

Assessing National Compliance with International Forest Policy Processes – the Role of Subjective Judgments

Berit H. Lindstad and Birger Solberg

Lindstad, B.H. & Solberg, B. 2010. Assessing national compliance with international forest policy processes – the role of subjective judgments. *Silva Fennica* 44(1): 177–191.

Several international policy processes with sustainable forest management (SFM) as a common goal have emerged during the past two decades. Based on an empirical study from Norway, this paper analyses the role of subjective judgments in assessing national compliance with three international forest policy processes, and the implications for determination of the effects of these processes. The Expanded Programme of Work on Forest Biological Diversity, the Ministerial Conference on the Protection of Forests in Europe and the United Nations Forum on Forests, including its predecessors, collectively provide more than 600 recommendations for SFM. While it is nothing new that SFM encompasses value questions, this paper is a systematic review of where in a process of assessing national compliance the role of judgments is most profound. The paper shows that the multiple objectives of the forest recommendations, references to national circumstances and provisions for stakeholder involvement lead to differing opinions about the degree of conformity between international recommendations and national situation, i.e. compliance. These differing opinions mean different prospects for the international processes to have effects, because only implementation, or active responses to international recommendations, constitutes effects. The roles of judgments and values are recommended topics for further investigation. Factors influencing how compliance is assessed, and consequently the degree to which implementation is deemed necessary, require specific attention. Due consideration to substantive and methodological choices in determining national changes and in separation of other sources of influence will provide a better basis for informed discussion of compliance with and effects of international forest-related policy processes.

Key words sustainable forest management, multiple objectives, implementation, participatory process

Addresses Norwegian University of Life Sciences, Dept of Ecology and Natural Resource Management, Ås, Norway

E-mail berit.lindstad@umb.no

Received 8 September 2008 **Revised** 8 December 2009 **Accepted** 11 December 2009

Available at <http://www.metla.fi/silvafennica/full/sf44/sf441177.pdf>

1 Introduction

During the past two decades, an increasing number of regional and global policy processes have emerged with sustainable forest management (SFM) as a common goal. The processes are time and resource demanding, and their value has been discussed extensively by researchers, environmentalists and the forest sector generally (e.g. Persson 2005, Humphreys 2006). The broader topic of this paper is whether international recommendations make any difference to national forest policies, and how potential influences at national level can be determined.

This endeavour is guided by an extensive literature on international cooperation dealing with enforcement of international commitments and recommendations (e.g. Miles et al. 2002, Underdal and Hanf 2000). This regime literature distinguishes between “passive” compliance and “active” implementation of international recommendations, and stresses that for national changes to be considered effects of international processes they have to be active responses to an international agreement or process (Underdal 2002). The literature also recognizes the complexity in enforcing international agreements, involving interlinked and partly subsequent phases and often a variety of societal actors (see, e.g. Underdal 1998). It is generally acknowledged that differing national circumstances lead to different needs and ways of putting commitments into practice (e.g. Victor et al. 1998). It is further recognized that evaluation of the effects of international regimes depends on the reference point and metric for evaluation (Underdal 2002), and can be influenced by analysts’ judgments (Underdal 2002). Regimes with ambiguous or multiple objectives constitute a special case, where performance depends critically on values embedded in the evaluation; for example, economic benefit versus protection for the International Whaling Convention, as discussed by Andresen (2002) and Underdal (2002). Judgments in policy analysis in general, and possible ways of dealing with them, are elaborated by Fischer and Forester (1987), among others.

In this paper, we focus on the opportunity to interpret recommendations of the international forest policy processes and differing understand-

ings of the national situation compared to the recommendations. Our ambition is to explore how and where analysts’ and stakeholders’ judgments are involved when assessing national degree of compliance, and based on this discuss issues that need further work in order to determine the effects of forest-related policy processes. The first objective is to analyse, based on an empirical study from Norway, the role of subjective judgments in assessing national compliance with policy recommendations derived from three international forest policy processes. The second is to explore implications of the findings from the first objective for how effects of international forest-related policy processes can be determined. The processes of concern are the Convention of Biological Diversity (CBD) with its Expanded Programme of Work on Forest Biological Diversity, the Ministerial Conference on the Protection of Forests in Europe (MCPFE) and the United Nations Forum on Forests (UNFF), including its predecessors, the Intergovernmental Panel on Forests (IPF) and the Intergovernmental Forum on Forests (IFF). Collectively, these processes provide more than 600 recommendations for SFM.

Studies on national compliance with IPF/IFF in Austria have been reported by Pülzl and Rametsteiner (2002) and Pülzl (2002), and compliance with CBD and IPF/IFF by Pülzl (2003). The empirical study in Norway builds on their approach, but differs particularly regarding how stakeholders were invited to provide input in the different stages of the study, as well as in a public hearing on the final report (see below). Stakeholder involvement is instrumental in revealing differing opinions on how international recommendations should be interpreted and how the national situation compares with international recommendations. As shown in the following, these diverse opinions of national compliance can also have implications for how the effects of international forest policy processes are evaluated.

The paper is structured as follows: First, the central concepts are defined, followed by an outline of the international forest-related processes considered and the working modalities for the Norwegian assessment providing the empirical basis for the paper. The results are reported and discussed in two parts corresponding to the stated objectives. Finally, the main conclusions are drawn.

2 Material and Methods

2.1 Central concepts

By “forest processes” we mean the three processes mentioned above, i.e. two global processes and one European. These provide decisions and recommendations addressing national authorities, private sectors and non-governmental organisations as well as international organisations. In focus here are recommendations requiring follow-up by member states within and outside individual countries and referred to as national and international aspects, respectively. The term “recommendations” is used for proposals for actions, activities and decisions provided by the processes, signalling that the recommendations belong to so-called soft-law with no formal legal implications.

“Subjective judgment” is used as a comprehensive term encompassing assessments where opinions (may) differ, based on basic values, interests and/or strategic reasoning by different individuals/groups. Influences of judgments are elaborated in relation to how the recommendations can be interpreted and also in relation to the degree of conformity assessed between actual national situation and the international recommendation. Examples of differing opinions, or judgments, are provided from a study of Norwegian compliance with international forest policy recommendations as well as from the public hearing on this study. In the commissioned study, judgments made by the analysts conducting the study are predominant, but they are also influenced by inputs provided by stakeholders. The two responses to the public hearing exemplify the different judgments of one forest owner’s organisation and one environmental organisation, respectively. While sketchily dealt with in this paper, analysts’ and national stakeholders’ value judgments are identified as an issue requiring attention when determining compliance with and implementation of international forest recommendations.

As briefly touched upon in the introduction, the regime literature distinguishes between compliance and implementation. Compliance can be defined as “act in accordance with, and fulfilment of” an agreement (Underdal 1998). There is no

assumption of causality between the provisions of agreements and compliance, as countries may comply with the agreements without introducing new activities or changes. Implementation, on the other hand, is used for activities carried out with the intention of meeting the commitments introduced by an agreement; for example, “the process by which intent gets translated into action” (Victor et al. 1998). Implementation implies causal links between agreements and activities. Separating compliance and implementation is thus necessary when evaluating the effects of international recommendations, as only actively implemented activities classify as effects of agreements. A central argument in this paper is that the regime literature can give new insight into the level of enforcement and the possible effects of international forest policy processes. The intention is to elaborate on how subjective judgments can affect evaluation of national compliance with international forest policy recommendations, and, then, implications of this for effects attributed to the international forest-related processes.

2.2 Brief Account of the International Forest Policy Processes

This section is a brief presentation of the policy processes considered in the Norwegian assessment of national compliance, with a focus on the objectives and provisions for national sovereignty over forest resources.

The United Nations Forest Process

Since the Earth Summit in Rio de Janeiro in 1992, negotiations on forests have continued in different policy-rounds within the UN framework. The United Nations forest process is a common term for the Intergovernmental Panel on Forests (IPF) (from 1995 to 1997), the Intergovernmental Forum on Forests (IFF) (from 1997 to 2000) and the United Nations Forum on Forests (UNFF) (ongoing since 2001). The objective of the UNFF is “to promote the management, conservation and sustainable development of all types of forests and to strengthen long-term political commitments to this end” (United Nations 2001: iii). Among its purposes is promoting follow-up of internation-

ally agreed actions on forests at national, regional and global levels, including the outcomes of the preceding IPF and IFF. In total, the IPF and IFF processes have resulted in approximately 270 proposals for action (United Nations, undated). In addition, by 2004 (when the study was conducted in Norway) the UNFF had approved 10 resolutions containing approximately 100 recommendations.

Generally, proposals for action from the IPF, IFF and UNFF are rather vague, often including the terms “as appropriate” or “if needed”. According to the UNFF plan of action, “countries will set their own national priorities, targets and timetables” for the follow-up of IPF/IFF proposals for action (United Nations 2001, p. 11).

The Expanded Programme of Work on Forest Biological Diversity

Forest biodiversity is a thematic programme under the Convention on Biological Diversity (CBD). The Convention is legally binding on countries that have ratified it, while the Expanded Programme of Work on Forest Biological Diversity belongs to soft law and does not require approval by national legislative power. The forest work programme approved by the sixth Conference of Parties in 2002 constitutes a broad set of goals, objectives and 130 activities aimed at “conservation of forest biodiversity, sustainable use of its components and the fair and equitable sharing of the benefits arising from the utilization of forest genetic resources” (CBD 2002: Introductory text on the Expanded Programme of Work on Forest Biological Diversity).

The sovereign rights and responsibilities of countries over their forests and the biodiversity within them are emphasised in the work programme, which: “[r]ecognizes that Parties should implement the expanded programme of work on forest biological diversity in the context of their national priorities and needs. Activities implemented domestically by Parties will be prioritized based on country and regionally specific needs, national determination, legislation, circumstances and priorities concerning forest-related issues, and their national forest and biodiversity strategies” (CBD 2002, Paragraph 11).

The Ministerial Conference on the Protection of Forests in Europe

The Ministerial Conference on the Protection of Forests in Europe (MCPFE) is a high-level cooperation of European countries and the European Community addressing “the most important issues on forests and forestry. It declares recommendations in favour of the protection and sustainable management of forests in Europe” (MCPFE 2006). Launched in 1990, it is a continuing process based on a chain of Ministerial Conferences and follow-up expert meetings, linked to global and other regional processes and initiatives dealing with forest issues. By 2004, four Ministerial conferences had agreed on 17 resolutions and one declaration containing more than 120 recommendations. Depending on national relevance of the resolutions and declarations, individual countries choose which to sign.

2.3 Data: The Norwegian Assessment of National Compliance

The empirical basis for this paper encompasses a study¹⁾ of Norwegian compliance with recommendations from the three forest processes (Lindstad et al. 2004) and two selected submissions to a public hearing²⁾ on the final report of the study (Norges Naturvernforbund 2005, Norges Skogeierforbund 2005). Many of the recommendations from the forest processes make reference to national context and call for public participation. In Norway, this was taken to mean that a process with broad participation of relevant stakeholders, revealing differing opinions, would be the most appropriate approach towards evaluating national compliance with the international recommendations. In the following, selected details are given on how the Norwegian assessment was

¹⁾ The study was commissioned by the Norwegian Ministry of Agriculture and Food, and conducted in a participatory process by a team of analysts at the Norwegian University of Life Sciences from December 2003 to August 2004. The report, in Norwegian, can be found at: <http://www.umb.no/ina/publikasjoner/fagrapport/if04.pdf>.

²⁾ Submissions, in Norwegian, to the public hearing on the final report (Lindstad et al. 2004) from October 2004 to January 2005 can be found at: <http://www.regjeringen.no/nb/dep/lmd/dok/Horinger/Horningsdokumenter/2004/Horing-Horing-av-rapport-med-analyse-av-norsk-oppfolging-av-internasjonale-beslutninger-og-anbefalinger.html?id=96559>

conducted, including systems for public involvement in the process.

In accordance with the terms of reference of the study commissioned by the Ministry of Agriculture and Food, the methodology used in the national assessment followed the structure suggested by Pülzl and Rametsteiner (2002) and by Pülzl (2002, 2003). The assessment was conducted in three stages: interpretation and aggregation of international recommendations, mapping of Norwegian activities related to the recommendations and analysis of the gaps between international recommendations and national activities. In the first stage, decisions and recommendations from the three processes were examined jointly, and merged and simplified while retaining references to the original documents for transparency. According to the terms of reference of the Ministry, the recommendations were classified under 16 thematic elements recommended by UNFF (United Nations 2001). Classification was based on an implementation guide for the IPF and IFF proposals for action, which included reference to the CBD Expanded Programme of Work on Forest Biological Diversity (Australia and World Bank 2003). The team of analysts made some minor adjustments in the framework to include decisions from MCPFE and to adjust to the Norwegian situation.

A working draft presenting the recommendations translated to national context by the analysts was put out for public review and inviting national stakeholders to give an opinion on the classifications before proceeding in the process.

In the second stage, policies and activities with relevance to the sub-elements identified in the first stage of the study were mapped by the analysts through publicly available documents and web pages, as well as through interviews with stakeholders and their written comments. Information on ongoing and planned activities was provided by broad groups of forest stakeholders: public authorities and private organisations, representatives from environmental organisations and forest-owners' organisations, and so on.

The third stage, the gap analysis, compared the international recommendations classified in the first stage with the policies and activities mapped in the second. National status was assessed with respect to the national and international aspects

(cf. above) of the 16 thematic elements. The analysts identified apparent gaps based on consistent consideration of the recommendations as well as on the situation, policies and ongoing activities in Norway. The degree of compliance, i.e. the consistency between recommendations and status, was then assessed and determined in accordance with the following scores*:

| Degree of compliance | Consistency between recommendations and national status and plans |
|----------------------|---|
| Full | All substantial aspects of the recommendations are fully dealt with |
| Largely | One or more, but not all, substantial aspects of the recommendations are fully dealt with |
| Partly | Some of the substantial aspects of the recommendations are partly dealt with |
| In preparation | Recommendations will be addressed in future or ongoing processes |
| Not addressed | Recommendations not addressed |

* In the terms of reference and Pülzl (2002, 2003), implementation is used instead of compliance, reflecting how 'implementation' in the forest processes has a broader meaning, not restricted to 'activities intended at follow-up of international recommendations', cf. Victor et al. (1998).

Stakeholders were invited to give their opinions on the preliminary results in the third stage at a seminar and on a draft report as direct responses and in writing, respectively. The team of analysts made its final assessment of the degree of consistency between the international recommendations and the situation in Norway (Lindstad et al. 2004, footnote 1).

The final report from the analysts was put out for public review by the Ministry of Agriculture and Food, i.e. inviting stakeholders' opinions of the analysis and conclusions on the national situation versus the international forest-related recommendations. Responses to the hearing were made publicly available on the Ministry's web page (cf. footnote 2), and constitute the second part of the empirical basis of this paper.

3 Results and Discussion

3.1 The Role of Judgments in Assessing National Compliance with International Recommendations

In this section, the roles of subjective judgments at different stages of the Norwegian assessment of national status versus international recommendations are explored: first, the roles of judgments at different stages in the study commissioned by the Ministry of Agriculture and Food. To further illustrate different judgments when assessing compliance, two submissions to the public hearing on the final report from the study – presenting conflicting opinions – are included. In Section 3.2, implications of the judgments when assessing national compliance with the recommendations are considered for how the effects of international forest-related policy processes are evaluated.

The Commissioned Norwegian Study

Starting with the Norwegian study, the first stage, *interpretation and aggregation*, left room for judgments on how the international recommendations were to be translated to the national situation. More than 600 recommendations from the three processes were translated into 98 sub-elements in 16 given thematic elements (cf. Section 2.3) merging overlapping recommendations and prioritising recommendations of relevance in the Norwegian context.

Interpretation in a national context was complicated by the high number of recommendations from the three forest processes and the open invitation for stakeholder participation. For national stakeholders to fully consider the classification and aggregation would require a complete overview of all the decisions and recommendations, including the complexity of the negotiation language. At this stage of the assessment process different stakeholders could be expected to have diverging opinions because of the different priorities given to the numerous recommendations. However, few inputs were received to the classification of sub-elements and recommendations, which could imply either that stakeholders did not

have resources to check this rather tedious work thoroughly, or that the classification was less controversial than other elements in the study.

The analysts acknowledged that use of a classification other than the UNFF labels (in accordance with the terms of reference for the study given by the Ministry) could have changed the priority of some of the thematic elements (Lindstad et al. 2004, p. 70). This is in line with previous comparisons of recommendations from forest processes revealing different areas of overlaps and deviations, e.g. Australia and World Bank (2003) employing the 16 thematic elements from UNFF as labels and the Executive Secretary of CBD (UNEP 2003) classifying topics according to the activities in the Expanded Programme of Work on Forest Biological Diversity. With this, the Norwegian study supports that overlapping and partly contradictory recommendations add to subjective judgments in classifying recommendations. On the positive side, clustering of the commitments, as in the Norwegian study, makes numerous recommendations easier available to national stakeholders, which may be important for later follow-up activities (cf. Victor et al. 1998).

The second stage of the study, *mapping of Norwegian activities*, showed that many ongoing activities and policies were relevant to both national and international aspects of the recommendations in the forest agreements. Many activities corresponded to more than one sub-element, but usually to limited aspects of each. The lack of direct thematic correspondence between national activities and sub-elements of international recommendations is not surprising in a study of compliance, where there is no requirement of the activities being started in response to international agreements, cf. the difference to implementation. Lack of correspondence nevertheless left room for analysts' subjective judgments on the relevance of and correspondence between various national activities and the international recommendations.

At this stage, stakeholders were not invited to provide opinions on the comprehensive list of activities, and, as such, this part of the study was less complicated.

The third stage of the study, *the gap analysis*, compared status and ongoing and planned Norwegian activities with the international recommen-

dations. Correspondence between the classified sub-elements (first stage) and the mapped activities (second stage) was used to determine gaps between the recommendations and the Norwegian situation for national and international aspects of the 16 thematic elements.

Comparing national forest activities with the international recommendations involved different types of judgments by the analysts conducting the assessment, as well as by stakeholders providing input. First, there are no objective answers to “how much is needed?” or to which activities are necessary to fulfil the vague and ambiguous recommendations. For example, public participation is highlighted in the recommendations, but there is no way of clarifying whether participation is “satisfactory”, or whether inputs are taken “sufficiently” into account. Also, the processes include multiple references to financial support and transfer of environmentally sound technologies to developing countries, but no concrete targets or deadlines are defined.

Second, the scores used in the gap-analysis involved judgments, because the thresholds between the scores were not given explicitly. For example, there were no strictly defined minimum criteria for “full compliance”, nor a clear threshold between “largely in compliance” and “partly in compliance”.

Third, the way the scores were understood and used in the analysis also matters. In the Norwegian study, “full compliance” refers to all substantial aspects dealt with; “largely in compliance” implies some, but not all substantive aspects fully dealt with; and “partly in compliance” means that one or more central aspects were not dealt with. Depending on how strictly the recommendations are interpreted and on the opinion of national status versus the recommendations, the conclusion in the gap analysis may differ substantially (exemplified by opinions presented in the public hearing, cf. below).

In the commissioned study, most inputs from stakeholders were received in this third stage of the study. More variation in opinions may be expected here because the gap analysis encompasses judgments in interpreting the recommendations as well as in comparing the national situation with these recommendations (see Fig. 1). For example, on the sub-element “forest conser-

vation and protection of unique types of forests and fragile ecosystems”, differing opinions from forest-owner associations and environmental authorities indicate a clash of economic and environmental interests. On “criteria and indicators of sustainable forest management”, in contrast, there was a general diversity in the opinions of stakeholders, possibly related to their understanding of the strictness of the recommendations. The number and greater diversity in opinions on the gap analysis may also be strategic. The scores on compliance relate to the questions of need for national follow-up and priorities attached to different thematic elements in the international forest recommendations. Stakeholders may therefore have national policy decisions in mind when considering compliance.

Based on the reading of the recommendations and decisions, and on arguments and opinions provided by national stakeholders, the analysts made the final assessment of the consistency of the Norwegian forest policy with the international recommendations as shown in Table 1. Despite open reporting of the steps and considerations taken in the analysis, the analysts acknowledged that subjectivity was inevitable in this type of evaluation (Lindstad et al. 2004), thus confirming findings reported in former studies (e.g. Underdal 2002).

The Norwegian score was not lower than “partly in compliance” for any of the 16 thematic elements when assessed overall for national and international aspects (Table 1). The approach and results on this point are different from those of the Austrian studies, where assessments were conducted for individual recommendations, and a number were “not addressed” or activities were “in preparation”. As such, it could be argued that the Norwegian aggregation of recommendations from different agreements might be misleading with respect to fulfilling sub-elements. While not directly comparable because of different approaches, the diverging results in Austria and Norway may also originate from other sources. The actual situations in the two countries may differ, and differences in stakeholder involvement and when and how inputs were invited may influence the results. These issues need proper scrutiny in any attempt to compare enforcement of international forest policy recommendations across countries.

Table 1. Degree of Norwegian compliance.

| Thematic element | Scores | |
|---|-------------------|-------------------------|
| | National aspects* | International aspects** |
| Formulation and implementation of national forest programmes | Largely | Largely |
| Promoting public participation | Largely | Largely |
| Combating deforestation and forest degradation | Full | Partly |
| Traditional forest-related knowledge | Largely | Largely |
| Forest-related scientific knowledge | Largely | Largely |
| Forest health and productivity | Largely | Largely |
| Criteria and indicators of sustainable forest management | Partly | Largely |
| Economic, social and cultural aspects of forests | Largely | Largely |
| Forest conservation and protection of unique types of forests and fragile ecosystems | Partly | Largely |
| Monitoring, assessment and reporting, terminology and definitions | Largely | Largely |
| Rehabilitation and conservation strategies for countries with low forest cover | n.a. | Partly |
| Rehabilitation and restoration of degraded lands and the promotion of natural and planted forests | Full | Partly |
| Maintaining forest cover to meet present and future needs | Full | Largely |
| Financial resources | Largely | Partly |
| International trade and sustainable forest management | Full | Largely |
| International cooperation in capacity building, and access to and transfer of environmentally sound technologies to support sustainable forest management | n.a. | Partly |

Source: Lindstad et al. (2004).

*The term 'national aspects' refers to aspects of thematic element addressing the situation within a country.

**'International aspects' refers to development aid and international cooperation more generally.

Public Hearing on the Results from the Commissioned Norwegian Study

We now turn to the public hearing on the final report from the commissioned Norwegian study, and to viewpoints providing concrete examples of conflicting judgments and diverging opinions on degree of compliance with international forest recommendations in Norway. The submissions serve to highlight the conflicting opinions raised partly also through the participatory process in the commissioned study.

The Norwegian Forest Owners' Association (Norges Skogeierforbund 2005) questions the strictness in the assessment of degree of compliance, stating that they "have great difficulties in understanding" why the score "full compliance" is not given to more of the thematic elements "when looking at the concrete recommendations". They highlight four thematic elements where they "cannot see any recommendations that are not addressed", and state: "For us it is almost impossible to understand why the thematic areas *criteria and indicators for sustainable forest management* and *forest conservation and protection of*

unique types of forests and fragile ecosystems are assessed to be no more than partly in compliance" [authors' translation].

Friends of the Earth Norway (Norges Naturvernforbund 2005), on the other hand, agrees with the assessment in the two thematic elements where national aspects are assessed to be partly in compliance, i.e. *criteria and indicators for sustainable forest management* and *forest conservation and protection of unique types of forests and fragile ecosystems*. At the same time they criticise the study: "Unfortunately it [the study] fails seriously when it comes to making more specific suggestions and to analysing the weaknesses of Norwegian forest policy in the follow-up of different international agreements. This is to some extent caused by wrong conclusions, but equally important is how the report is too vague, uncritical and incomplete" [authors' translation]. Friends of the Earth Norway expresses concern over scores on some of the thematic elements giving a too positive presentation of Norwegian compliance; they state objections to the way the study was conducted and question the integrity and competence of the analysts and general value

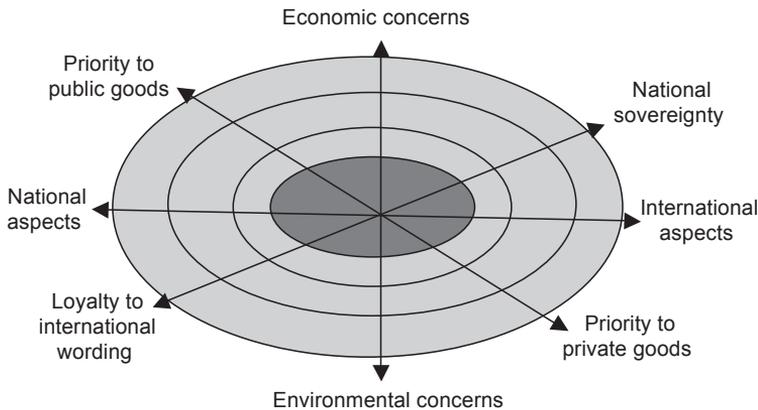


Fig. 1. Examples of conflicting concerns and layers of subjectivity for analysts and participating stakeholders in assessing compliance with international forest recommendations. Inner circle: basic world views, second layer: interpretation and aggregation of recommendations, third layer: relevance of national activities, and outer layer: assessment of national compliance (see text for more details).

of the report.

These two submissions are selected for their differing opinions and are not representative of the total set of responses. As they stand, they serve to highlight different opinions on how the work was conducted as well as on the degree of compliance, including understanding of the objectives and strictness of the recommendations. The forest owners' organisation argues that the analyst team interpreted the recommendations too strictly and that degree of compliance nationally is higher than the study concluded. The environmental organisation, on the other hand, argues that the recommendations are carelessly interpreted and that too positive a picture is given of the national situation versus the recommendations. It should be noted that both organisations may have strategic reasons for arguing the way they do. The forest-owner organisation may be concerned about the environmental image of the Norwegian forest sector generally, and risk of economic loss connected with consumer demands and/or new restrictions on forest management. For the environmental organisation, on the other hand, conflict over environmental issues, and in particular support for the long-term demand for more forests under protection in Norway, may increase their legitimacy. The views expressed in the submissions therefore reflect both divergent basic opinions of how forests should be managed

as well as strategic considerations in organisations representing stakeholders with conflicting interests.

Summing up, the Norwegian assessment of national compliance with recommendations in international forest processes demonstrates judgments at different stages in the commissioned study and through opinions presented in the public hearing. The judgments relate to both substantive and procedural aspects of the recommendations. Examples of substantive aspects include interpretation and aggregation of recommendations, questions of balance between national sovereignty versus loyalty to international wording, and questions of strictness in interpretation of the recommendations and the understanding of the national situation in this context. Examples of procedural aspects include categorization (i.e. labels and numbers), aggregation (i.e. original wording versus accessibility) and thresholds for scores on degree of compliance. The procedural components are of a more technical character, but may also imply subjective judgments, e.g. on the priority given to different aspects.

Subjective judgments in determining national compliance with international processes are present at all stages of the assessment, as illustrated in Fig. 1. The basic values (the darker inner circle) influence the interpretation and aggregation of recommendations and the view

on relevance of national activities (intermediate layers) as well as the final analysis of gaps between recommendations and activities (outer layer). Simple examples of value components that may be considered differently, by analysts as well as by stakeholders with diverging opinions, are illustrated with arrows.

Based on this, it is suggested that due consideration to analysts' and stakeholders' judgments and differing opinions, relevant national situations and their coherence will help improve systematic and orderly analysis of national compliance with policy recommendations derived from international processes. As effects of the processes are decided by the changes they bring about at national level, judgements in assessing national compliance, i.e. consistency between national situation and international recommendations, are also relevant when determining the effects of international forest processes, to which we now turn.

3.2 Implications for Determining Effects of International Forest-Related Policy Processes

Quantifying effects requires that a causal chain can be verified between the international recommendations and national changes (cf. Section 2.1). The issue of national status versus recommendations, i.e. compliance, is therefore the basis for clarifying the national changes needed to comply with the international recommendations. The lack of full compliance on thematic elements in the Norwegian case study, first, indicates a potential for the international policy processes to have effects. Full compliance by 2004, soon after the agreement on the Expanded Programme of Work on Forest Biological Diversity in 2002 (CBD 2002) and the resolutions from the fourth Ministerial Conference on the Protection of Forests in Europe in 2003 (MCPFE 2003), would mean that there was no need for changes, and hence no room for effects of the international processes. Second, and more relevant to the discussion in this section, is what the differences in opinions at national level on degree of compliance imply for determining effects of the international processes.

As presented in Section 2.2, the overall objectives of the three forest processes are multiple and partly conflicting. The objectives, 'management, conservation and sustainable development' (UNFF), 'conservation and sustainable use of biodiversity components' (CBD Expanded Programme of Work) and 'protection and sustainable management' (MCPFE), point in partly conflicting directions, even within the individual processes. SFM is conceptualized as balancing ecological, economic and socio-cultural aspects of forest management, and the different opinions presented in the public hearing (cf. Section 3.1) are examples of different priorities. This corresponds to, among others, Wang (2004, p. 210) stating that "SFM has become an eclectic term in that different people interpret SFM to mean different things". Also, a Nordic study exploring conflicts over values in forest management finds that protection is important to some, while others view forests as a renewable resource that may be exploited (Bergsens and Vatn 2009).

The different understandings of the international recommendations and opinions of national compliance described above indicate that the forest processes belong to "a group of cases in which participants of the regimes do not even share a common understanding of the nature of the problem to be solved" (Young 2004, p. 6; see also Holmgren 2008). Lack of clear objectives, intentional or not, can result in difficulties in monitoring implementation and national follow-up (Cameron et al. 1996). More profound, on the effectiveness of the International Whaling Convention (Andresen 2002, p. 381) concluded that "the most credible and intellectual approach may be to say either that the score is undetermined due to the difficulty of making value-free judgments or that the score varies depending on the indicator used". The provisions of the forest recommendations, leaving countries to clarify relevant commitments in the national resource and political context and promoting participation by stakeholders with divergent opinions, also bring about different assessments of effects depending on specification of, and priority among, objectives. As for the International Whaling Convention, value judgments in assessing effects of the international forest policy processes should therefore be recognized.

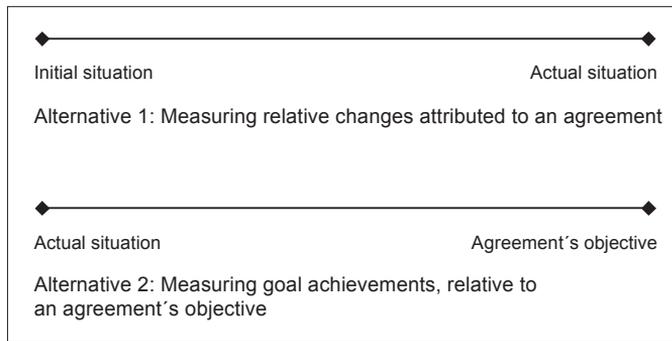


Fig. 2. Alternative measures for effects of recommendations/agreements (based on Underdal 2002).

From the differing opinions of the right balance of aspects of SFM, our interest here is the implications this has in our ability to determine the effects of international forest processes. How can we determine effects of agreements and recommendations without quantified and time-bound targets? How can the causal chain between the recommendations and national responses be clarified when recommendations and national situations, and the gap between them, can be understood so differently from one national stakeholder to the next (cf. the opinions raised in the public hearing)? Two aspects are central in answering these questions. The first concerns methodological issues of specifying what types of effect to include and then deciding on reference points and measurement units for analysing them. Second, the influences of the recommendations from international processes have to be separated from other sources of influence in order to determine the effects. Underdal (2002, p. 11) discusses how separating other influences generally involves subjective judgments by analysts. Clarifying the separate influences of the forest processes is not made any easier by multiple objectives combined with provisions for national priority and the resulting variations in assessments of compliance among stakeholders, as discussed in Section 3.1.

Underdal (2002) specifies two different reference points for measuring the effects of international agreements. Effects can be relative improvements attributed to the processes, i.e. change from a situation without the agreement, or goal achievements relative to the agreement's

objectives, or to some other defined good or optimal solution (cf. alternatives 1 and 2 in Fig. 2) (based on Underdal 2002). From the elaborations above, it is reasonable to assume that the second concept, determining effects relative to a good or optimal situation, or the objective in the agreements, will require close attention to specification of objective(s). In addition, both concepts require influences from the international recommendations to be separated from other sources of influence. The extensive range of sources that may influence policy development, for example other agreements dealing with forest-related issues (e.g. the Kyoto Protocol) and other drivers of change (e.g. social, economic and other political factors; see, for example, Solberg 1998), contributes to making separation a demanding task. These aspects need close attention in all studies of the effects of international forest processes.

On the prospects of verifying the effects of international forest processes, we explore some underdeveloped elements in former studies of the national follow-up of international forest policy processes and suggest a possible way forward. We do not suggest a solution to the value questions embedded in forest management; on the contrary, we stress that there are political questions that have to be dealt with in the political process. The results in this paper suggest, however, that the basis for better informed discussion and decision could be obtained if value questions were openly treated in analyses. For example, stating clearly how the objectives for forest management are understood, and how they are operationalised

and measured, can single out differences in the interpretation of recommendations and in the understanding of the national situation.

Forest management inevitably includes questions of priority to alternative values, and therefore approaches in studies of compliance/effects can have ethical implications. For example, when Gulbrandsen (2003, p. 95) “explores how forest-related IEAs [i.e. international environmental agreements, authors’ note] have affected domestic actors” and “examine[s] whether initiatives from the two ministries to protect forests and promote SFM are causally linked to IEAs” (Gulbrandsen 2003, p. 100), the implication is priority given to environmental aspects of SFM. As discussed by Svedin (1998, p. 303): “Any type of analysis gives prominence to specific facets of an object, while other facets are relegated to the periphery or are moved out of sight.” Likewise, the categorization under UNFF labels in the Norwegian study (Lindstad et al. 2004) may give priority to the UNFF thematic elements at the cost of other priorities. Also, it is pertinent to acknowledge that the presentations and choice of examples in the current paper may be influenced by its authors’ judgments and values.

The conceptual framework suggested by Pülzl and Rametsteiner (2002) is a good basis for exploring the degree of national follow-up of international recommendations. Nevertheless, their approach needs some further refinement if it is to serve exploration of the effects of the forest processes. First, their approach does not specifically differentiate between compliance and active implementation of the recommendations needed to determine effects of the international processes (cf. Section 2.1). Pülzl and Rametsteiner (2002, p. 259) suggest that their approach can be used for “assessing the implementation of the IPF/IFF Proposals for Action at the national level. This assessment (...) can also be used as an ex post-evaluation tool to analyse the implementation of international agreements”. To be suitable for evaluating implementation, meaning active follow-up of the recommendations, the causal links between international recommendations and national responses have to be included in their approach.

By assessing relevance, responsibility and degree of compliance on each and every recom-

mendation from individual processes, the Pülzl and Rametsteiner (2002) approach may be able to bypass some of the judgments and implicit value considerations discussed above in relation to the Norwegian study. The results will still depend on the analysts’ understanding of the international recommendations and judgments of the national situation – as well as any invited stakeholders’ understanding and judgment. In relation to the preceding elaboration of value questions in such analyses, the approach suggested by Pülzl and Rametsteiner (2002) may seem naive, as it disregards the value implications of technical and operational elements (cf., e.g. Svedin 1998).

A possible way forward by which to increase knowledge of changes on thematic elements and causal links with the recommendations of the international policy processes is by utilising the criteria and indicators for SFM developed in regional forest processes, i.e. MCPFE for Europe. The strength of the criteria and indicators for SFM is that they deal with the multiple objectives of the forest recommendations, and that the indicators are developed and used for tracking changes over time on central elements within the criteria. While their ability to guide forest management decisions has been questioned (e.g. by Failing and Gregory 2003), they constitute the best available clarification of important aspects of SFM – agreed among multiple stakeholders. In passing, it may be noted that the criteria and indicators carry embedded values, influenced by available knowledge, attention and priority as well as participation when developed. As the criteria and indicators stand today, they do not provide guidance on how to balance conflicting objectives in forest management, nor do they contain information about the causal link between international policy recommendations and national situation. Concentrating first on changes, status on one indicator could be assessed relative to a situation without the forest recommendations (cf. alternative 1 in Fig. 2). Alternatively, the national situation can be compared to goal(s) specified for the individual indicators. The specified goals would then clarify how the objectives of the processes were understood, and goal achievements could be determined for these goals (alternative 2 in Fig. 2). Both alternatives could contribute to clarifying how changes are assessed for different indicators

and which reference points the national changes are compared with.

After the national changes on central elements of the forest recommendations are determined and openly reported, the contributions by other sources of influence have to be separated in order to determine the effects of the international policy processes. For example, on forest protection, alternative sources of influence could be new knowledge or increased national attention, changes in certification schemes and policy shifts in neighbouring countries. The separation of other influences may also be subject to judgment, and the considerations of alternatives and the justifications for choices made again need to be openly reported. Effect studies providing full information on the choices and conditions for how the effects of other influences are separated would therefore provide the best basis for well-informed discussions on the effects of recommendations of international policy processes and for political decisions on the need for further action.

4 Conclusions

This paper has analysed the roles of subjective judgments in assessing the degree of compliance with recommendations from three international forest policy processes. Based on this, implications are explored for determining the effects of the forest processes. It is concluded that ambiguous recommendations, combined with references to national sovereignty and provisions for public participation, result in subjective judgments playing an important role in assessing national compliance, and then also for studies on the effects of the international policy processes. It is nothing new that balancing environmental, economic and socio-cultural aspects within SFM encompasses value questions. This paper reviews systematically where, in a process of assessing national compliance, the roles of subjective judgments are more profound. The paper has found that judgments by analysts and participating stakeholders are substantial when interpreting and aggregating the international recommendations, in deciding on the relevance of national activities for the international recommendations, and in particular in

determining the degree of compliance, or coherence, between national situation and international recommendations.

We argue that open reporting of substantive and methodological choices in assessments of national changes and the separation of other sources of influence are necessary to clarify: 1) how the international recommendations are interpreted at national level and 2) how the national situation is assessed relative to the recommendations. These aspects are important in any evaluation of the effects of international forest policy processes because different opinions of degree of compliance means differences in what changes are needed to comply with the international recommendations. A high degree of compliance means little room for active follow up, and hence minor effects, while a lower degree of compliance means greater potential effects of the international processes. Assessments of both compliance and implementation should therefore spell out choices and conditions in their analysis to provide the basis for better informed discussion, for stakeholders to present their opinions and for decision makers to balance the various interests.

The role of judgments and core values is an important topic for further and more detailed investigation. From effects at national level, the next question relates to the overall effects of the forest processes. When putting agreements into effect nationally, responses to recommendations will have to match a variety of circumstances. It is likely that both the degree of compliance and the need for active follow-up, i.e. the conditions for producing effects, will be considered differently among national stakeholders and across countries. A way of treating these differing opinions should be sought in analysis of the effects of international forest policy processes. Presenting effects for the different, potentially conflicting, objectives (cf. Andresen (2002) for the International Whaling Convention) may be one way forward.

Forest processes do not have a good reputation when it comes to implementation (see, e.g. Humphreys 2006). Both multiple objectives and provisions for national priority contribute to specific challenges in determining the effects of international forest policy processes. This paper highlights differing opinions of the degree of compliance in one country. The different judg-

ments of compliance, and thus also need for implementation, give rise to different prospects for the international forest policy processes to have effects also in the longer run.

Acknowledgements

This paper builds on “an Analysis of Norwegian Implementation of International Forest-Related Decisions and Recommendations”, a study commissioned by the Norwegian Ministry of Agriculture and Food, reported in Lindstad et al. (2004). Contributions by the Ministry, our co-author Erik Trømborg and national forest stakeholders participating in the analysis are highly appreciated. We also thank Arild Underdal, David Humphreys, Even Bergsens, Helga Pulzl and Lisa Holmgren for valuable comments on earlier versions of the paper.

References

- Andresen, S. 2002. The International Whaling Commission (IWC): more failure than success? In: Miles, E.L. et al. (eds.). *Environmental regime effectiveness. Confronting theory with evidence*. The MIT Press. Cambridge, Massachusetts. London, England. p. 379–403.
- Australia and World Bank. 2003. *Implementing the proposals for action of the intergovernmental panel on forests and the intergovernmental forum on forests*. Australia: Department of Agriculture, Fisheries and Forestry, and World Bank: Program on Forests.
- Bergsens, E. & Vatn, A. 2009. Why protection of biodiversity creates conflict – Some evidence from the Nordic countries. *Journal of Forest Economics* 15: 147–165.
- Cameron, J., Werksman, J. & Roderick, P. 1996. *Improving compliance with international environmental law*. Earthscan Publications Ltd, London.
- CBD. 2002. *Convention on biological diversity. Decision VI/22: Forest biological diversity*. Available at: <http://www.biodiv.org/decisions/default.aspx?dec=VI/22>. [Cited: 4 Mar 2008].
- Failing, L. & Gregory, R. 2003. Ten common mistakes in designing biodiversity indicators for forest policy. *Journal of Environmental Management* 68: 21–132.
- Fischer, F. & Forester, J. (eds.). 1987. *Confronting values in policy analysis. The politics of criteria*. Sage Yearbook in Politics and Public Policy. Vol. 14. Newbury Park, Beverly Hills, London and New Delhi.
- Gulbrandsen, L.H. 2003. The evolving forest regime and domestic actors: strategic or normative adaptation? *Environmental Politics* 12(2): 95–114.
- Holmgren, L. 2008. *Framing global public policy on forests. Sustainable development and the forest issue on the UN Agenda 1972 to 2007*. Doctoral Thesis No 2008:6. Faculty of Forestry, Swedish University of Agricultural Sciences, Uppsala.
- Humphreys, D. 2006. *Logjam: deforestation and the crisis of global governance*. Earthscan. London. Sterling, VA.
- Lindstad, B.H., Solberg, B. & Trømborg, E. 2004. *En analyse av norsk oppfølging av internasjonale beslutninger og anbefalinger knyttet til skogsektoren*. INA Fagrapport 4. Norwegian University of Life Sciences, Aas. [In Norwegian with English summary]
- MCPFE. 2003. *Fourth ministerial conference – Vienna 2003: Vienna declaration and resolutions*. Available at: <http://www.mcpfe.org/conferences/vienna>. [Cited 4 Mar 2008].
- MCPFE. 2006. *MCPFE General information*. Available at: http://www.mcpfe.org/general_tab. [Cited 5 Mar 2008].
- Miles, E.L., Underdal, A., Andresen, S., Wettestad, J., Skjærseth, J.B. & Carlin, E.M. 2002. *Environmental regime effectiveness. Confronting theory with evidence*. The MIT Press. Cambridge, Massachusetts. London, England.
- Norges Naturvernforbund. 2005. *Norges oppfølging av internasjonale beslutninger og anbefalinger knyttet til skogsektoren*. Kommentarer til INA fagrapport nr. 4 fra NLH [In Norwegian] Available at: http://www.regjeringen.no/upload/kilde/lmd/hdk/2004/0005/ddd/pdfv/236131-skogsektoren_027_-naturvernforb.pdf. [Cited 17 Mar 2008].
- Norges Skogeierforbund. 2005. *Høring på rapport om norsk oppfølging av internasjonale beslutninger og anbefalinger knyttet til skogsektoren* [In Norwegian] Available at: http://www.regjeringen.no/upload/kilde/lmd/hdk/2004/0005/ddd/pdfv/235354-skogsektoren_023_-skogeier.pdf. [Cited 17 Mar 2008].

- Persson, R. 2005. Where is the United Nations forum on forests going? *International Forestry Review* 7(4): 348–357.
- Pülzl, H. 2002. Evaluierung der Umsetzung der IPF- und IFF-Aktionsvorschläge in Österreich. Executive summary in English: Evaluation of the implementation of the IPF and IFF proposals for action in Austria. Schriftenreihe des Institutes für Sozioökonomik der Forst- und Holzwirtschaft. Band 45. Universität für Bodenkultur Wien.
- 2003. Evaluierung der Umsetzung des erweiterten CBD-Arbeitsprogramms für biologische Vielfalt der Wälder und der IPF- und IFF-Aktionsvorschläge in Österreich. Executive summary in English: Evaluation of the implementation of the CBD expanded programme of work on forest biological diversity and the IPF and IFF proposals for action in Austria. Schriftenreihe des Institutes für Sozioökonomik der Forst- und Holzwirtschaft. Band 50. Universität für Bodenkultur Wien.
- & Rametsteiner, E. 2002. Grounding international modes of governance into National Forest Programmes. *Forest Policy and Economics* 4: 259–268.
- Solberg, B. 1998. Main socio-economic and ecological factors influencing the forest sector of Europe and implications for forest policies. In: Tikkanen, I. & Pajari, B. (eds.). *Future forest policies in Europe – balancing economic and ecological demands*. EFI Proceedings 22. European Forest Institute, Joensuu, Finland. p. 21–29.
- Svedin, U. 1998. Implicit and explicit ethical norms in the environmental policy arena. *Ecological Economics* 24: 299–309.
- Underdal, A. 1998. Explaining compliance and defecation: Three models. *European Journal of International Relations* 4: 5–30.
- 2002. One question, two answers. In: Miles, E.L. et al. (eds.). *Environmental regime effectiveness. Confronting theory with evidence*. The MIT Press. Cambridge, Massachusetts. London, England. p. 3–45.
- & Hanf, K. (eds.). 2000. *International environmental agreements and domestic politics. The case of acid rain*. Ashgate Studies in Environmental Policy and Practices, Hampshire, England.
- UNEP. 2003. *Forest biological diversity: relationship between IPF/IFF proposals for action and activities in the expanded programme of work on forest biological diversity E*. Available at: <http://www.biodiv.org/doc/meetings/sbstta/sbstta-09/information/sbstta-09-inf-31-en.pdf>. [Cited 4 Mar 2008].
- United Nations. 2001. *United Nations forum on forests. Report on the organizational and first sessions (12 and 16 February and 11–22 June 2001)*, Document E/2001/42/Rev.1 and E/CN.18/2001/3/Rev.1, United Nations Economic and Social Council.
- United Nations (undated) *IPF and IFF proposals for action*. Available at: <http://www.un.org/esa/forests/pdf/ipf-iff-proposalsforaction.pdf>. [Cited 4 Mar 2008].
- Victor, D.G., Raustiala, K. & Skolnikoff, E.B. 1998. *The implementation and effectiveness of international environmental commitments: theory and practice*. The MIT Press, Massachusetts Institute of Technology, Cambridge, Massachusetts.
- Wang, S. 2004. One hundred faces of sustainable forest management. *Forest Policy and Economics* 6: 205–213.
- Young, O.R. 2004. The consequences of international regimes. A framework for analysis. In: Underdal, A. & Young, O.R. (eds.). *Regime consequences. Methodological challenges and research strategies*. Kluwer Academic Publishers, Dordrecht, Boston, London. p. 3–23.

Total of 31 references