Conflicts, acceptance problems and participative policies in the national parks of the French Alps

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Abstract

This article provides an updated insight into the now completed compliance process with the charters of the French Alpine national parks (Vanoise, Ecrins, Mercantour), a participative measure that was initiated in 2006. A theoretical approach to social acceptance is given, followed by an analysis of the upsurge or the rise of conflicts during the negotiation process with local municipalities of the national park perimeter in a more empirical way. It will be demonstrated that fostering acceptability and participation does not necessarily produce wider social acceptance.

Introduction

Why are there so often conflicts concerning the creation and management of protected areas? Establishing protected areas seems to be a positive measure that prevents the depletion of natural resources, enhances the touristic value of the landscape and even reinforces the supply of environmental services (Beresford & Philips 2000), the use of renewable energy sources as well as greener agricultural practices (Lopoukhine et al. 2012; Mose 2012). It mainly serves the general interest in such a way that any opposition could be seen as a kind of selfish, petty NIMBY reaction.

However, the regulations of protected areas remain basically coercive, like every tool of territorial planning, since they rely on regulatory measures that actually cause constraints on usual social and economic activities. This coercion, even mitigated by information and discussion processes, has a strong symbolic value, since it is exerted by official institutions: the state, a regional body or a delegated administration. Following Weber (1919), those institutions, seen as “communities of power” derived from the state, “successfully claim the monopoly of the legitimate use of physical force within a given territory,” since they have gained control of protected areas and apply a symbolic violence, in national parks in particular, through exogenous regulations and protection measures that hinder former land-use practices.

Conflict around protected areas must therefore not be studied in a narrow sense anymore, as a conflict between the protection of nature and economic activities. It has a much broader significance, including a symbolic conflict over the legitimacy of power sharing. In this respect, conflict is not only the consequence of rational cost-benefit estimates, but the tool that will hopefully open, for those who initiate the conflict, a productive readjustment in the balance of powers between stakeholders – following the sociological tradition of Simmel (1908).

In this respect, the French Alps have been at the heart of acute conflicts since the first launch of national parks (NPs) in France in the 1960s. Vanoise NP (1963), followed by Ecrins (1973) and Mercantour (1979) constitute three of the ten current NPs of the country (Figure 1). They can be seen as historical pioneers in this process: Ecrins NP was founded after a first land acquisition of 4 248 ha by the state in 1913 (Zuanon et al. 1994); Vanoise NP had been advocated since the end of the Second World War by some local representatives and an intense lobbying of national figures. Oscillating between cultural protection of the local traditions of mountain people, or a more hunting-centred approach of the protection of the alpine fauna, the Ministry of Agriculture finally opted for a rather strict type of preservation of the areas located in the core zones of the NPs, excluding landscape transformation and permanent population as well (with the single exception of the Cévennes NP in the Massif Central). This approach has been constantly questioned by mountain communities: the French Alps, although sparsely populated, are not exempt from socio-economic values, high appropriation and customary practices. Hunting territories and the development of ski resorts in Mercantour NP (which was proposed in 1960, but only came into being in 1979 against the wishes of all the territorial communities) and – even more so – in Vanoise NP have become the stumbling block of conservation policies in the Alps and have given rise to lasting conflicts in the management of both NPs. In order to mitigate con-
The concept of social acceptation mostly originates from social psychology and the comprehension of attitudes (Ajzen 2005; Albarracin et al. 2005; Gilbert 2008). It has been used for instance for the analysis of the integration of underrepresented social groups to understand the violence they might face. Since then the main idea has been to detail the levels of reaction and attitudes when people are confronted with a great social change. But the notion is still emerging and remains unstable (Fortin & Fournis 2014: 233). For this purpose, we have built a comprehensive model that suggests a continuous gradient between two opposite poles: reactance and acceptance (Figure 2). The sociological concept of reactance (Brehm 1966) describes a violent, open opposition to a strong restriction on personal rights; it is a valuable tool to assess the rejection of conservation measures, which can go against a common perception of nature and landscapes as open access goods (Stoll 1999). The opposite concept to reactance is acceptance. It has mostly been used in the German-speaking area since the 1990s (Lucke & Hasse 1998), for instance, after the analysis of Rentsch (1988) in the case of Bavarian Forest NP or Job (1996) in the Harz Mountain (Schenk 2000). Following these authors, Depraz (2005b: 7) defines acceptance as “the upper level of social acceptation that implies a complete adherence to the request, on the rational and the psychological level as well: one will even come to defend the accepted innovation” – which does not prevent conflict, since acceptance is also an open, active commitment to protection.

Acceptation is thus not acceptance, since it is possible to “admit things de facto, for convenience, without accepting them deep down inside” (id). Acceptation is tacit agreement, whereas acceptance is an active process and implies personal implication. Laslaz (in Gérardot 2012: 13) also suggests that acceptation means a “process in which a social group admits the existence of (…) restrictions of a certain kind in its usual environment, on a defined area that it shares with other stakeholders but on which it owns land rights, or rights of use, or an acknowledged anteriority. This formal consent expresses the ability to accept – without necessarily total integration or adherence (…)”. Ultimately the last intermediate level is identified under the notion of tolerance, a passive attitude, in which constraints are not really accepted, but people resign themselves to the new measures since their prejudice is lower than the costs that effective contestation would incur.

That model shall be considered as a hermeneutical tool for conflicts, taking into account the fact that positions are neither fixed nor definitely attached to one or another person; opinions remain changing, tolerance can easily turn into reactance for instance, if constraints suddenly change.

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1 Act nr 2006-436 of April 14", 2006: “loi relative aux parcs nationaux, aux parcs naturels marins et aux parcs naturels régionaux”.

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**Figure 1** – Situation map of the French Alpine NPs.

**Figure 2** – The ladder of social acceptation.
Acceptability vs. acceptation: a blurred terminology

The most recent literature about social acceptation is mainly based on the introduction of new technologies and new sources of energy. Surprisingly enough, some authors, mostly French-speaking Canadian authors, such as Delhoume and Caroux (2014), Gendron (2014: 122) or Raufflet (2014), tend to amalgamate acceptability and acceptation. For Botellier (2012) acceptability describes a formal public policy, often imposed upon people who are implicitly “forced to accept”, while acceptation means a true, often informal, dialogue between stakeholders. Alternatively, Lecourt and Faburel (2008: 39) reduce acceptability to the sole positive result of the global process of acceptation which describes “the consent of a social group to accept a project in its close environment”. But consent is just the target of a more comprehensive process and therefore cannot be considered as a strict synonym for acceptability. Moreover, considering acceptability as a successful result and acceptation as an incomplete process goes against common sense: the former is a condition of the latter. An accepted idea means that it has first been judged acceptable before being endorsed.

As such, acceptability must be seen as a “social licence to operate” (Boutilier & Thomson 2011) and differs from acceptation, which is the successful result of an acceptation process. Here social licence represents the level of acceptability that a social group will build together vis-à-vis any given innovation / project. Acceptability means that a fact or an action will be considered potentially acceptable in view of individual or collective criteria: acceptability relies on “shared values and beliefs” (Shindler et al. 2002); it includes the “minimal conditions to be set to allow a project, a programme or a public policy to be harmoniously enshrined in its social and natural context” (Caron-Malenfant & Conraud 2009: 14), evidenced after a social dialogue.

This meaning is confirmed by German sociology. Social acceptation is “the property of an innovation to cause a positive reaction by concerned people at the moment of its apparence” (Endruweit et al. 2014: 15). A difference will then be made between acceptation and acceptability, since acceptation (Akzeptanz) is considered “a subjective and individual approach, when acceptability (Sozialverträglichkeit) is a more collective and objective process, adding several levels of individual acceptation” (Depraz et al. 2015).

In this regard protected areas can enjoy a rather high level of acceptability, since the values they convey are positively rated by society and the constraints they raise remain low-impacting – contrary to those of power plants, dams or motorways, for instance. Their acceptation remains questioned, however, and the intended result, acceptance, is far from being reached.

Understanding the spaces of social acceptation in protected areas

Apart from Depraz (2005a) for the NPs in former East Germany and Laslaz (2005b) in the French Alps, studies about the acceptance of protected areas remain uncommon and have been mostly conducted in the German-speaking area. Schenk et al. (2007) demonstrated in the Swiss case that strong acceptation relies on external factors not directly related to conservation: e.g. the way information is transmitted, the emotional reactions of the inhabitants. Contrary to all expectations, payments for environmental services are not significant in the long term. Stoll-Kleemann (2001) confirms that emotional and cultural factors can divide conservationists from local land users, but are rarely taken into account in conflict regulation. She advocates better communication and a debate on equal terms to enhance acceptance. However, this goal has been poorly taken in consideration at the international level, except at the Sydney World Park Congress of 2014, where the IUCN, for the first time, suggested changes to “influence the efficiency of conservation policies and the social acceptation of protected areas” (Dudley et al. 2014).

Social acceptation also has a geographical dimension since it will vary across spaces (Laslaz et al. 2014: 28; Depraz 2008). Of course it is linked to time parameters, such as length / immediacy of the process, deceleration / acceleration of actors’ discussions and interactions; but the location of stakeholders and the varying spatial expression of their opinions also foster or hinder social acceptation. As a consequence, opponents make their opinion visible on location (posters, banners, graffiti: Figure 3) so that their discontent will be better taken in account (Laslaz 2016). The indication on a map of official limits or alternative imprints for planned infrastructures, the existence of territorial markers such as regulation notices make the debate about acceptation more visible. Some geographical features also have a strong symbolic influence: a municipality located at the dead-end of a valley will take up the role of a leader for all the downstream lo-
calities, for instance\(^3\). The location of leading NGOs’ headquarters will also crystallize the polarization of acceptance in space, either for or against the park. Therefore, acceptance needs to be studied simultaneously on different scales to show how the local level, in particular, will be imbedded in larger spatial confrontations.

The positive role of economic spill overs has often been evoked to increase social acceptance. However, studies conducted in NPs in Germany, Austria, Switzerland by Mayer and Job (2014: 79) underlined that benefits were limited on a local scale; they were higher on the regional and national scales and gained full significance at a global scale. This doesn’t help foster acceptance by local populations.

The introduction of charters in NPs: success or upsurge of conflict potential?

The conflicting dimensions of the charters

The Giron Act of 2006 introduced several changes in the management of the French NPs (Laslaz 2005a, 2007; Cosson 2014). This law enacted the transformation of the core area of NPs into a heart zone and the development of a charter with local municipalities that were formerly included in a peripheral zone, which would thus constitute an adhesion zone. It is a voluntary adhesion process. The charter, inspired by the model that already exists in French regional parks, is not a regulatory measure that would impose new legal constraints upon legal third parties; it defines common general orientations for the NPs and the adherent municipalities under a co-construction process\(^4\). Regulations in the heart zone remain unchanged under state supervision; only the adhesion zone ought to take the charter into account in local master plans – however the content of the charter itself remains non-prescriptive.

The charter thus constitutes a “regulation by moral obligation”, after Cadoret (2011). Dourlens (in Micoud & Peroni 2000) defined charters in general as “a possible modality through which social agents – in the public or private sector – try to reduce the uncertainty and instability that surround them and strive to give meaning to the actions they are carrying out without reducing their autonomy” (id.: 319). However, the charter does not only encourage practical applications, it is expected to encourage a common spirit by making clear which municipalities really want to work together with the management of the NP. A charter is thus a contract of trust, it “materializes, through a written agreement, a link that transcends concrete experiences towards some form of abstraction” (ibid.: 321).

In fact, the charter is not, as expected, a tool for mediation and co-construction, but an arena for the revival of contestation. The bottom-up logic offers an opportunity to resume debate about the limits of power and the different visions for the protected area, so that “the charter is not only an opportunity to identify similarities, but to point out oppositions as well” (Dourlens, op. cit.: 320). Even implicitly, tension will consolidate and rebuild a core group of contestation. Indeed, far from diluting contestation, the charter federates it in a “crystallization moment” (id.: 327).

Differentiating between conflicts about charters in NPs

As a consequence, several types of conflicts might add up during the negotiations about the charters (Laslaz 2011): (1) the re-emerging conflict, which may date back to the period of creation of the park but will resurface with the new distribution of powers during the discussions about the charter; (2) the new-request conflict, seizing the opportunity of the new negotiations to appear, which will ultimately shrink in space and intensity, and possibly disappear with the final implementation of the charter; (3) the time-gaining conflict, which will try to make the discussion last as long as possible, or even start again from scratch: “we shall renegotiate and rewrite the charter” is a strategy observed in the Vanoise (see above), that is to say, a wait-and-see position that causes low-intensity conflicts which will also disappear with the implementation of the charter; (4) the comprehensive conflict, a low-intensity tension that has remained permanent as a background noise since the very beginning of the NP policy in France and that has been observed in many other aspects of environmental public policies in France and Europe (e.g. Natura 2000 programme, large predators management). This conflict originates from the lack of understanding of – or the unclear communication on – protection measures; (5) the charter-specific conflict, which arises from the introduction of the charter, where stakeholders take the opportunity of the charter to gain visibility and to voice their concerns, after Hirschman’s expression (2011), against possible restrictions on land use that could come from the contents of the charter. It might come up regularly during each phase of renegotiation of the charter, i.e. every fifteen years, and when municipalities are offered new opportunities of adhesion, every three years.

An overvaluation of heritages in mountain NPs?

The results after the adhesion period in the seven NPs already in force before the 2006\(^4\) Act are quite homogeneous, except for the Vanoise case study (see above), since 73–83% of municipalities opted for the charter (Figure 4). But local results are contrasted: in

\(^3\) Laslaz (2005b) has suggested the notion of telistosome to qualify such resisting villages, from telistos (the furthest) and kome (village) in ancient greek.

\(^4\) The co-construction process means that shared work will define the actions to be written in the charter and then implemented in common, assuming that participation will help get out of any sterile opposition and raise social acceptability.
Ecrins NP (78% adhesion), in spite of a high level of adhesion, the refusal of the Valbonnais and the Oisans areas is striking, especially as they include Saint-Chrétien-en-Oisans, the historical heart of the 1913 core zone of the park – but also a strong opponent since 1973. In contrast, the final adhesion of the Valgaudemar Valley, which had been a constant opponent to the park, might be explained by the need for a tourism label for municipalities without any significant economic winter activities. In Mercantour NP (75% adhesion), logically enough, municipalities of the Ubaye and the Haute-Tinée, historical opponents with important ski resorts such as Isola and Saint-Etienne de Tinée, opted out. But the municipalities of the Haute Roya, where the Valley of the Merveilles – the heartland of the NP project since the 1960s – is situated, also refused the charter. In short, the Ecrins and the Mercantour represent a rather successful result of the charter from a quantitative point of view, but a lower acceptation on a more qualitative point of view.

Outside the Alps other external reasons have prevailed: Pyrénées NP (73% adhesion) faced a lower adhesion rate, mostly in Béarn, because of historical opposition to the park and lasting conflicts about the preservation of bears (Clairmont 2013). Cévennes NP (83% adhesion) achieved a much higher result since the park extended the limits of its former peripheral zone to 35 more municipalities, more remote and less concerned by historical opposition. Guadeloupe NP (76% adhesion) also compensated the adhesion deficits of its historical core in the Basse-Terre peninsula and in Saint-Claude, where its headquarters lay, by extending its core area to adherent municipalities in the Grande-Terre peninsula. More generally, the existence of an acceptance crater (Rentsch 1988; Depraz 2005b) can be confirmed in most NP, where the core areas remain historically reluctant towards conservation measures and any external control over their natural heritage.

Other examples of charters exist in some Alpine NPs. In Switzerland, the Adula NP project, extending over 1230 km² in Ticino and Grisons, including 145 km² of core zone, was launched more than 15 years ago on the basis of a bottom-up approach with the 13948 inhabitants of the area. Since 2010 a charter has been implemented by the 17 municipalities and will soon be voted on to validate the park. However, several municipalities have withdrawn from the project because of the severe constraints that the management of the NP would imply (Kupper 2012). Moreover, the text that has been produced by the remaining municipalities has omitted to mention that constraints shall also exist in the buffer zone of the park. As a consequence, the Federal Office of the Environment did not want to recognize the contents of the charter and threatened local stakeholders to withhold the NP designation and federal subsidies


Figure 4 – Analysis of the implementation of charters in the seven existing NPs before the 2006 Act.
resolved since then by larger concessions to municipalities; but this could strengthen final opposition to the project, despite federal goodwill. Once again, in spite of a rather high acceptability of the project at its beginning, proven by local commitment to the project, the result shows divergences between stakeholders, and lower mutual acceptation.

On another scale, it is possible to associate the different answers at municipal level with the types of conflicts that have been evidenced above (Figure 5). As such, type-A municipalities are generally associated with re-emerging (type 1) or comprehensive conflicts (type 4). Type-C municipalities often formulate new-request (type 2) or charter-specific (type 5) conflicts that allow them to negotiate counterparts to their adhesion. Time-gaining conflict (type 3) is more general, but will be possibly mobilized by type-E municipalities. In contrast, historically favourable municipalities (type B) have confirmed their attachment to the NP or have taken the opportunity to enter the enlarged adhesion zone, in that case without any regulatory constraints. Spill over effects exist around charismatic mayors, with follow-the-leader attitudes in municipal votes, but external influences have not significantly affected the final decision.

**Difficult social acceptation of the charter in Vanoise NP**

A poor but to-be-expected result

The charter of Vanoise NP, although seeking to enhance acceptability, is symptomatic of failed acceptation. It demonstrated that isolated conflicts were actually the tip of the iceberg of low social acceptation. True enough, this park is set within a very specific context. Almost all municipalities of the former peripheral zone are major interlinked ski resorts, such as Paradiski, Espace Killy or Les Trois Vallées. They benefit from most of the 22.6 million winter over-night stays of the department of Savoie with total sales of 3.9 billion euros. In 2012, after a first consultation about the charter’s first draft, 26 of the 29 consulted municipalities of the considered adhesion zone issued a negative opinion; in 2015 it became even

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The typology is built after (1) the type of vote of each municipal council (positive / negative), (2) their historic evolution (becoming positive/negative or remaining positive / negative), and (3) their position (central / peripheral) in the park.
worse, since only two municipalities joined the charter (Figure 7). The adhesion rate in the Vanoise amounts to 6.8%, ten times less than in other NPs and much lower than the consultations of municipal assemblies at the time of the creation of the park (Figure 6). How can we explain such a disavowal?

Most municipalities do not need the NP. Their name has its own reputation and they are financially sustainable over the sole winter period. As a consequence, more than for other NPs, the name Vanoise describes the mountain itself rather than the park. Besides, the limited budgetary resources of the park administration – actually reduced by the creation of new NPs by the Ministry for the Environment – does not allow advocating financial support for the projects of local municipalities. The limited economic spinoffs of the park for the former peripheral zone (Mayer & Job 2014) remain central to current ten-
In this respect the outcome of the park is considered a failure.

The sacrificed Vanoise, or the mistakes of the ministry in the making of the charters

A posteriori several mistakes can be identified in the making of the charter. Vanoise NP started the process in July 2007 and acted with haste to get the approval of the executive board as early as March 2009. The director at the time was determined that this pioneer NP would be the first to implement its charter. Six years later it was the last one to do so, with the poorest result. Skipping stages made some interlocutors block and dig in their heels.

With the exception of Port-Cros NP, which had no peripheral zone; the adhesion zone thus had to be shaped beforehand.

Figure 7 – The positioning of the municipalities of Vanoise towards the NP after the 2015 vote about the charter (to be compared with Figure 6). Existing conflicts at these dates are symbolized by elliptical shapes.
The second difficulty was a matter of timing: the revision of the park decree, necessary to validate the new status of the heart zone, was also launched in 2007, which led to confusion and made the local representatives complain about the lack of discussion. Moreover, in 2010 some elements of the Directive territoriale d’aménagement et de développement durable of the Northern Alps, a controversial planning document issued by the State, were clumsily included in the first draft of the charter and caused strong rejection.

This first draft also left blanks when dealing with development issues: It was meant to allow local representatives to take control of this point. However, they criticized the project on the grounds that it had been built without them and only included protection objectives.

Furthermore, ministry staff appeared to be insufficiently prepared for the introduction of charters in NPs; it became an uncomfortable, go-with-the-flow policy. The field officers in Vanoise became demotivated by the numerous (more than 250) meetings set up by the park administration about the charter and feared their profession would take an administrative turn.

A rejection on principle of the charter by local representatives

Elected local representatives have developed four different strategies to oppose the charter.

The first one could be described as a reversed Trojan horse (Laslaz, 2016). Local representatives received seats and the duty to preside on the executive board of the NP after the 2006 Act, gaining an entry right into decision-making circles in accordance with what they had requested (Giran, 2003). But they refused to chair the board as they did not want to be associated with the administration – a state institution – or even to speak on its behalf, which would make them face severe contradictions.

So they left the presidency to state officers from May 2008 to June 2009 and from July 2014 to December 2015. In other words, as soon as they obtained it they chose not to take up the responsibility they had clamoured for. This is an exception: All the other presidents of NPs are elected members of local municipalities.

A second strategy was to gain time and to produce an illegible document. Criticizing the first drafts as incomplete documents induced a re-writing of the text with amendments and new developments. As a consequence, the document (PNV, 2013) became thick (244 pages) and complicated, with cautiously chosen wording to avoid legal disputes. The result is barely read and allows almost any contradiction, so that few people will read it and many will criticize and – finally – reject the project. Its deferred completion produces its rejection.

The third strategy was based on a downward spiral by contagious decisions. Solidarity effects played a crucial role between municipalities when the biggest of them (Bourg-Saint-Maurice, 8,174 inhabitants in 2012) made the first negative decision in July 2015. Moreover, strong similarities could already be observed during the 2012 public enquiry about the charter. In solidarity with each other, through coordination or by knock-on effect, municipal assemblies held their deliberations using the rhetoric of the local block facing an external, intrusive institution.

Finally, the last strategy of local representatives consisted in legitimizing the weak acceptance by blaming it on former tensions that had not been overcome in the past. Although old, lasting conflicts can partly explain their posture (Figure 6), this is an easy way to avoid taking a new, different approach on the balance between protection and development which has determined power relations in Vanoise for more than half a century. This is a fixed vision of a low acceptance stage that relates to the past rather than to the future.

Local representatives also claim that the directorate of the NP and its management do not evolve, so their position will not change either. Because of this attitude, the progress that has been made in the park management will have no influence on the position of local stakeholders.

Conclusion

The Vanoise case study is very singular; nevertheless, it underlines even more the persistence of a culture of refusal (Laslaz, 2004) around French Alpine NPs. Even back in 2013, the first French NP did not succeed in celebrating its 50th anniversary: The opening ceremony had to be cancelled at the very last moment for fear of sheep breeders demonstrating against the presence of wolves. The directorate didn’t want to hinder the negotiations concerning the charter, a process that kept the whole management of the park busy for almost a decade. The other Alpine NPs will hopefully get the resisting municipalities to adhere in the next 3-year term since new negotiations will be opened every three years after the approval of the charter; this perspective seems unrealistic in the Vanoise.

Those insights about the building of participative policies in the French NPs, a medium-term but difficult process, shed light on the long time required for social acceptance to take effect. It is hard to reach acceptance, even when half a century of existence might lure us into thinking that protected areas have gradually been accepted in the French Alps.

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6 Six of those documents exist in France; the seventh one, in the Northern Alps, was strongly criticized and then aborted.
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