environmental negotiations, amounted to the functional equivalents of warnings of non-cooperation in the search for environmental action strategies. Because the cooperation of the less developed countries was highly valued by other participants, a process of conceptual exploration to make the Conference relevant to their experience occurred. This process culminated in the extension of the environment Conference to include problems of underdevelopment and poverty. The significance of this change in conceptual approach has been mentioned elsewhere in this chapter. It diversified the issues and reduced the developed countries' dominance over the pre-Conference preparation process. It also re-ordered priorities as well as provided the conceptual basis for the less developed countries' resolution on Development and Environment. Seen in this dynamic context and defined as warnings of non-cooperation, passivity, then, was clearly one of the variables which increased the less developed countries' capacity for obtaining some of their socio-economic objectives in the environmental negotiations.

Instruments and techniques of influence-wielding in decision-making in international organizations vary from one conference or issue area to another. Most of the less developed countries have played essentially passive roles in East-West controversies, such as disarmament, but it cannot be maintained seriously that these roles have led subsequently to increased capacity to influence the conduct of the discussion of the issues. In such security-oriented issues, the major powers have treated the less developed countries as objects and not essential parties in the negotiations. Therefore, passivity as a bargaining tactic in conference diplomacy is related to types of issues and, derivatively, to the nature of the interests of participants, particularly the more powerful actors.

D. Parliamentary Maneuvering as a Source of Influence

The less developed countries made use of three types of parliamentary maneuvering. One consisted of secret initiatives; the second involved procedural manipulation; and the third was the use of counter-proposals.

1. Secrecy

Surprise and secretly-kept initiatives served some of the less developed countries' most controversial demands. As noted in Chapter V, the Asian draft seeking to increase

the size of the Governing Council from fifty-four to fifty-eight, and Kenya's draft on the location of the secretariat, all came as a surprise to the developed countries and to even some of the less developed countries. Much has been written on the importance of information exchange and the principle of consultation to the character of UN diplomatic processes.²⁷ However, Professor Robert E. Riggs has suggested that "Occasionally, giving advance notice of intentions is thought undesirable, and at other times, unnecessary."²⁸ The Asian group and Kenya seemed to have followed Riggs' observation. The drafts proposed by them were particularly controversial, and giving advance notice would have led, most certainly, to their being killed before they got to the floor of the Second Committee. While secrecy as a parliamentary tactic posed some initial difficulties to the process of harmonizing the less developed countries' positions on the Kenyan and Asian drafts, the tactic gave the developed countries little chance for inter

²⁷See Robert E. Riggs; Politics in the United Nations (Urbana: The University of Illinois Press, 1958), pp. 31-35; Kaufmann; Conference Diplomacy, pp. 145-149; Peter R. Baehr; The Role of a National Delegation in the General Assembly (New York: Carnegie Endowment for International Peace, 1970), pp. 43-53.

²⁸Riggs, Ibid., his footnote 7, p. 33.

and intra-group consultations. The secrecy tactic had the effect of preventing the developed countries from blocking these initiatives. In the end, they gave up their opposition, recognized political defeat, and decided to support both resolutions in the General Assembly.

In spite of the advantages of secrecy as a bargaining tactic in UN political processes, it can create intra-group disunity and inter-group confrontations and, potentially, disrupt negotiations. In other words, the tactic can reduce the potential for wielding influence. Its success in the environmental negotiations was based on the presence of two complementary factors. One was the developed countries' willingness to acquiesce in the decisions. Naturally, the pertinent question to ask here is why did they do so. Two reasons can be advanced. First, the developed countries lacked the vote, and their logical and technical arguments failed to attract support among a large section of the less developed countries. Secondly, the Asian group made an effective use of procedural manipulation while Kenya skillfully exploited the egalitarian ideology of the Charter and group principles. The Asian amendment was attached to an otherwise widely-accepted Swedish draft resolution on Institutional and Financial Arrangements. This seemed to have increased the developed countries' ultimate support for

the Asian demand since they did not wish to reject the entire Swedish draft on account of the Asian amendment. Of course, a separate roll-call vote on the amendment could have been requested, but as a Swedish delegate privately conceded: "We did not have the vote to defeat it, and no diplomatic advantage would have been gained by resort to a separate roll-call vote." On the Kenyan resolution, more will be said later.

The majority support for the Asian and Kenyan initiatives was the second factor which enabled those delegations to derive maximum bargaining advantage from the tactic of secret initiatives. Delegations that resort to secret initiatives must, therefore, be sure of their ability to persuade a majority of delegations to support them. Successful persuasion is linked to an additional factor, namely, the compatibility of the persuader's position with the prejudices and values of a majority of Assembly members. In fact, the success of the Kenyan initiative is related partly to its compatibility with the values of the less developed countries. The absence of unanimity of group support for the Asian draft similarly attests to the importance of this point about compatibility of values. Because the Latin American group did not see the Asian amendment as serving their regional interests, they had no strong incentives

to support it.

2. Procedural Manipulation

The less developed countries' use of procedural manipulation as a source of influence centered primarily on the strategy of attaching controversial paragraphs to otherwise widely acceptable resolutions. Suspension of debates to permit more intra-group consultations was another procedural tactic which they used with considerable success. The attachment of controversial paragraphs to widely supported resolutions, according to Professor Keohane, "may permit a cohesive majority or near-majority to impose its will and still emerge with a final resolution that is opposed by few states. This result occurs because many delegations who oppose particular parts of a resolution may, nevertheless, be reluctant to oppose the entire measure...." ²⁹ Reference has already been made of the use of this strategy by the Asian group to increase the size of the UNEP Governing Council. Chile also used this tactic during the pre-Conference round of negotiations to attach the question of additional international financing for the less developed countries to a Swedish draft intended, among other things, to confirm the

²⁹ Keohane; "The Study of Political Influence in the General Assembly," p. 233.

appointment of Mr. Maurice Strong as the Conference Secretary-General. The Swedish resolution was a procedural one, and because most of the developed countries did not want to slow down the preparation process, the entire resolution was adopted by a majority of 86 votes to none, with 10 abstentions. This voting plurality sharply contrasts with the earlier voting majority of 58 votes to 10, with 28³⁰ abstentions on the controversial paragraph itself.

It must be pointed out that the improved voting majority noted above does not necessarily mean that the opponents changed their position on the Chilean amendment. The importance of the strategy from the point of view of positive results lies in the fact that after the adoption of the resolution, "the controversial passages are sure to be³¹ resurrected by their sponsors." In the Chilean example, the ultimate outcome of the strategy was a decision to refer the matter to the Secretary-General for further study. Thus, the tactic helped to keep the issue alive and increased the probability of a favorable resolution in the future. Of course, the tactic has its disadvantages. Its use in the

³⁰See UN General Assembly: Official Records, Twenty-fifth Session, 1918th Meeting, 7 December 1970, p. 3.

³¹Keohane, op. cit., p. 233.

environmental negotiations at times prolonged disagreements, thereby leading to loss of negotiating time.

Suspension of debates at crucial points was another tactic which the less developed countries successfully exploited. The tactic was used by Tunisia during the final negotiations to suspend debates after the Asian amendment on the size of the Governing Council had touched off strong protests from most of the developed countries. The suspension gave the Asian group time to woo the African group to support the initiative. Many delegates privately assumed that if the Asian amendment had been put to the vote, as the United Kingdom wanted, the amendment would have been defeated because it had very little initial support outside of the Asian group. Although the measure was won through majority voting, the developed countries subsequently voted for it in the plenary General Assembly. Consequently, it is taken that the African and Asian group influenced the developed countries to re-consider their opposition. To the extent that Tunisia's suspension of the debates at a crucial point permitted a majority support to be built, the tactic is regarded as a source of influence.

Egypt also applied the same tactic to the debates on the Kenyan initiative on the site of the UNEP secretariat. As we saw in the preceding chapter, the Group of 77 had not

been able to agree on one candidate when the final debates resumed in the Second Committee. Kenya and India were still in contention. Egypt's successful suspension of the debates to permit the Group of 77 to caucus further culminated in the withdrawal of India's candidacy. To the extent that this agreement practically eliminated the opportunity for exploiting intra-group competition, the suspension of the meeting helped to further weaken the developed countries' weak position on the issue.

3. The Use of Counter-Proposals as a Source of Influence

Another parliamentary maneuvering which served some of the less developed countries' objectives well was the use of counter-proposals. Professor Fred C. Iklé has argued that one of the functions of counter-proposals in negotiations is to permit "a compromise maneuver on some issues before they have even been debated."³² On the institutional question, as noted in Chapters III and IV, proposals by the United States were met by Brazilian counter-proposals which, in all respects, offered new alternatives to the former's. This strategy had two important effects on the less developed countries' opportunities for achieving their political

³²Fred C. Iklé; How Nations Negotiate, 2nd printing (New York: Frederick A. Praeger, 1964), p. 220.

objectives. First, the conflicts between the two drafts led to the formation of a drafting group to review the whole question of institutional arrangements. Second, the tactic forced the United States to make some major concessions on, for example, the size of the Governing Council and its location within the UN framework, and on disbursement of the Environment Fund. As a matter of fact, the circulation of the Brazilian counter-proposals led to an immediate application of pressure on Washington by the U. S. mission for a relaxation in Washington's rigid stand on the institutional question. The U. S. mission, apparently, was concerned that Brazil might line up a majority of the less developed countries against the American position, thereby weakening the latter's bargaining options. Although Washington resisted the pressures and insisted upon beginning the process of concession-making at Stockholm so as to keep its bargaining options intact, it is obvious that, but for the Brazilian counter-proposals, its draft would have formed the basis for negotiations. This, as we saw in our discussion under "Sponsorship of Resolutions," would have structured the debates in favor of the United States and other delegations who supported its proposals.

E. Exploitation of the Egalitarian Ideology
of the Charter Of the United Nations

The use of ideas was identified in Chapter I as a source of influence in UN political processes. The use of ideas, however, is not in itself a very important source of influence in UN diplomacy. Delegates do not always act on the basis of the ideas of their colleagues. Rather, it is how the process of idea generation fits in with other variables in the negotiation process that increases the capacity for influence-wielding. In this respect, timing and effective communication of ideas can, in the words of Professor Lawrence S. Finkelstein, "alter the parameters of the acceptable."³³ For instance, many delegates privately conceded that Sweden's presentation of the case for holding an international conference on the problems of the human environment was so thorough and convincing that the initiative encountered no opposition. Similarly, Professor Daniel Cheever suggests that Malta's surprise proposal on the exploitation of the seabed and ocean floor beyond the limits of national jurisdiction was so timely that even those delegations who felt it was premature were prepared

³³Lawrence S. Finkelstein; "International Organizations and Change: The Past as Prologue," International Studies Quarterly, vol. 18, no. 4 (December 1974), p. 512.

to support a further study of the subject. Both of these initiatives were successful partly because the issues raised were considered to be relevant by many delegations.

Kenya's advocacy of the principle of equitable geographical distribution of UN secretariats was as clever and relevant as the two initiatives just mentioned. It was clever in the sense that it was compatible with the egalitarian spirit of the UN Charter. On the basis of the Charter's egalitarian spirit, the opposition of the developed countries had the appearance of being untenable. The Kenyan initiative was relevant in the sense that it was compatible with one of the revisionist demands of the less developed countries-- reduction in their diplomatic marginality. Its relevance was all the more obvious because no general membership UN body had been located previously in the less developed countries. For these reasons, most of the less developed countries were willing to provide much needed political (voting) and debating support.

Although Kenya could count on the political support of most of the less developed countries, a lot of skill had

³⁴Daniel S. Cheever; "The Role of International Organization in Ocean Development," International Organization, vol. 22, no. 3 (1968), pp. 629-648.

to be shown to sustain that bargaining advantage. Kenya deliberately polarized the issue by making it a test of the illegitimacy of long-accepted practice of locating all UN bodies in Europe and North America. Group solidarity principles were, therefore, exploited to improve the credibility of egalitarianism with respect to the distribution of UN secretariats. The importance of the Charter's egalitarian ideology for increasing the less developed countries' chances of winning the developed countries' support is difficult to isolate and assess. Although the latter abandoned their opposition, it is not immediately clear that they did so because of the restraining influence of the Charter's egalitarian ideology. If anything, the developed countries changed their position because they recognized political defeat and acquiesced in it. They did this, additionally, because they wanted to get the job of environmental protection started at the international level immediately.

If the above interpretation is reasonable, then, the importance of the Charter's egalitarian ideology as a source of influence must be sought from its dynamic interaction with the political values of the less developed countries and the nature of the developed countries' interest in environmental protection. With respect to the first, the

saliency of the value of increased diplomatic visibility and Kenya's ability to make the issue a group issue rather than a Kenyan issue, increased the mobilizing potential of the egalitarian principle. With respect to the acquiescence of the developed countries in the principle, evidently, their desire to get the job of environmental protection started precluded the resort to whatever means to block the attempt to send the secretariat to Nairobi. This point suggests that issue area, the disposition of the developed countries and the nature of their interests in the issues, had an effect on the less developed countries' capacity for influence in the environmental negotiations. These variables, as well as the impact of the role of the Conference secretariat, will constitute our final discussion of the clusters of variables which increased the less developed countries' opportunities for obtaining broad support for most of their objectives in the negotiations.

IV. Issue Area as a Source of Influence

We noted in Chapter I that an issue area has an important impact upon the relationships between interaction patterns, instruments for, and possibilities of, wielding influence. The issue area of the environment has a large economic content, an area in which most of the less developed countries have a fund of negotiating expertise. When this

character of the environmental debates became much clearer to them, it helped them to articulate their interests more effectively. The role of the conference secretariat in this process of interest articulation will be discussed later. Professors Gabriel A. Almond and G. Bingham Powell have recognized that interest articulation does not necessarily guarantee influence over decisions but failure to articulate one's interest amounts to forgoing any chance of shaping decisions that are made.³⁵ Interest articulation, therefore, increases opportunities for influencing decisions. This argument is equally applicable to decision-making in international organizations. As we pointed out earlier, as the less developed countries' interests in the environmental negotiations became more sharply defined, their level of participation in the debates increased. For example, they dominated the initiatives on socio-economic and trade questions and on the symbolic issue of the site for the UNEP secretariat. Their increased participation made it impossible for the developed countries to ignore their demands.

³⁵Gabriel A. Almond and G. Bingham Powell; Comparative Politics: A Developmental Approach (Boston: Little, Brown and Co., 1966), cited in Robert S. Walters; "International Organizations and Political Communication: The Use of UNCTAD by Less Developed Countries," International Organization, vol. 25, no. 4 (Autumn 1971), p. 820.

Had the developed countries completely ignored these demands, they would have increased the credibility of the charge that environmentalism was a mere plot to arrest the less developed countries' development. The former's desire to prove this charge false might have had some subtle effects on the sensitivities of some of them toward the demands of the less developed countries.

The issue area of the environment also imposed some constraints on the use of certain instruments for wielding influence. The transnational character of most of the issues imposed severe constraints on unilateral, even bilateral, action. For this reason, an unusual degree of cooperation and accommodation was a pre-condition for a successful Conference. Intransigent bargaining, as occurs in UNCTAD forums or on human rights and self-determination questions, was not a realistic option in the context of the environmental negotiations. So were threats of exclusion and sanctions. Few threats and warnings were used by delegations. Some of the major donor countries privately threatened to withdraw support for the Environment Fund if a Pakistani draft, which attempted to turn the Fund into a development assistance fund, were passed over their objections. Most of the developed countries also warned the less developed countries against a policy of development at whatever cost.

The latter also made use of warnings of non-cooperation and non-participation if changes were not effected in the conceptual approach to the Conference.

How did all this increase the less developed countries' opportunities for wielding influence? We have already noted that because the issue area of the environment turned out to have familiar features, it increased the less developed countries' ability to articulate their interests and aggregate their demands. This helped them to force changes upon the Conference planning process to include their interests. Additionally, because their participation was highly valued by most of the developed countries, the latter were under pressure to meet some of the demands made on them. The developed countries had to grant some concessions in order to sustain the momentum of the negotiations. Finally, since it was most of the developed countries that had more extra-parliamentary influence resources to use in the negotiations, the constraints on the use of most of these resources substantially reduced their bargaining advantages over the less developed countries.

V. Disposition and Interest of the developed Countries as a Source of Influence for the less developed countries

Professor Arthur Lall has contended that "...irrespective of the power levels of countries, the degree of interest

in a situation or dispute has a bearing on an international negotiation."³⁶ Britain, for instance, is said to have had high influence in IMF and GATT forums because the activities of these organizations "impinged significantly on British policy."³⁷ The United States is alleged to have used its immense capabilities to pursue "a basically negative policy toward UNCTAD."³⁸ The assumption underlying these references is that the more interested in an issue a participant is, the more likely he will expend efforts to wield influence. What is not often discussed in the literature is the relationship between issue salience and other variables in the negotiation situation and how their interactions affect opportunities for wielding influence. An issue may be highly salient for a participant, but the constraints in the negotiation situation may be such as not to make him influential.

There is little doubt that the environmental issues were regarded as highly salient by most of the developed countries. For this reason, they wished the Conference to

³⁶Arthur Lall; Modern International Negotiation: Principles and Practice (New York: Columbia University Press, 1966), p. 312.

³⁷Cox and Jacobson; The Anatomy of Influence, p. 414.

³⁸Ibid., p. 412.

succeed. This positive attitude, we have repeatedly pointed out, contrasts rather sharply with the attitude of most of the developed countries toward UNCTAD. Given the nature of the environmental issues and the unity manifested by the less developed countries, the developed countries' positive attitude and commitment to success made them more vulnerable to influence attempts by the less developed countries than would have been the case under different circumstances. First, the interdependence of the environmental issues reduced the range of bargaining instruments available to the developed countries. Second, their commitment to a successful Conference affected the readiness with which they were prepared to reject demands with which they disagreed. The full importance of this point must be assessed together with the developed countries' desire to avoid UNCTAD-type confrontation politics. Because of these factors, they had to be extra accommodating in order to sustain the interests of a majority of the less developed countries in the negotiations. Additionally, as will be discussed later, the major developed countries were under pressure from the Conference Secretary-General to make the Conference relevant to the interests of the less developed countries. All these factors interacted to make the grant of some concessions to the latter the precondition for achieving the goal of a successful Conference.

It is not being suggested that the negotiating postures adopted by the developed countries on some of the issues helped the process of smooth negotiations. Their vacillation on Additionality, Compensation, fund for housing and human settlements, the site of the environment secretariat, to mention the most prominent examples, led to intransigence on the part of most of the less developed countries. Vacillation and intransigence complicated the process of reaching accommodation. In spite of these examples, most of the developed countries were genuinely favorably disposed toward the negotiations, and some made determined efforts to find acceptable compromises on most of the controversial issues. In fact, on occasions, their commitment to a successful Conference partly prevented them from attempting to veto, through warnings of non-cooperation, initiatives with which they disagreed. Without intending to minimize in any way the successes of the African group in casting some of their political objectives-- for example, apartheid, colonial domination and racial segregation-- in terms relevant to the concept of environmental quality, part of the explanation of their success on the inclusion of these issues in the Declaration may lie in the developed countries' apparent commitment to the adoption of the Declaration at Stockholm. This commitment weakened their willingness to attempt to block measures on which a majority of participants

felt very strongly. To sum up, issue salience may indicate the extent of actor participation in the decision-making process, but it should not always be expected to produce influence.

VI. The Role of the Conference Secretariat as a Source of Influence for the Less Developed countries

Professor Robert W. Cox has suggested that the quality of executive leadership "may prove to be the most critical single determinant of the growth in scope and authority of international organization." Executive

³⁹Robert W. Cox; "The Executive Head: An Essay on Leadership in International Organization," International Organization, vol. 23, no. 2 (1969), p. 205. Most studies on executive leadership in international organizations have concentrated on the political role of the UN Secretary-General. See Leon Gordenker; The UN Secretary-General and the Maintenance of Peace (New York: Columbia University Press, 1967); Inis L. Claude, Jr.; Swords into Plowshares: The Problems and Progress of International Organization, 3rd edition, (New York: Random House, 1964), Chapters 10 and 14; Leland M. Goodrich; "The Political Role of the Secretary-General," International Organization, vol. 16, no. 4 (1962), pp. 720-735; Howard H. Lentner; "The Political Responsibility and Accountability of the UN Secretary-General," Journal of Politics, vol. 27 (1965), pp. 839-860; Dag Hammarskjöld; "The International Civil Servant in Law and in Fact," lecture delivered at Oxford University, May 30, 1961; U Thant; "The Role of the Secretary-General," address at the annual luncheon of the Dag Hammarskjöld Memorial Scholarship Fund of the UN Correspondents Association, September 6, 1971, reprinted in United Nations Monthly Chronicle, vol. 8, no. 9 (October 1971), pp. 178-187.

leadership in international organizations is not only an essential instrument of institutional change but is also, as is evident in this study, a critical catalyst in UN⁴⁰ conference processes. However, the aspect of the role of the environment secretariat which interests us most is its contribution to increasing the less developed countries' opportunities for realizing some of their political objectives. The initiatives taken by the conference secretariat increased the latter's bargaining position in the negotiations in a number of ways.

First, the visits of the conference Secretary-General to thirty national capitals of the less developed countries to confer with senior government officials led to a significant rise in the interest of these officials in the Conference. Partly as a result of this interest, the number of experts from economic development planning departments and from the field of the environment participating in the Conference planning process increased. This had the effect of improving the types of demand by, and the bargaining arguments of, the less developed countries. If a clear articulation of one's interests is a precondition for affecting decisional outcomes,

⁴⁰For discussions of the roles of the executive heads and segments of the bureaucracies of ITU, ILO, UNESCO, WHO, IEAE, IMF, GATT, and UNCTAD, see Cox and Jacobson; The Anatomy of Influence; see also Kaufmann; Conference Diplomacy, pp. 102-112, for a more general discussion of the role of UN Conference secretariat in conference diplomacy.

as has been maintained in this study, then the Conference Secretary-General's personal diplomacy in the capitals of the less developed countries played a part in the processes leading to changes in agenda development.

The Conference Secretary-General's reliance on experts helped to sharpen the point of conceptual convergence. According to Professors Cox and Jacobson, "Experts and expert panels are, in political terms, often primarily a legitimizing device, a means of obtaining authoritative support for policies or programs."⁴¹ Although Maurice Strong used experts to provide intellectual support and programmatic recommendations for his Third Way notion, the role of these experts, from the perspective of the less developed countries, was a critical factor in their opportunities for wielding influence. The Founex Report, which was commissioned by Mr. Strong, proved extremely useful for the less developed countries both in terms of their comprehension of the issues and how to exploit them to their advantage. The Founex Report brought about noticeable changes in their objectives. The Report gave the less developed countries a set of negotiating concepts and objectives. As we saw in Chapter III, the Kuwait draft on Development and Environment adopted the Founex recommendations and made them

⁴¹Cox and Jacobson, op. cit., p. 400.

the negotiating reference point of the less developed countries. The Report's recommendations, additionally, increased the cohesiveness of the less developed countries as a bargaining unit because they identified common objectives for them. If group unity is one of the less developed countries' strongest negotiating assets, then, the political importance of the Report cannot be exaggerated.

The secretariat's sympathetic understanding of the socio-economic development problems of the less developed countries also enhanced the latter's opportunities for influencing the outcomes of the Conference. Mr. Strong utilized his "strategic location in the communications network"⁴² of the Conference planning process to plead with governments and important environmental protection groups of the more influential developed countries to broaden their pursuit of environmental quality policies to include problems of poverty and underdevelopment. The impact of his appeals on the future policies of governments of the influential developed countries cannot be assessed realistically now. It is true, however, that his brokerage role helped the process of conceptual convergence, thereby preparing the ground for the subsequent inclusion of economic and trade

⁴²Op. cit., p. 398.

questions on the agenda of the Conference. The success of this aspect of Mr. Strong's initiatives raises some interesting questions about the relationship between secretariat initiatives and statutory stipulations. The resolution establishing his office entrusted to him the exclusive responsibility of ensuring the success of planning the Conference. In this respect, Mr. Strong could demand and get cooperation through creatively exploiting his assigned role. Further, he could explore many initiatives because his statutory powers contained no inhibiting stipulations.⁴³ Most of these initiatives were geared to making the Conference relevant to the circumstances of the less developed countries.

Finally, the secretariat played a crucial role in keeping some of the less developed countries' key demands alive for more negotiations. In spite of the inconclusiveness of the pre-Conference negotiations on Additionality and Compensation, the secretariat made some recommendations on these questions. In addition, it proposed a recommendation on international distribution of industrial activity despite

⁴³For a discussion of the relationship between secretariat initiatives and statutory stipulations with respect to UN conference diplomacy, see Kaufmann; Conference Diplomacy, pp. 103-106.

the absence of prior negotiations on it. All these recommendations were so structured that they increased the less developed countries' bargaining position vis-à-vis the developed countries'. Those recommendations placed obligations on the developed countries which the less developed countries exploited by making them their negotiating reference point. Therefore, having your point of view or interests embodied in conference documents is an important potential source of influence.

It is clear from the above that outcomes in UN conference political processes need not be predicted only on the basis of pervasive disparities in capabilities between nations or on majority voting. Without doubt, power disparities do play an important role in the politics of conference diplomacy. The powerful can block measures through threats of non-cooperation or non-compliance (vetoing). Their resource base permits them a certain amount of controlling influence on the content of resolutions. However, to obtain their objectives, even the powerful have to organize favorable votes to enhance their voting power. This is not all; in conference diplomacy, the powerful may at times feel constrained to acquiesce in or support a measure not because of the non-availability of the vote, but because of the nature of the issue and their interests in the situation or

because of the behavior of other participants. Herein lies the importance of considering power in the context of negotiations.

This study shows that the less developed countries had some influence on the outcomes in the environmental negotiations. Although bloc unity, bloc-sponsored resolutions, and bloc-voting enhanced their bargaining position, these factors are not enough to explain the developed countries' acquiescence in or support for measures which they originally opposed. One has to assess the role of bloc politics against the background of how it was used and how it interacted with other variables in the negotiations, especially the nature of the developed countries' interests. The less developed countries' manipulation of the issues and their economic weaknesses also had an effect on their bargaining position. Bloc politics in the absence of a clear definition of goals and recognition of advantages and disadvantages is not likely to be effective. The less developed countries combined firmness of demands with flexibility in negotiations. They showed greater readiness to bargain and accept moderate solutions to some of their demands than had been the case in

⁴⁴The relationship between bargaining firmness and flexibility is discussed in Henry A. Kissinger's The Necessity for Choice: The Prospects of American Foreign Policy (New York: Doubleday and Co., Inc., 1962), pp. 210-217.

previous negotiations in UNCTAD and the General Assembly forums. Factors leading to improved bargaining demands are also crucial to an explanation of the process of wielding influence. In the environment negotiations, the secretariat's role in this process was of critical importance.

It can be concluded that, under some circumstances, the less developed countries have some influence on the developed countries in negotiations. This influence seems to depend on a number of factors, the most important of which, in the case of the environmental negotiations, were the disposition and interests of the developed countries in the issues, the attitudes, skills, and cohesiveness of the less developed countries, the nature of the issues, and the role of executive head of the conference secretariat. These factors were, however, involved in dynamic interaction. Only by detailed analysis of the conference process can their relationships and usefulness be established. Theoretical discussions of debates, proposals, conference documentation, flexibility, voting, and parliamentary tactics, as sources of influence in UN conference diplomacy, must be empirically applied to determine their usefulness and interaction effects.

CONCLUSION

The preceding chapters embody an attempt to increase our understanding of the foreign policy behavior of spokesmen for the less developed countries at the United Nations. This has been done through an empirical study of their attitudes and policy choices with respect to the problems of the human environment. The study assumes that the dependency status of the less developed countries has given the leaders of these countries a certain index of national and group objectives. Attention, therefore, has been focused on the interrelations between the issue area of the environment and the political objectives of leaders of the less developed countries. For these leaders, reduction in their economic dependence and diplomatic marginality constitute the central problem in the contemporary international political system. Viewing international politics from this perspective, spokesmen for the less developed countries saw the issue area of the environment as broader than a fight against industrial pollution; it was more importantly a question of the economic and political viability of the less developed countries. This perspective on the environmental debates structured the attitudes and objectives of spokesmen for the less developed

countries. However, it did not dominate the negotiation process; patterns of interaction affected the outcomes of some of their objectives.

The behavior manifested by spokesmen for the less developed countries during the environmental debates is related to a broader set of questions: How does the condition of economic dependence and diplomatic marginality affect the attitudes and objectives of spokesmen for the less developed countries? How can these countries escape from their dependency status and obtain something from the more affluent and more powerful members of the international community? An eclectic conceptual scheme was provided in Chapter I to aid the analysis of the interrelations between dependence, political objectives, patterns of negotiations, and outcomes. This study has shown that because leaders of the less developed countries are dissatisfied with their economic and diplomatic dependency status, they tend to throw their basic political aspirations into almost every UN-sponsored conference. As a result, their attitudes toward the environmental debates revealed behavioral continuities in terms of the scope of their objectives. Spokesmen for the less developed countries showed selective interest in the environmental debates. Developmental needs and strategies, concerns about political control of international environmental policy-making, and improved diplomatic

visibility guided this selection process. Provision of resources for development was, however, their major political objective during the debates and negotiations. Spokesmen for the less developed countries exploited the negotiations to serve their economic and political objectives. The most striking feature of the negotiations was the extent to which they insisted upon using their underdevelopment as the only realistic and acceptable point of departure. While the less developed countries were not a monolithic bloc in the sense that they took the same position on every issue discussed here, there was a strong tendency for them to behave as though they constituted a solidly unified bloc. On most issues presented in this study, they acted together. Shared political aspirations, the nature of the issue area, extensive pre-conference preparations, and leadership factors made this negotiating unity possible.

The outcomes of the negotiations need not detain us here. The most important outcome was the less developed countries' success in making some of their revisionist economic and political demands relevant to the concept of environmental quality. Primarily at their insistence, issues of socio-economic development, apartheid, human rights and dignity were all accepted as dimensions of the concept

of environmental quality. It is aspects of the negotiation process which should be emphasized here. While the substantive issues were typically North-South issues, the character of the negotiations were not so typical. As a matter of fact, the second striking feature of the negotiations was the moderation in the negotiating styles of most of the spokesmen for the less developed and developed countries. There was greater emphasis on negotiated settlements than on majority voting. Although spokesmen for the less developed countries adopted a group approach to the negotiations and used it as an instrument of pressure to achieve their goals, they displayed a skillful blend of pressure and bargaining tactics. Hard bargaining and moral persuasion were their major negotiating tactics.

The less developed countries showed an unusual willingness, as compared to the decolonization, SUNFED, UN Capital Development Fund, and the UNIDO negotiations, to accept moderate solutions and even to drop some of their key demands in deference to the opposition of the developed countries. Bloc politics, contrary to many arguments, need not necessarily and always be incompatible with negotiations. Most of the spokesmen for the developed countries became more conciliatory and accommodating as the negotiations progressed. From a militant opposition to discussing socio-

economic questions within the framework of the environment conference, most of them gave up their opposition and went on to grant some concessions on additional aid and trade. A few of them, particularly Canada, France, the Nordic countries, and West Germany were instrumental in working out acceptable compromises on some of the less developed countries' economic demands. Again, it may be concluded that North-South encounters need not always be confrontational and stalemated. Of course, the negotiations were not entirely free of confrontations, although they did not adversely slow them down, as they did during UNCTAD III at Santiago, or cause them to break down.

Whether the environmental negotiations have broken a permanently new ground in North-South negotiations is hard to tell. If the character of those negotiations are to be duplicated in the future, extensive pre-conference preparations will be necessary. This, of course, calls for more voluntary financial resources being made available for such purposes. In addition, spokesmen for the less developed countries must combine a group approach to negotiations with hard bargaining. As was pointed out before, the two processes are not always and necessarily incompatible. Political victory serves very little practical purpose if there is no assurance that it will be implemented. Naturally,

confidence in negotiated solutions is contingent upon the developed countries' altering their attitudes toward the less developed countries' revisionist demands, particularly as they pertain to socio-economic development.

Another aspect of the negotiation process that needs to be mentioned is that the less developed countries (the weak) do have some influence on the developed countries (the strong). However, the determinants of influence must be sought in factors other than economic, military, scientific-technological and communication capabilities on the one hand, and majority voting on the other. This study has indicated that other sources of influence must be identified through a process analysis of the negotiations. In this sense, then, sources of influence may vary from issue area to issue area and from conference to conference. Thus, in this study, passivity, which normally will not be considered as a source of influence, turned out to have served the interests of the less developed countries well. Much of the efforts to include socio-economic issues on the agenda of the conference was a response to the initial passivity of the less developed countries to the conference preparations.

Passivity paid off well because of the developed countries' interest in the Conference and desire to have the

less developed countries actively participate in it. The traditional sources of influence-- such as the nature of the issues, extensive pre-conference preparations, the role of the conference secretariat, negotiating skills, leadership-- all influenced the outcomes. Our study, however, shows that these sources of influence are involved in reciprocal interactive processes. For instance, the nature of the issues affected the range of usable diplomatic techniques and instruments; it affected the dispositions of most of the developed countries, which in turn affected their reactions to confrontation politics, thereby weakening their willingness to resist certain demands made on them by the less developed countries. Additionally, extensive pre-conference preparations enabled the less developed countries to identify, aggregate and articulate their interests forcefully, thereby ensuring that these interests would not be ignored.

Despite the greater accommodation shown by most of the developed countries on the less developed countries' economic and political demands, there was divergence of interest among them with respect to relative importance of environmental and developmental goals. While most of the developed countries are worried about the physical impossibility of "spaceship earth" to contain the consequences

of continued material and social progress, the less developed countries regard such concerns as of secondary importance. The primary goal is accelerated socio-economic development. This places tremendous moral responsibilities on the developed countries-- particularly the more advanced ones-- for bringing future conferences dealing with the environment to successful conclusions. They are most committed to environmental quality goals and also have the resources with which to pursue them. The developed countries will have to make responsible adjustments in their attitudes toward the widening material gap between them and the less developed countries. This does not mean that pursuit of environmental quality goals should be suspended until such time that the less developed countries also attain decent levels of social and material progress. Even if we accept the optimists' view that all the evidence about impending ecological collapse is not in, there is now enough evidence to conclude that social and material progress at whatever environmental cost is not a permanently viable development strategy. What this observation means, from a policy standpoint, is that the developed countries will have to adjust their political outlook so as to make the simultaneous pursuit of rapid social and material progress with appropriate

built-in environmental safeguards possible in the less developed countries. This will involve trade restructuring so as to enable the latter to increase their share of the total volume of world trade. Meaningful and increased volume of aid should also be made available to the less developed countries. In other words, the developed countries should be prepared to accept additional responsibilities if any environmental program is to succeed.

The original question of this study was: Why did spokesmen for the less developed countries behave the way they did in the environmental negotiations? To this question was added a consideration of outcomes. The behavioral patterns manifested by spokesmen for the less developed countries, as reviewed here, demonstrate that concerns about economic development were clearly the most important variable influencing their attitudes and policy. This point of departure underscored the North-South nature of the environmental negotiations. The issues reviewed here are similar to the demands which the less developed countries have made in other UN forums, particularly in the General Assembly, over the creation of the SUNFED, the Special Fund, UNDP, UN Capital Development Fund, UNIDO, the Special Session on primary commodities, in the UNCTAD, and in the Law of the Sea Conferences. They are demanding changes that will

accord them a status and a role in international affairs. In this respect, reduction of the economic core of dependence is seen as the proper focus of the foreign policy objectives of the less developed countries. The environmental debates were approached against the background of these concerns. Spokesmen for the less developed countries seemed to suggest that they would accept a philosophy of environmental protection only if the developed countries would make available to them additional resources to off-set the cost, as well as compensate them for trade losses. Unless these key issues are resolved satisfactorily, a lingering disagreement between the poor and rich is more likely to characterize North-South relations. The consequences of such disagreements would be the perpetuation of the material inequality between them. If glaring international inequalities persist, then the struggle between the rich and the poor over the global political and economic status quo will continue into the future.

A review of the environmental negotiations has pointed to the existence of continuities and discontinuities in the foreign policy behavior of spokesmen for the less developed countries. There are behavioral continuities with respect to the scope of demands. In this respect, the environmental negotiations are similar to past negotiations in the General

Assembly, UNCTAD, and the Law of the Sea forums. The less developed countries' desire to make their independence meaningful is the strongest psychological-political force underpinning their foreign policy pursuits. However, behavioral discontinuities in terms of methods or style of negotiation are evident in the review of the environmental negotiations. In the past, spokesmen for the less developed countries have been rather hesitant to tread the path of compromise on their key demands. This was the case in the negotiations on the establishment of SUNFED, UNCTAD, UN Capital Development Fund, and the UNIDO. Spokesmen for the less developed countries were demanding and uncompromising in the decolonization negotiations in the United Nations in the 1960s, in UNCTAD I and II and on South Africa's apartheid policies. The environmental negotiations seem to suggest a certain realization on the part of leaders of the less developed countries of their lack of power to impose their consensus on the developed countries, at least on economic questions. Hence, their willingness to accept moderate solutions to some of their demands, such as Additionality and Compensation, and to even drop some of them, such as a fund for development and environment. It is evident from our study that the less developed countries seemed to prefer negotiated settlements to majority voting. Of course, they used majority

voting on some issues to bring about negotiations. Despite the presence of discontinuities in the behavior of spokesmen for the less developed countries, the grant of concessions by the developed to the less developed countries is evidently the basis of accommodation between the two groups in negotiations. In this sense, the burden of redistribution of wealth and influence in the international system will continue to fall on the developed countries, particularly the more developed and influential ones.

Finally, the study presented here indicates that there is more to be learned about environmental politics in the United Nations than can be gathered from popular literature. Scientists and advocates of environmental control tend to treat the world globally and ignore essential political differences. As much as the durability of planet earth is being challenged by the ecological issues, a scientific solution which is divorced from the political context of the issues is not likely to be a realistic response to the pressures in the contemporary international political system. The call for environmental management is a timely one, but social scientists will have to provide the theoretical knowledge concerning the relationships between the environmental problems and the political and economic conflicts among nations. A part of this effort will have to be devoted to answering the question: What does environmental quality mean? Such a question is too complex to be left to the scientists alone.

APPENDIX

METHODOLOGY

The research study reported here was carried out in New York during the Summer and the Winter of 1973, and focuses on UN member-states as represented by their delegates. An objection is often raised against deriving data from UN delegates on the grounds that they exercise no discretion in their representative role. Delegates are assumed to be mere articulators of other voices with no independence of action. Recent studies, however, seem to contradict this assumption. Gary Best's study of diplomacy in the United Nations showed that 68% of the delegates he interviewed felt that UN diplomats had more discretion than they would have in their national capitals.¹ Professor Harold K. Jacobson has also suggested that UN delegates have more discretion than is often assumed.² Professors Robert O. Keohane and Chadwick F. Alger based their studies

¹Quoted in Harold K. Jacobson; "Deriving Data from Delegates to International Assemblies: A Research Note," International Organization, vol. 21 (1967), p. 593.

²Jacobson, ibid.

on political influence in the General Assembly and interactions in the Fifth Committee (Administrative and Budgetary),³ respectively, on actions of national delegations. Professor David Kay has offered an extensive comment on the relevance of using national delegations as units of analysis in decision-making in the United Nations. He maintains that:

...when dealing with a system in which new issues are constantly arising and the terms of old ones are constantly shifting, the mission's acknowledged control over the tactics to be followed often results in its having de facto control of policy as well. Few missions operate under detailed instructions as to tactics, and even in regard to policy the guide lines are usually broad enough to allow the mission a certain amount of discretion.⁴

The above references suggest that national delegations can be used appropriately as units of analysis for studying politics at the United Nations. The study presented here

³Robert O. Keohane; "The Study of Political Influence in the General Assembly," International Organization, vol. 21, no. 2 (1967), pp. 221-237; and "Political Influence in the General Assembly," International Conciliation, no. 557 (March 1966); Chadwick F. Alger; "Interaction and Negotiation in a Committee of the United Nations General Assembly," Papers of the Peace Research Society, vol. 5 (1966), pp. 141-159. For other more general studies based on the activities of national delegations in the General Assembly and other international conferences, see Johan Kaufmann; Conference Diplomacy: An Introductory Analysis (New York: Oceana Publications, 1970); John G. Hadwen and Johan Kaufmann; How United Nations Decisions Are Made (Leyden: A. W. Sijthoff, 1960).

⁴David A. Kay; "Instruments of Influence in the United Nations Political Process," in Kay (ed.); The United Nations Political System (New York: John Wiley and Sons, Inc., 1967), p. 94.

is based on this assumption. Speeches and debates in the ECOSOC, Preparatory Committee meetings, Second Committee, plenary General Assembly, and in Stockholm, as recorded in UN documents, constituted the principal source of this study. The various National Reports on the problems of the human environment provided invaluable source materials on national attitudes toward, and objectives in, the environmental debates. These public materials were supplemented by other unpublished official documents dealing with communications of governments to the Conference secretariat. These communications provided useful information about national perspectives on the environment conference. Because the information was not intended for publication or general circulation, much of it cannot be cited directly or attributed. For purposes of clarifying political processes which were not immediately apparent from a reading of the public record, extensive interviews of selected national delegations, secretariat officials, and representatives of non-governmental organizations were conducted in New York.

Sampling Procedure

The sample of delegations to be interviewed was drawn from a careful reading of the documentary materials. This method permitted us to determine the most active delegations in the debates. It was assumed that the degree of participation of a delegate in the debates could be used

as an index of the interest his country had in the issues. A few other delegations were recommended by previous interviewees. Having identified the major participants, attempts were made to include representatives from the major regional groups in our sample. These sample delegations were:

AFRICA : Ghana, Nigeria, Egypt, Kenya, Tanzania
 SOUTH AMERICA: Argentina, Brazil, Chile, Jamaica, Guyana
 ASIA : India, Pakistan, Philippines
 EUROPE : The United Kingdom, Sweden, Yugoslavia
 NORTH AMERICA: Canada, the United States

Secretariat Officials:

Robert Gruszka (covered the Third and Fourth Preparatory Committee sessions, and the post-Conference debates in the Second Committee of the General Assembly);

Dr. Noel Brown (formerly with the Conference secretariat and now Liaison Officer, UNEP Liaison Office, New York);

Dr. W. Bissue (formerly Executive Assistant to the Conference Secretary-General, Mr. Maurice F. Strong, now with UN/USA, New York).

Others:

Wallace Irwin, Jr.; (formerly with U. S. Mission as its Senior Advisor for Environmental Affairs, now with UN/USA, New York).

Pat Rambach (Sierra Club, New York).

Elmore Jackson (Rockefeller Foundation, New York).

Certain delegations selected to be interviewed (Egypt, Argentina, the Philippines and the United Kingdom) could not be interviewed because the delegates who had handled their participation were either not in New York or, as indicated by their missions, had nothing new to add to their stated position as recorded in the UN documents. The inability to interview these delegates did not affect the quality of our interview data for two reasons. First, the sample was sufficiently representative of the active participants. The smallness of our sample permitted us to conduct a more intensive interview. Also, in several cases more than one delegate was interviewed from the same mission. In fact, in two cases, as many as three delegates were interviewed from the same mission. Second, the documentary materials contained enough information for the study. The purpose of the interviews was not to generate new data but to seek clarifications on what was already known and to gain insights into strategies. Our sample was representative enough to provide this information.

Interviewing Instruments and Procedures

Appointments were made by telephone in New York. Attempts were made not to accept refusals unless convincing reasons were given. In all cases, mere disclosure of the

scholarly nature of the study was enough to elicit the cooperation of the delegates and other officials. Also, only a few of our sample members wanted to know why they had been selected. All interviews, except one, were held in national missions or offices of other participants. One was held in one of the delegate lounges in the UN headquarters. Interviews ran between one to two hours. Two delegates were interviewed twice, each of which ran for about one and one-half hours.

An unstructured schedule was used in all cases and included sections on the history of the environment Conference, perceptions, attitudes, objectives, strategies, and interactions of delegations. Because we were not aiming at comparative analysis, interview schedules varied from interviewee to interviewee. The writer was well informed about the substance of the debates, and the interview's purpose was to obtain clarifications, elaborations, and insight into interaction patterns. Although an attempt was made to encourage an informal conversational atmosphere, the specific purpose of the interview was not lost. A few delegates tended to engage in long speeches but otherwise the conversational style brought out some interesting stories about UN political processes.

The time factor was, however, a serious problem. Many interviews had to be re-scheduled several times because

of time pressures on delegations. This problem probably could have been minimized if interviews had been held after the 1973 General Assembly session when delegations would be expected to be less busy. Unfortunately for us, the bulk of the interviews were conducted shortly before the Assembly convened, with follow-ups in November and December of 1973. Two reasons precluded the postponement of the interviews. First, there was a strong possibility that some delegates might not be available in New York after the Assembly session. The other was more personal-- insufficient funds for a prolonged stay in New York, and the desire to get started on a first draft as quickly as possible. The scheduling problems, however, proved useful in one respect. Many delegates were willing to grant long interview time in appreciation of my forbearance. Copious notes were taken during interviews.

Analysis

The interview notes were analyzed by careful inspection of the data. The data were grouped around the categories of objectives, strategies, patterns of interaction, attitudes toward concessions and compromises, and information on the role of the secretariat. Where responses could be compared with other documentary materials, this was done. Secretariat officials interviewed provided useful information on trends in the debates, areas of moderate and violent

conflicts, strategies adopted by the Conference Secretary-General and attitudes of delegations toward secretariat initiatives. As far as possible, the information obtained has been used indirectly. Where delegates had objections to their being referred to by countries, we have refrained from doing so in order to protect their anonymity. If delegates raised no objection to this method, their information has been used more directly by attributing it to their country. We have abstained, however, from citing their names.

BIBLIOGRAPHY

Books

- Alker, Hayward R., and Bruce M. Russett. World Politics in the General Assembly. New Haven: Yale University Press, 1965.
- Amin, Samir. Neocolonialism in West Africa. Harmondsworth: Penguin Books, 1973.
- Asamoah, Obed Y. The Legal Significance of the Declarations of the United Nations. The Hague: Martinus Nijhoff, 1966.
- Baehr, Peter R. The Role of a National Delegation in the General Assembly. New York: Carnegie Endowment for International Peace, 1970.
- Baker, Ernest (translated). The Politics of Aristotle. London: Oxford University Press, 1946.
- Barber, William J. A History of Economic Thought. Harmondsworth: Penguin Books, 1967.
- Bernstein, Henry (ed.). Underdevelopment and Development: The Third World Today. Harmondsworth: Penguin Books, 1973.
- Brubaker, Sterlin. To Live on Earth. Baltimore, Md.: Johns Hopkins University Press, 1972.
- Claude, Inis L., Jr. Swords Into Plowshares: The Problems and Progress of International Organization. 3rd ed., rev. New York: The Random House, 1964.
- _____. The Changing United Nations. 3rd printing. New York: The Random House, 1968.
- Coleman, James S. Community Conflict. New York: The Free Press, 1957.
- Commoner, Barry. The Closing Circle. New York: Alfred A. Knopf, 1971.

- Cox, Robert W. (ed.). The Politics of International Organizations: Studies in Multilateral Social and Economic Agencies. New York: Frederick A. Praeger, Inc. 1970.
- _____, and Harold K. Jacobson. The Anatomy of Influence: Decision Making in International Organization. New Haven: Yale University Press, 1973.
- Dahl, Robert A. Modern Political Analysis. Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1963.
- _____. Who Governs? New Haven: Yale University Press, 1961.
- Donaldson, Peter. Worlds Apart: The Economic Gulf Between Nations. Harmondsworth: Penguin Books, 1973.
- Edelman, Murray. The Symbolic Uses of Politics. Urbana: University of Illinois Press, 1967.
- Ehrlich, Paul R., and Anne H. Ehrlich. Population, Resources, Environment: Issues in Human Ecology. San Francisco: W. H. Freeman and Co., 1970.
- El-Ayouty, Yassin. The United Nations and Decolonization: The Role of Afro-Asia. The Hague: Martinus Nijhoff, 1971.
- Elias, T. O. Africa and the Development of International Law. Dobbs Ferry, N. Y.: Oceana Publications, 1972.
- Ellul, Jacques. The Technological Society. New York: Random House, 1964.
- Falk, Richard A. The Endangered Planet: Prospects and Proposals for Human Survival. New York: Random House, 1971.
- _____, and Wolfram F. Hanrieder (eds.). International Law and Organization: An Introductory Reader. New York: J. B. Lippincott Co., 1968.
- Farrell, Barry R. (ed.). Approaches to Comparative and International Politics. Evanston: Northwestern University Press, 1966.
- Fisher, Roger. Basic Negotiating Strategy: International Conflict for Beginners. New York: Harper and Row, Inc. 1969.
- Forrester, Jay W. World Dynamics. Cambridge, Mass.: Wright Allen Press, Inc., 1971.

- Frank, Gunder A. Capitalism and Underdevelopment in Latin America. New York: Monthly Review Press, 1967.
- Goldsmith, Edward, Robert Allen, Michael Allaby, John Dovoll, Sam Lawrence. Blueprint for Survival. Boston: Houghton Mifflin Co., 1972.
- Goodrich, Leland M., and David A. Kay (eds.). International Organization: Politics and Process. Madison: The University of Wisconsin Press, 1973.
- Gordenker, Leon. The United Nations Secretary-General and the Maintenance of Peace. New York: Columbia University Press, 1967.
- Haas, Ernst B. Beyond the Nation-State: Functionalism in International Organization. Stanford: Stanford University Press, 1964.
- _____, and A. S. Whiting. Dynamics of International Relations. New York: McGraw-Hill Book Co., 1956.
- _____, Robert L. Butterworth, and Joseph S. Nye, Jr. Conflict Management by International Organizations. Morristown, N. J.: General Learning Press, 1972.
- Hadwen, John G., and Johan Kaufmann. How United Nations Decisions are Made. Leyden: A. W. Sijthoff, 1962.
- Hargrove, John L. (ed.). Law, Institutions and the Global Environment. New York: Oceana Publications, Inc., 1972.
- Helfrich, Harold W. (ed.). The Environmental Crisis: Man's Struggle to Live with Himself. New Haven: Yale University Press, 1970.
- Henkin, Louis. How Nations Negotiate: Law and Foreign Policy. New York: Frederick A. Praeger, Inc., 1968.
- Herz, John H. International Politics in the Atomic Age. 6th printing. New York: Columbia University Press, 1966.
- Hoffmann, Stanley, and Karl W. Deutsch (eds.). The Relevance Of International Law. Cambridge, Mass.: Harvard University Press, 1968.

- Holsti, K. J. International Politics: A Framework for Analysis. Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1967.
- Hovet, Thomas, Jr. Bloc Politics in the United Nations. Cambridge, Mass.: Harvard University Press, 1960.
- _____, Africa in the United Nations. Evanston: Northwestern University Press, 1963.
- Iklé, Fred C. How Nations Negotiate. 2nd printing. New York: Frederick A. Praeger, Inc., 1968.
- Jalée, Pierre. The Pillage of the Third World. New York: Monthly Review Press, 1968.
- Jenkins, Robin. Exploitation: The World Power Structure and the Inequality of Nations. Harmondsworth: Penguin Books, 1972.
- Kaplan, Morton A., and Nicholas DeB Katzenbach. The Political Foundations of International Law. New York: John Wiley and Sons, Inc., 1966.
- Kaufmann, Johan. Conference Diplomacy: An Introductory Analysis. Leyden: A. W. Sijthoff, 1970.
- Kay, David A. (ed.). The United Nations Political System. New York: John Wiley and Sons, Inc., 1967.
- Kebschull, Harvey G. (ed.). Politics in Transitional Societies: The Challenge of Change in Asia, Africa and Latin America. New York: Appleton-Century-Crofts, 1968.
- Kelman, Herbert C. (ed.). International Behavior: A Social-Psychological Analysis. New York: Holt, Rinehart and Winston, Inc., 1965.
- Kissinger, Henry A. The Necessity for Choice: Prospects of American Foreign Policy. New York: Doubleday and Co., Inc., 1962.
- _____. American Foreign Policy: Three Essays. New York: W. W. Norton and Co., Inc., 1969.
- Lagos, Gustavo. International Stratification and Underdeveloped Countries. Chapel Hill: The University of North Carolina Press, 1963.

- Lall, Arthur. International Negotiation: Principles and Practice. New York: Columbia University Press, 1966.
- Lentner, Howard H. Foreign Policy Analysis: A Comparative and Conceptual Analysis. Columbus, Ohio: Charles E. Merrill Publishing Co., 1974.
- Lerche, Charles O., and Abdul A. Said. Concepts of International Politics. Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1963.
- Luard, Evan. Conflict and Peace in the Modern International System. Boston: Little, Brown and Co., 1968.
- Magdoff, Harry. The Age of Imperialism. New York: Monthly Review Press, 1968.
- Martin, Lawrence, W. (ed.). Neutralism and Non-alignment: The New States in World Affairs. New York: Frederick A. Praeger, Inc., 1962.
- Mazrui, Ali A. On Heroes and Uhuru Worship: Essays on Independent Africa. London: Longmans, Green and Co, Ltd., 1967.
- McClelland, Charles A. Theory and the International System. New York: The Macmillan Co., 1966.
- McKay, Vernon. African Diplomacy: Studies in the Determinants of Foreign Policy. New York: Frederick A. Praeger, 1966.
- Meadows, Dennis L., and Donella H. Meadows, Jørgen Randers, and William W. Behrens III. The Limits to Growth. New York: The American Library, 1972.
- Miller, J. D. B. The Politics of the Third World. London: Oxford University Press, 1966.
- Morgenthau, Hans J. Politics Among Nations: The Struggle for Power, 4th ed. New York: Alfred A. Knopf, 1966.
- Nkrumah, Kwame. Africa Must Unite. London: Heineman Educational Books, Ltd., 1963.
- _____. Neocolonialism: The Last Stage of Imperialism. New York: Monthly Review Press, 1965.

- Owusu, Maxwell. Uses and Abuses of Political Power: A Case Study of Continuity and Change in the Politics of Ghana. Chicago: The University of Chicago Press, 1970.
- Parks, Mario. The Human Environment, vol. II: Summary of National Reports on Environmental Problems. Washington, D. C.: Woodrow Wilson Center for Scholars, 1972.
- Passell, Peter. Retreat from Riches: Affluence and its Enemies. New York: Viking Press, 1973.
- Quigg, Philip W. Environment: The Global Issues. New York: Foreign Policy Association, Inc., 1973.
- Report of the MIT Study of Critical Environmental Problems, Man's Impact on the Global Environment: Assessment and Recommendations for Action. Cambridge, Mass.: MIT Press, 1970.
- Riggs, Robert E. Politics in the United Nations: A Study of United States Influence in the General Assembly. Urbana: The University of Illinois Press, 1958.
- _____. US/UN: Foreign Policy and International Organization. New York: Appleton-Century-Crofts, 1971.
- Rosenau, James N. (ed.). Linkage Politics: Essays on the Convergence of National and International Systems. New York: The Free Press, 1969.
- Rostow, W. W. The Stages of Economic Growth. New York: Cambridge University Press, 1960.
- Rowland, Wade. The Plot to Save the World. Toronto: Clarke, Irwin and Co., Ltd., 1973.
- Russell, Ruth B. The General Assembly: Patterns/Problems/Prospects. New York: Carnegie Endowment for International Peace, 1970.
- Said, Abdul A. (ed.). Theory of International Relations: The Crisis of Relevance. Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1968.
- Schelling, Thomas. The Strategy of Conflict. New York: Oxford University Press, 1960.

- Schou, August, and Arne Olav Brundtland (eds.): Small States in International Relations. Uppsala: Almqvistad Wikesell Forlag AB, 1971.
- Sen, Sudhir. United Nations in Economic Development: Need for a New Strategy. New York: Oceana Publications, Inc., 1969.
- Skurnik, W. A. E. The Foreign Policy of Senegal. Evanston: Northwestern University Press, 1972.
- Sprout, Harold, and Margaret Sprout. Towards A Politics of Planet Earth. Princeton: Princeton University Press, 1974.
- Taylor, A. E. (translated). The Laws of Plato. London: J. M. Dent and Sons, Ltd., 1934.
- Thompson, Scott W. Ghana's Foreign Policy, 1957-1966: Ideology and the New State. Princeton: Princeton University Press, 1969.
- Vital, David. The Inequality of States: A Study of the Small Power In International Relations. Oxford: Clarendon Press, 1967.
- Ward, Barbara. Poor Nations and Rich Nations. 4th impression. Toronto: CBC Publications, 1965.
- _____. Spaceship Earth. New York: Columbia University Press, 1966.
- _____, and René Dubos. Only One Earth: The Care and Maintenance of a Small Planet. New York: W. W. Norton and Co., Inc., 1972.
- Werners, S. E. The Presiding Officers in the United Nations. Haarlem: De Erven F. Bohn N. V., 1967.
- Wilson, Thomas W. Jr. International Environmental Action: A Global Survey. Cambridge, Mass.: Cambridge University Press, 1968.
- Young, Oran R. The Politics of Force. Princeton: Princeton University Press, 1968.
- Zartman, William I. The Politics of Trade Negotiations Between Africa and the European Economic Community: The Weak Confront the Strong. Princeton: Princeton University Press, 1971.

Articles

- Alexander, Lewis M. "The Law of the Sea Conference: Issues in Current Negotiations," Naval War College Review, (November/December 1974), 42-52.
- Alger, Chadwick F. "Non-resolution Consequences of the United Nations and Their Effects on International Conflict," Journal of Conflict Resolution, 5:2 (June 1961), 125-145.
- Alker, Hayward R. Jr. "Dimensions of Conflict in the General Assembly," American Political Science Review, 58 (1964), 642-657.
- Asher, Robert E. "International Agencies and Economic Development: An Overview," International Organization, 22:1 (1968), 432-528.
- Baldwin, David A. "The International Bank in Political Perspective," World Politics, 18:1 (October 1965), 68-81.
- Ball, Margaret M. "Bloc Voting in the General Assembly," International Organization, 5 (1951), 3-31.
- Beckerman, Wilfred. "Economic Development and Environment: A False Dilemma," International Conciliation, 586 (January 1972), 57-71.
- Borgese, Elizabeth Mann. "Report from Caracas: The Law of the Sea," The Center Magazine, (November/December), 25-34.
- Castro, Joao Augusto de Araujo. "The United Nations and the Freezing of the International Power Structure," International Organization, 26:1 (Winter 1972), 158-166.
- Cheever, Daniel S. "The Role of International Organization in Ocean Development," International Organization, 22:3 (1968), 629-648.
- Claude, Inis L. Jr. "The Central Challenge to the United Nations: Weakening the Strong or Strengthening the Weak," Harvard International Law Journal, 14:3 (Summer 1973), 517-529.
- Commoner, Barry. "Motherhood in Stockholm," Harper's Magazine, (June 1972), 49-54.

- Connelly, Philip. "Resources: The Choices for Importers," International Affairs (London), 50:4 (October 1974), 604-611.
- Coplin, William D. "International Organizations in the Future International Bargaining Process: A Theoretical Projection," Journal of International Affairs, 25 (1971), 287-301.
- Cox, Robert W. "The Executive Head: An Essay on Leadership in International Organization," International Organization, 23:2 (1969), 205-230.
- Deutsch, Karl W., and R. M. Krauss. "Studies in Interpersonal Bargaining," Journal of Conflict Resolution, 6 (1962), 52-76.
- Douglas, Ann. "The Peaceful Settlement of Industrial and Intergroup Disputes," Journal of Conflict Resolution, 1 (1957), 69-81.
- Emerson, Rupert. "Colonialism, Political Development and the United Nations," International Organization, 19 (1965), 484-503.
- Engfeldt, Lars-Goran. "The United Nations and the Human Environment: Some Experiences," International Organization, 27:3 (Summer 1973), 393-412.
- Fiellai, Alan. "The Functions of Informal Groups in Legislative Institutions," The Journal of Politics, 24:1 (February 1962), 72-91.
- Finkelstein, Lawrence S. "International Organizations and Change: The Past as Prologue," International Studies Quarterly, 18:4 (December 1974), 485-520.
- Frank, Andre Gunder. "The Development of Underdevelopment," Monthly Review, (September 1966). Reprinted by Warner Modular Publication. Reprint 208 (1973), 1-15.
- Friedheim, Robert L. "The 'Satisfied' and 'Dissatisfied' States Negotiate International Law," World Politics, 18:1 (1965), 20-45.
- Friedmann, Wolfgang. "The Uses of 'General Principles' in the Development of International Law," The American Journal of International Law, LVII, 2 (1963), 279-300.

- Galtung, Johan. "Violence, Peace and Peace Research," Journal of Peace Research, 6 (1969), 167-191.
- _____. "A Structural Theory of Imperialism," Journal of Peace Research, 8-9 (1971-72), 81-117.
- _____. "'The Limits to Growth' and Class Politics," Journal of Peace Research, 10 (1973), 101-114.
- Gantzel, Klaus J. "Dependency Structures as the Dominant Pattern in World Society," Journal of Peace Research, 10 (1973), 203-215.
- Goodrich, Leland M. "The Political Role of the Secretary-General," International Organization, 16:4 (1962), 720-735.
- Gosovic, Branislav. "UNCTAD: North-South Encounter," International Conciliation, 568 (May 1968).
- Gross, Leo. "The United Nations and the Role of Law," International Organization, 19 (1965), 537-561.
- Haskel, Barbara G. "Disparities, Strategies, and Opportunity Costs: The Example of Scandinavian Economic Market Negotiations," International Studies Quarterly, 18:1 (March 1974), 3-30.
- Henderson, Hazel. "Ecologists versus Economists," Harvard Business Review, (July/August 1973), 28-36, 152-157.
- Irwin, Wallace, Jr. "The Further Odyssey of 'Only One Earth'," Vista, (February 1973), 39-42.
- Jacobson, Harold Kara. "Deriving Data from Delegates to International Assemblies: A Research Note," International Organization, 21 (1967), 592-613.
- Jacobsen, Sally. "Maurice F. Strong: Stockholm-- A Year Later," Science and Public Affairs (June 1973), 35-40.
- Kay, David A. "The Politics of Decolonization: The New Nations and the United Nations Political Process," International Organization, 21 (1967), 786-811.
- _____. "The Impact of African States on the United Nations," International Organization, 23 (1969), 20-47.
- Keohane, Robert O. "Political Influence in the General Assembly," International Conciliation, 557 (March 1966).
- _____. "The Study of Political Influence in the General Assembly," International Organization, 12:2 (1967), 221-237.

- Leider, Robert. "Strategies for an Environmental Decade," Orbis, 24:4 (Winter 1973), 881-891.
- Lentner, Howard H. "The Political Responsibility and Accountability of the United Nations Secretary-General," Journal of Politics, 27 (1965), 839-860.
- Levi, Werner. "The Relative Irrelevance of Moral Norms in International Politics," Social Forces, XLIV (1965), 226-233.
- _____. "Third World States: Objects of Colonialism or Neglect?" International Studies Quarterly, 17:2 (June 1973), 227-248.
- _____. "International Law in a Multi-cultural World," International Studies Quarterly, 18:4 (December 1974), 417-449.
- Lijphart, Arend. "The Analysis of Bloc Voting in the General Assembly: A Critical Proposal," American Political Science Review, 57 (1963), 902-917.
- Maffeo, Vincent A. "UNCTAD III," Harvard International Law Journal, 14:3 (Summer 1973), 548-555.
- March, James G. "An Introduction to the Theory and Measurement of Influence," American Political Science Review, 49 (June 1955), 431-451.
- Martin, Edwin M. "Environment and Development in the Light of the Stockholm Conference," Organization for Economic Cooperation and Development, (1972 Review), 151-159.
- Mazrui, Ali A. "The United Nations and Some African Political Attitudes," International Organization, 18 (1964), 499-520.
- Miles, Edward. "The Logistics of Interviewing in International Organizations," International Organization, 24:2 (1970), 361-370.
- Murphey, Rhoads. "Man and Nature in China," Modern Asian Studies, 1:4 (1967), 313-333.
- Neutze, Max. "The Economics of Environmental Control," The Australian Quarterly, 44:4 (December 1972), 28-43.

- Nye, Joseph S. Jr. "Collective Economic Security," International Affairs (London), 50:4 (October 1974), 584-598.
- Okumu, John J. "Some Thoughts on Kenya's Foreign Policy," The African Review, 3:2 (June 1973), 263-290.
- Ozorio de Almeida, Miguel A. "The Confrontation Between Problems of Development and Environment," International Conciliation, 586 (January 1972), 37-56.
- Pavitt, K. L. R. "Malthus and Other Economists: Some Doomsdays Revisited," Futures, 5:2 (April 1973), 157-178.
- Payer, Cheryl. "The Perpetuation of Dependence: The IMF and the Third World," Monthly Review, 23:4 (September 1971), 37-49.
- Randolph, Lillian. "A Suggested Model of International Negotiation," Journal of Conflict Resolution, 10:3 (1966), 344-353.
- Riggs, Robert E. "The United Nations as an Influence on U.S. Policy," International Studies Quarterly, 11:1 (March 1967), 91-109.
- Rittenberger, Volker. "International Organization and Violence with Special Reference to the Performance of the UN System," Journal of Peace Research, 10 (1973), 217-226.
- Robertson, Roland, and Andrew Tudor. "The Third World and International Stratification: Theoretical Considerations and Research Findings," Sociology 2 (1969), 47-64.
- Russett, Bruce M. "Discovering Voting Groups in the UN.,," American Political Science Review, 60 (1966), 327-339.
- Sohn, Louis B. "The Stockholm Declaration on the Human Environment," Harvard International Law Journal, 14:3 (Summer 1973), 423-515.
- Wallerstein, William I. "Dependence in an Interdependent World: The Limited Possibilities of Transformation Within the Capitalist World Economy," African Studies Review, 17:1 (April 1974), 1-26.

- Walters, Robert S. "International Organization and Political Communication: The Uses of UNCTAD by Less Developed Countries," International Organization, 25:4 (Autumn 1971), 818-835.
- Weinstein, Franklin B. "The Uses of Foreign Policy in Indonesia: An Approach to the Analysis of Foreign Policy in the Less Developed Countries," World Politics, 24:3 (April 1972), 356-381.
- Weintraub, Sidney. "After the UN Trade Conference: Lessons and Portents," Foreign Affairs, 43:1 (October 1964), 37-50.
- White, Lynn, Jr. "The Historical Roots of Our Ecological Crisis," Science, CLV (March 10, 1967), 1203-1207.
- Woodhouse, Edward J. "Re-visioning the Future of the Third World: An Ecological Perspective on Development," World Politics, 25:1 (October 1972), 1-33.

Newspaper Articles

- Bendiner, Robert. "Third World Ecology," New York Times, (June 26, 1972).
- Cowen, Robert C. "What is man doing to East Africa?" The Christian Science Monitor, (May 31, 1972).
- _____. "Peking Speaks for Third World," The Christian Science Monitor, (June 13, 1972).
- Hill, Gladwin. "Planning Completed for UN Environment Conference," New York Times, (March 12, 1972).
- _____. "Sense of Accomplishment Buys Delegates Leaving Ecology Talks," New York Times, (June 19, 1972).
- Hoagland, Jim. "The Dilemma: Conservation or Growth?" The Washington Post, (March 20, 1972).
- Howe, Marvine. "Ecological Reparations Asked by African Group," New York Times, (April 14, 1972).

- Lambert, John. "EEC Chief Urges No-growth Economy," The Christian Science Monitor, (April 18, 1972).
- Langway, Lynn, and Jerry Edgerton. "The U.S. at Stockholm," The Nation (July 10, 1972).
- Lewis, Anthony. "To Grow and to Die: III," New York Times, (February 5, 1972).
- _____. "Ecology and Politics: II," New York Times, (March 6, 1972).
- _____. "Growth and Politics," New York Times, (June 19, 1972).
- Sterling, Claire. "Environmental Improvement and World Trade," The Washington Post, (February 16, 1972).
- _____. "Rich and Poor Collide: World Politics and Pollution Control," The Washington Post, (May 26, 1972).
- _____. "U.S. Backs Ecology Talks, Limits Commitments," The Washington Post, (June 7, 1972).
- _____. "Will the Stockholm Conference Fail?" The Washington Post, (June 7, 1972).
- _____. "U.S. Losing Argument with Poor Nations at Stockholm," The Washington Post, (June 8, 1972).
- _____. "Chinese Rip U.S. at Parley," The Washington Post, (June 10, 1972).
- _____. "Stockholm: A Summing Up," The Washington Post, (June 25, 1972).
- Wallich, Henry C. "A World Without Growth?" New York Times, (February 12, 1972).
- Ward, Barbara. "The End of an Epoch?" The Economist, (May 27, 1972).

UN Documents

Caracas Session of the Third Law of the Sea, 20 June-29 August 1974. (United Nations Press Release SEA/150, 30 August 1974.)

Documents of the United Nations Conference on the Human Environment, Stockholm 5-16 June 1972. (A/Conf.48/2-11).

Environment Stockholm '72. (Published by the UN Centre for Economic and Social Information).

International Development Strategy: Action Programme of the General Assembly for the Second Development Decade. (UN Document ST/ECA 139, 1970).

International Trade, 1971 (GATT, Geneva: 1972).

Official Records of the ECOSOC, Forty-fifth Session, 1968. Agenda item 12.

Official Records of the General Assembly, Twenty-third to Twenty-seventh Sessions (1968-1972). Verbatim and Summary Records of the meetings of the General Assembly and the Second Committee (Economic and Financial) dealing with the Stockholm Conference.

Reports of the Preparatory Committee for the United Nations Conference on the Human Environment. UN Documents:
A/Conf.48/PC/6, 6 April 1970.
A/Conf.48/PC/9, 26 February 1971
A/Conf.48/PC/13, 30 September 1971
A/Conf.48/PC/17, 15 March 1972.

Reports of the Regional Seminars on Development and Environment.

- All African Seminar. (ECOSOC Document E/CN.14/532, 11 October 1971).
- Asia and the Far East Seminar. (ECOSOC Documents E/CN.11/999, 30 August 1971, and E/CN.11/L.312, 30 September 1971).
- Latin American Seminar. (ECOSOC Document ST/ECLA/Conf.40/L.5/Rev. 1, 28 October 1971).

Report of the Secretary-General on the Problem of the Human Environment. (UN Document E/4667, 26 May 1969).

Report of the Secretary-General to the Second Session of the Preparatory Committee for the United Nations Conference on the Human Environment. (UN Document A/Conf.48/PC.8, 9 December 1970).

Report of the Third Session of UNCTAD: Trade and Development: Third Session, Santiago de Chile, 13 April to 21 May 1972. vol. 1. New York: United Nations, 1973.

Report of the United Nations Conference on the Human Environment, Stockholm, 5-16 June 1972. (UN Documents A/Conf.48/14, 3 July 1972, and A/Conf.48/14/Rev. 1, 1973).

Second Ministerial Meeting of the Group of 77, October 25 to November 6, 1971, Lima, Peru. (UN Document A/C.2/270, 15 November 1971).

United Nations Environment Programme: Report of the Governing Council on the Work of its Second Session, 11-22 March 1974. (General Assembly: Official Records: Twenty-ninth Session. Supplement no. 25 (A/9625)).

Other Documents

Conference on the Human Environment: A report on Canada's preparations for and participation in the United Nations Conference on the Human Environment, Stockholm, Sweden, June 1972.

Conference on the Human Environment: A contribution by the Government of Canada to the United Nations Conference on the Human Environment, Stockholm, Sweden, June 1972.

Environmental Problems in Developing Countries. (Report of the ICSU Special Committee on Problems of the Human Environment).

For a Joint African Stand. (Recommendations for African Delegations drafted by the Group of African Experts meeting at the Institute of Economic Development and Planning (Dakar)).

Report of the United States Delegation to the United Nations Conference on the Human Environment, Stockholm, Sweden, June 5-16, 1972. Document UNEP D-341/72.

Stockholm and Beyond: Report of the Secretary of State's Advisory Committee on the 1972 Conference on the Human Environment. Washington, D.C.: U.S. Government Printing Office, 1972.

The Founex Report on Development and Environment. (Commissioned by the Secretary-General of the United Nations Conference on the Human Environment. Reprinted in International Conciliation, 586 (January 1972), 7-36.

The Meaning and Scope of the Stockholm Conference from the Perspective of the Developing Countries. (An address by Bernardo de Azevedo Brito (First Secretary, Permanent Mission of Brazil to the United Nations) before the Institute for International Cooperation, University of Ottawa, Canada. November 21, 1972).

The Text of Prime Minister Mrs. Indira Gandhi's address to the Plenary Session of the UN Conference on the Human Environment at Stockholm on June 14, 1972. Permanent Mission of India to the UN. India News, 43/72, June 22, 1972.

The Third Way. (Speech by Maurice F. Strong to the Clean Air Congress, Washington, D. C., 7 December 1970).

Unclassified Cables from U.S. Mission, Stockholm, to the Secretary of State, State Department, Washington, D.C.

United Nations Conference on the Human Environment, Stockholm, Sweden, June 5-16, 1972. A guide to the Microfische Edition of the Conference Bibliography. (Published by Xerox University Microfilms in Cooperation with the United Nations).

United States House of Representatives. Subcommittee on International Organizations and Movements of the Committee on Foreign Affairs. Hearings on International Cooperation in the Human Environment Through the United Nations. (H. R. 13116). March 15-16, 1972. 92nd Congress, 2nd Session.