The Impact of the Commonwealth of Independent States on Legal Harmonization in the Post-Soviet Space

By

Jonah Helwig

Submitted to Central European University – Private University

Department of Public Policy

In partial fulfilment of the requirements for the degree of Master of Arts in Public Policy

Supervisor: Professor Andrew Cartwright

Vienna, Austria

2023

Author's Declaration

I, the undersigned, Jonah Helwig, candidate for Master of Arts in Public Policy, declare herewith that the present thesis is exclusively my own work, based on my research.

All sources have been properly credited in the text, notes, and the bibliography. I declare that no unidentified and illegitimate use was made of the work of others, and no part of the thesis infringes on any person's or institution's copyright. Furthermore, I declare that no part of this thesis has been generated using artificial intelligence (ChatGPT).

I also declare that no part of the thesis has been submitted in this form as coursework for credits or to another institution of higher education for an academic degree.

Date: 2 June 2023

Name (printed letters): Jonah Helwig

Signature:

Abstract

Policy transfer and diffusion has been the topic of extensive research. Recently there has been increased interest in the diffusion of policies between authoritarian governments. Research has found that international and regional organizations can serve as a platform for policy learning and diffusion. Some scholars have suggested that organizations founded and dominated by authoritarian governments can act as a mechanism for the diffusion of illiberal policies such as the Commonwealth of Independent States (CIS) or the Shanghai Cooperation Organization (SCO). Lemon and Antonov (2020) found that the CIS helped to transfer policies restricting political participation, civil society, and peaceful assembly among its members. This paper further investigates the influence of the CIS on legal harmonization in the post-Soviet space. In an attempt to harmonize environmental practices in the post-Soviet space the CIS developed a model forest code. This paper tests if the harmonization effort was successful by investigating if the CIS had influence over the development of the Russian and Armenian forest codes. Through textual and discourse analysis the author finds that the similarities between the CIS model forest code and the Armenia forest codes are coincidental and rather the result of diffusion from other organizations such as the Food and Agriculture Organization. The Russian code has several similarities to the CIS model code and other organizations such as the European and North Asian Forest Law Enforcement and Governance conference were less influential in Russia during the development of the code which indicates that the CIS model code did diffuse at least in part to Russia.

Acknowledgements

Table of Contents

List of Tables

CEU eTD Collection

List of Abbreviations

CIS …………………………………………………… Commonwealth of Independent States

FAO …………………………………………………. Food and Agriculture Organization

SCO …………………………………………………… Shanghai Cooperation Organization

1. Introduction

Policy transfer and diffusion studies have become increasingly important in the field of public policy. Since the early 20th century improvements in global communication networks has led to ever increasing rates of globalization. As the world has become more interconnected so has the development of policies. Political actors across the world look to other countries for examples of both policy success and failure. Policy transfer and diffusion have become vital to the policymaking process as actors look abroad for solutions to their policy problems at home. The process by which actors actively seek out policy solutions or have policies imposed on them has been the subject of much scholarly research and debate.

The literature on this topic can be divided into two camps (Marsh and Sharman 2009). Those in the policy transfer camp tend to investigate how and why actors actively seek out policy solutions from abroad. Those in the policy diffusion camp investigate the structures that allow for policy diffusion to occur. Both camps have significant overlap in their mechanisms and essentially research the same phenomenon but through a different lens. Both camps have conducted extensive research on the topic investigating cases from across the globe.

In the early 2000s researchers took more interest in cases of policy transfer and diffusion among authoritarian states. Following the events of the Color Revolutions in Eastern Europe and the Arab Spring in the Middle East and North Africa there was an increase in literature on authoritarian learning. Authoritarian learning is understood as "a process in which authoritarian regimes adopt survival strategies based upon the prior successes and failures of other governments" (Hall and Ambrosio 2017, pg. 143). The Color Revolutions in Eastern Europe represents a well-documented case of authoritarian learning. Autocrats around the world saw the

events in Ukraine, Georgia, and Kyrgyzstan and developed policies to avoid similar events at home and preserve their regimes. In the case of Russia, the Kremlin witnessed the revolutions in the former Soviet republics and believed that youth organizations and civil society were influential in the revolutions leading to the development of laws in Russia that restricted civil society (Hall 2018). The Arab Spring is an even clearer example of authoritarian policy learning. As governments across the Middle East and North Africa began to fall, autocrats in the surrounding countries learned from the fallen regimes' failed policies and enacted ones to coopt or repress protesters (Heydemann and Leenders 2011; Bank and Edel 2015).

Since then there has been much more research into the field of authoritarian policy learning with researchers investigating cases of transfer and diffusion. One of the mechanisms of policy transfer and diffusion is policy learning through international or regional organizations (D. Dolowitz and Marsh 2000). Many international organizations offer guidelines or even model laws to inform policy among its member states. It is common that most international organizations offer guidance and suggestions while some use more coercive mechanisms to achieve policy change in some states. For example, the International Monetary Fund or the World Bank tend to include clauses in loan agreements that mandate policy changes in the receiving country (D. Dolowitz and Marsh 2000).

Researchers have recently began investigating the policy transfer and diffusion process through international and regional organizations which are founded and dominated by authoritarian governments (Libman and Obydenkova 2018; J. Bader, Grävingholt, and Kästner 2010). Organizations such as the Commonwealth of Independent States or the Shanghai Cooperation Organization are examples of these authoritarian based organizations. Scholars suggest that these organizations seek to maintain an authoritarian environment around them by

2

propping up and supporting other authoritarian governments in the organizations (Libman and Obydenkova 2018). In order to achieve this, these organizations may support legal harmonization among the member states. For example, the Commonwealth of Independent States publishes draft laws to give guidance on legal harmonization among its members (Lemon and Antonov 2020). Authors argue that the model laws published by the CIS have been successful in achieving legal harmonization in areas from economic and business policies to laws on protest and political participation (Lemon and Antonov 2020; Kubicek 2009; Dragneva 2001).

As the literature suggests policy diffusion through international organizations is known to occur and authoritarian organizations are no exception. In the post-Soviet space, the Commonwealth of Independent States is a dominant organization with most of the former Soviet republics participating in it. One of the mandates of the CIS is to strive for the harmonization of laws and legal systems across the former Soviet republics (Commonwealth of Independent States Interparliamentary Assembly 2020). Research has demonstrated that the CIS model laws had an influence on the development of laws in the member countries particularly in the fields of business law and laws concerning political participation, peaceful assembly, and civil (Dragneva 2001; Lemon and Antonov 2020).

This paper further investigates the influence of the CIS over the harmonization of laws in the post-Soviet space. In an attempt to harmonize the environmental policies of the CIS member states, the CIS Interparliamentary Assembly published a model forest code for use by the member states (IPA CIS 2003). This paper analyzes the forest codes of Russia and Armenia to determine if the influence of the CIS led to successful legal harmonization in the field of forestry. The paper will proceed with a review of the literature on transfer and diffusion studies. The following section explains the methodology of the paper using textual and discourse analysis of a

CIS model laws and laws from Armenia and Russia to offer evidence. The following section

gives a brief history of the Commonwealth of Independent States. The next section explain the

results of the textual and discourse analysis followed by a brief conclusion.

2. Literature Review

There is significant evidence that certain policies travel from one government to another. Policymakers can learn from other governments and use foreign policies to help inform their own. Policy learning can be an important step in the policymaking process and therefore has warranted extensive research. Policy learning research has given birth to two subfields of scholarship: diffusion and transfer. Both are concerned with policies in one country appearing in another country; however, each has a different, nuanced approach or focus that makes it distinct from the other. While the literature on policy learning is extensive a majority of the cases have examined learning between democracies (Hall and Ambrosio 2017). Learning between authoritarian governments became a popular field of study in the early 2000s following the Color Revolutions and the Arab Spring. In this section I will briefly review the literature on policy learning focusing on the subcategories of diffusion, transfer, and promotion and how these concepts can be applied to autocratic regimes.

2.1 Policy Diffusion and Transfer

Policy diffusion and policy transfer are two concepts that share a considerable amount of overlap. Policy diffusion was the first concept developed to explain learning between different policymakers. Diffusion can be broadly defined as "a process through which policy choices in one country affect those made in a second country" (Marsh and Sharman 2009) Diffusion studies traces its roots to authors like Robert Crain and Jack Walker. These two others were concerned about the how the US cities and states learning from each other and ultimately adopted similar policies (Crain 1966; Walker 1969). Crain, Walker, and other diffusion authors were concerned with the structures by which policies in one place diffuse to another (Marsh and Sharman 2009). The 'structures' that diffusion studies are concerned with include institutional similarities, trade

networks, common history, and geographical proximity to name a few (Marsh and Sharman 2009).

Policy transfer scholarship was born from the policy diffusion literature and sought to address the shortcomings of the diffusion literature (D. P. Dolowitz 2017). Policy diffusion was criticized for ignoring micro-mechanisms which facilitate policy spread and ignoring how the characteristics of the innovative policy influence the spread of that policy (D. P. Dolowitz 2017). Policy transfer is defined as "the process by which knowledge about policies, administrative arrangements, institutions and ideas in one political system (past or present) is used in the development of policies, administrative arrangements, institutions and ideas in another political system" (Dolowitz and Marsh 2000, p. 5). Authors of the transfer literature are less concerned with structure and more interested in the agency of policymakers (Marsh and Sharman 2009). The transfer scholars investigate how and to some extent why policymakers in one country seek out or receive policies from another country (Lemon and Antonov 2020). The key difference between these two concepts is that diffusion focuses on the structures and networks that lead to policy learning while transfer focuses on the agents and policymakers that seek out or receive new policy ideas.

Another key difference between policy diffusion and policy transfer studies is the methodological approaches used by researchers of the different camps. Policy diffusion tends to use large-N quantitative studies in order for their results to be generalizable (Marsh and Sharman 2009). On the other hand, policy transfer studies are more qualitative in nature and tend to follow a framework of questions conceived by Dolowitz and Marsh which ask who transfers policy? Why engage in policy transfer? What is transferred? Are there different degrees of transfer? From where are lessons drawn? What factors constrain policy transfer? How is the process of

policy transfer related to policy 'success' or 'failure'? (1996; 2000). This is not to say that studies of transfer have not used quantitative methods or studies of diffusion have not used qualitative methods. Both diffusion and transfer studies benefit from quantitative and qualitative methods. The methodology is more concerned with what is trying to be proved. The diffusion literature method is much more concerned with proving if policy learning or diffusion has occurred while the transfer literature method is more concerned with the nuanced processes that facilitate the transfer (Marsh and Sharman 2009).

While methodology and research focus are the primary differences between policy diffusion and transfer there remains significant similarities between the two. As stated before, both diffusion and transfer analyze the same phenomenon. In other words, both are concerned with how and why nations draw on policies from other nations. Another important similarity is the mechanisms that each field of research utilizes to explain policy transfer or diffusion. The mechanisms most commonly identified in both the diffusion and transfer literature are learning, competition, coercion, and mimicry (Marsh and Sharman 2009). These are the four most common explanations of why countries engage in transfer or diffusion. Countries engage in learning when they seek out information on foreign policies in order to inform their own either through direct transfer or inspiration (Marsh and Sharman 2009; Braun and Gilardi 2006). Competition in policy transfer and diffusion is when governments adopt similar policies to other governments primarily as a means of competing for foreign investment (Marsh and Sharman 2009; Braun and Gilardi 2006). Coercion is a form of top-down policy transfer or diffusion in which policies are imposed "on national governments by powerful international organizations or powerful countries" (Braun and Gilardi 2006, p. 309). A common example of coercion is the World Bank or the International Monetary Fund "making reform a condition for loans" which

nations must comply with in order to receive funding (Braun and Gilardi 2006, pg. 310). Finally, mimicry or emulation is when countries adopt policies similar to countries that are perceived to be "social leaders" (Marsh and Sharman 2009). Mimicry of policies is sometimes symbolic and seeks to give an impression that the recipient nation is "advanced, progressive and morally praiseworthy" (Marsh and Sharman 2009, p. 272). By mimicking the policies of other countries, governments can attempt to gain international legitimacy (Marsh and Sharman 2009).

Policy diffusion and policy transfer are distinguished as two separate concepts in the policy learning literature. While it is true that these two research areas rely on different methods and focus on different issues both share an overlap in mechanisms. The literature from both categories is extensive; however, both are limited by their primary consideration for western democracies. In recent years scholars have addressed this gap in the literature. While there remains much work to be done on the topic of authoritarian policy transfer and diffusion this next section will briefly review the work that has been done.

2.2 Policy Diffusion and Transfer in Authoritarian Settings

Authoritarian policy diffusion and transfer became more widely studied as a result of two phenomena: the Color Revolutions in the post-Soviet space and the Arab Spring in the Middle East and North Africa. In the early 2000s the autocratic regimes in Ukraine, Georgia, and Kyrgyzstan were overthrown in popular uprisings that came to known as the Color Revolutions. Years later, in the early 2010s, huge protest movements in countries across the Middle East and North Africa led to the downfall of several autocratic regimes which became known as the Arab Spring. Scholars of these events have observed that protesters were learning techniques and strategies from protests in other countries (Hall 2018; Bank and Edel 2015). However, protesters were not the only group engaging in learning. Autocratic regimes observed these protests and the

8

reactions of other regimes to determine their own best course of action (Hall 2018; Bank and Edel 2015). Both cases showed that autocratic regimes were clearly learning from each other and adopting counterrevolutionary strategies to ensure regime survival (Hall 2018; Bank and Edel 2015). These cases of authoritarian learning lead to the adoption of policies to protect regimes from similar revolutions. These policies were then spread to other authoritarian countries through processes of transfer and diffusion. For example, in response to the Color Revolutions, Russia adopted it infamous foreign agents law which has since diffused to several authoritarian countries especially in Central Asia (Hall 2018). The policies adopted through authoritarian learning have spread giving rise to more recent scholarship on policy diffusion and transfer among authoritarian regimes.

Research into authoritarian policy diffusion and transfer differ along the same lines as conventional diffusion and transfer scholarship. Authoritarian policy transfer research is focused on identifying cases where autocratic regimes learned from successes or failures of other autocratic regimes and finding evidence of agents actively seeking out the policy which was transferred (Hall and Ambrosio 2017). On the other hand, authoritarian policy diffusion research is less concerned with agency and rather "seeks to identify and explain the pathways along which authoritarian ideas and methods spread" (Hall and Ambrosio 2017, p. 148). As stated above, transfer is more concerned with the agency of actors while diffusion is concerned with structures and networks that facilitate transfer and these same differences apply to authoritarian literature. Most of the literature on authoritarian learning has been concerned with authoritarian diffusion and seeks to explain the structures which allow authoritarian states to transfer policies.

There have been attempts to construct a framework of authoritarian policy diffusion (Erdmann et al., n.d.; Hall and Ambrosio 2017; Ambrosio 2010; Tosun and Croissant 2016). In

Ambrosio's conceptual framework appropriateness and effectiveness are identified as the leading mechanisms by which authoritarian diffusion takes place (2010). Appropriateness means that as major authoritarian governments, such as Russia and China, amass global power and prestige more countries could consider authoritarianism and its policies as appropriate or normative (Ambrosio 2010). As authoritarianism becomes more appropriate on the global level more countries could look to them as a source of policy innovation making appropriateness a mechanism of policy diffusion (Ambrosio 2010). Authoritarian governments are looking for effective policies to help maintain their power and they will seek out policies from other authoritarian governments that appear to be working (Ambrosio 2010). The effectiveness of policies in authoritarian regimes is another mechanism by which diffusion takes place.

Several scholars have highlighted the process of authoritarian diffusion with many focusing on cases from Asia and the post-Soviet space and certain events such as the Arab Spring and Euromaidan (Duong 2022; Lang 2018; Lemon and Antonov 2020; Hall 2018; Ambrosio 2017; Bank and Edel 2015; Heydemann and Leenders 2011). Several scholars have explored authoritarian policy diffusion in Asia. Research into the development of Vietnam's merit-based civil service reforms has revealed that the Vietnamese government learned extensively from abroad (Duong 2022). In this particular case, the Vietnamese government drew lessons from both democracies and autocracies picking and choosing parts of the policies which suited them best (Duong 2022). The research on this topic revealed that while the Vietnamese government sought out best practices they willingly ignored some aspects of western best practices which posed a threat to regime survival (Duong 2022). The research also suggests that policy diffusion and transfer can come from multiple sources as the Vietnamese government drew from western democracies and autocracies alike (Duong 2022).

10

The Arab Spring is a clear example of authoritarian diffusions as many regimes in the Middle East and North Africa monitored the response to protest in other countries and "developed strategies that they perceived whether rightly or wrongly, to maximize their probabilities of surviving this wave of popular mobilization" (Heydemann and Leenders 2011, p. 649). Extensive research has been conducted on the Arab Spring as it represents a very clear instance of regimes learning from the experience of others. For example, in response to protests the King of Jordan adopted constitutional reforms, Bank and Edel argue that these reforms were the result of learning from similar reforms adopted by the King of Morocco (2015). Bank and Edel go on to argue that there was policy learning during the Arab Spring but structural factors in each country constrained the adoption of the learned policies (2015). Structural factors "such as internal power structures, regional and international pressures, and state capacity" all play a role in whether learned policies will be fully adopted (Bank and Edel 2015, p. 22). In the case of Jordan, the government was able to adopt similar constitutional reforms to Morocco because of the similar monarchical structure of both governments (Bank and Edel 2015). This speaks to a wider issue in authoritarian policy diffusion which is that national context matters.

An important example that highlights the importance of national context in authoritarian diffusion is the case of the Euromaidan in Ukraine. In late 2013 to early 2014 the Ukrainian people began to protest the Yanukovych regime. In response to the protests, the regime attempted to use strategies similar to those used in the Arab Spring such as mobilizing a pro-regime base of supporters (Ambrosio 2017). However, the regime did not take into account its own structural differences which led to the adopted policies failing (Ambrosio 2017). For example, the Yanukovych regime could not mobilize regime supporters as much of his support was in eastern Ukraine and he had little support in the capital (Ambrosio 2017). Furthermore, the Yanukovych

regime faced significant internal division, lacked resources necessary for bribery, and a much wider protest base than the regimes in the Middle East (Ambrosio 2017). All of these factors contributed to the failed attempts of the Yanukovych regime to use Arab Spring tactics such as bribery, mobilization of supporters, and promises to end the protests of the Euromaidan and ultimately led to his removal from power. (Ambrosio 2017). The Euromaidan took place closer to Russian than the Kremlin would have liked leading to the fear of a revolution in Moscow (Hall 2018). Following the Euromaidan in Ukraine, Russia learned from the mistakes of the Yanukovych regime and developed policies aimed at preventing a revolution in Russia.

The Euromaidan and the Arab Spring both contributed to Russia adopting a "preemptive counterrevolution" to deter a similar revolution from taking place in Moscow (Hall 2018). In this case, the Putin regime learning from what happened in Ukraine and the Middle East and North Africa and adopted stronger laws to restrict protesting and monitor NGO (Hall 2018). Hall argues that these new laws were adopted because the threat that open protesting posed as evident through the Arab Spring and Euromaidan (2018). Hall also argues that NGOs played a significant role in the Arab Spring and Euromaidan which the Kremlin then sought to counter by restricting and monitoring NGOs (2018). Authoritarian diffusion in the post-Soviet space has been the subject of much research. Max Bader performed an analysis of election laws across the post-Soviet space and found that most countries had adopted laws similar to old Soviet laws or post-Soviet Russia's election laws (2014). This research also highlights the importance of international organizations in the diffusion process particularly the role of the Commonwealth of Independent States as a means of diffusion in the post-Soviet space (M. Bader 2014).

International organizations and the cooperation of autocratic governments has also been an important area of research in the authoritarian diffusion process. Erdmann et al. argues that

12

mechanisms of diffusion such as coercion, socialization, learning, and emulation may be reliant on direct cooperation between authoritarian regimes (n.d.). Erdmann et al. and other authors have highlighted the importance of international or regional organizations dominated by authoritarian states such as the Shanghai Cooperation Organization or the Commonwealth of Independent States (Erdmann et al., n.d.; Libman and Obydenkova 2018; Tosun and Croissant 2016). In Tosun and Croissant's regime specific framework of policy diffusion they found that the most effective means of policy learning for autocratic regimes was through participation in international organizations (2016). Libman and Obydenkova support this hypothesis through their research on what they call 'authoritarian regionalism' (2018). Libman and Obydenkova argue that some regional organizations, which are "founded and dominated by autocracies," are used to support and sustain other autocracies in the organization (2018, p. 151).

The importance of international organizations in authoritarian policy diffusion is highlighted by other authors such as Ambrosio (2008). Ambrosio focused his research on the Shanghai Cooperation Organization (SCO) which includes several Central Asian countries as well as Russia and China (2008). Ambrosio argues that the SCO, being dominated by autocratic nations, aims to promote authoritarian norms within the organization (2008). It is argued that the SCO uses economic ties and international prestige to make authoritarianism more normative among the member states (Ambrosio 2008). This argument represents the latest branch of research on authoritarian policy transfer called authoritarian promotion. Bader et al. argues that authoritarian regimes will seek to be surrounded by other authoritarian regimes and will promote their autocratic values particularly to their neighboring countries (2010). Russia is a key example of authoritarian promotion as it has been known to prop up other authoritarian leaders in the post-Soviet space such as Alexander Lukashenko in Belarus (Hall and Ambrosio 2017). While

bilateral relationships such as the one between Russia and Belarus represent one form of authoritarian promotion multilateral relationships forged through international or regional organizations also act as a means of authoritarian promotion (Hall and Ambrosio 2017).

However, authoritarian promotion is a disputed topic. Scholars who support authoritarian promotion suggest that autocratic governments will act to support regime change in other countries to foster a more authoritarian global environment (Hall and Ambrosio 2017; J. Bader, Grävingholt, and Kästner 2010; Libman and Obydenkova 2018). Other scholars argue that autocratic governments are not actively promoting authoritarianism abroad (Yilmaz and Eliküçük Yıldırım 2020; von Soest 2015). Authors like Yilmaz and Eliküçük Yıldırım suggest that what looks like authoritarian promotion is actually just cooperation between authoritarian states (2020). They also suggest that authoritarian cooperation is driven by political and economic interests rather than a desire to spread their ideology and political system to foreign countries (Yilmaz and Eliküçük Yıldırım 2020). Von Soest supports this view and argues that authoritarian cooperation is driven "by geopolitical interests in securing spheres of influence and supporting acquiescent partners, as well as – particularly in the case of China – countries' desire to gain access to energy and natural resources to strengthen their developmental model" (2015, pg. 632). Authoritarian promotion represents the latest work in the field of authoritarian policy diffusion and transfer and is subject to much debate.

This paper focuses on the diffusion of forest management policy among members of the Commonwealth of Independent States. It has been established by Lemon and Antonov (2020) and Dragneva (2001) that the CIS has been used as a mechanism for policy convergence on topics such as business law, peaceful assembly, civil society, and political participation. Dragneva's study of the CIS model law on the limited liability company had been influential

14

over the development of LLC laws in the CIS member states (2001). Furthermire, Lemon and Antonov found that laws in CIS member states concerning political participation, civil society, and peaceful assembly had been transcribed in part from the CIS model laws (2020). The CIS was clearly influential in the harmonization of laws among its members and it is expected to have influence across a variety of policy fields.

As Lemon and Antonov (2020) and Dragneva (2001) have shown legal harmonization in the CIS through the use of model laws has been successful. However, Lemon and Antonov's study was highly concerned with topics of regime maintenance and Dragneva's was concerned with the realm of business law (2020; 2001). In order to test the influence of the CIS on legal harmonization outside of these policy fields, this paper will investigate CIS influence in the field of environmental law. Specifically, this paper compares the forest codes in Russia and Armenia to the CIS model forest code to determine if the CIS was successful in their attempt at legal harmonization in this field.

3. Background on the Commonwealth of Independent States

The Commonwealth of Independent States was formed in December 1991 days before the dissolution of the Soviet Union (Czerewacz-Filipowicz and Konopelko 2017). The main goal of the organization is the "accomplishment of cooperation in political, economic, ecologic, humanitarian and other spheres, the all-round balanced economic and social development of member states within the framework of common economic space" (*Charter of the Commonwealth of Independent States* 1993). The ambitious goal was intended to maintain some sort of cooperation between the former Soviet republics and ease the transition to independence (Czerewacz-Filipowicz and Konopelko 2017).

Currently the CIS is made up of nine states: Armenia, Azerbaijan, Belarus, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, and Uzbekistan which hold full membership status (Czerewacz-Filipowicz and Konopelko 2017). Turkmenistan is an Associate State which does not hold membership but is allowed to observe the CIS proceedings (Czerewacz-Filipowicz and Konopelko 2017). Scholars have found that many member states have only joined to secure economic and political favor with Russia (Czerewacz-Filipowicz and Konopelko 2017). This has led to heavy criticism of the CIS as a failed regional organization which is simply dominated by Russia (Kubicek 2009). However, scholars have found that in the field of legal harmonization among the CIS members there has been a reasonable amount of success (Lemon and Antonov 2020; Kubicek 2009; Dragneva 2001). This success is due in part to the work of the Interparliamentary Assembly.

One of the main institutions of the CIS is the Interparliamentary Assembly (IPA) which is made up of delegates selected by national parliaments to represent the member states (Commonwealth of Independent States Interparliamentary Assembly 2020). The main goal of the

CIS IPA is "the promotion of a common legal culture among lawmakers and legal harmonization, which it aims to achieve by offering non-binding recommendations and drafting model laws" (Lemon and Antonov 2020, pg. 1230). The model laws which the CIS IPA drafts are submitted to the national parliaments for their use in drafting national laws (Commonwealth of Independent States Interparliamentary Assembly 2020). The model laws are drafted by the ten permanent commissions of the CIS IPA these commissions include: the Permanent Commission on Agrarian Policy, Natural Resources and Ecology, the Permanent Commission on Social Policy and Human Rights, and the Permanent Commission on Defense and Security Issues to name a few (Commonwealth of Independent States Interparliamentary Assembly 2020).

The model laws are non-binding; however, research has shown that at the very least sections of the models laws are copied directly by the member states (Lemon and Antonov 2020). As Lemon and Antonov (2020) and Dragneva (2001) have shown in their research, legal harmonization efforts in the CIS member states has been successful in the case of diffusion of business laws and laws concerned with regime maintenance. This paper investigates the forest codes of the CIS, Russia, and Armenia as a case of attempted legal harmonization outside of the proven cases of legal harmonization in realms of regime maintenance and business laws.

17

4. Methodology

This research investigates the influence of the Commonwealth of Independent States (CIS) on policy diffusion across the post-Soviet space. Through the comparison of laws on "civil society, right to assembly, and political participation," Lemon and Antonov showed the influence of the CIS on legal harmonization among its member states (2020). Dragneva's investigation of laws on limited liability companies in the CIS countries revealed that the CIS model law was influential in the development of national laws of the LLC (2001). This paper seeks to further test the influence of the CIS on the diffusion of policies across the post-Soviet space.

This paper compares the forest codes of Armenia and Russia against the model forest code published by the CIS. The forest code was chosen as it is outside of the policy realms which had been researched previously particularly the realms of business law and laws concerning regime maintenance. The forest codes were also selected because of their sequential publication. The CIS model forest code was published in 2003, Armenia adopted a forest code in 2005 and Russia in 2006. Since both country codes were adopted after the CIS model law was published diffusion may have occurred through the CIS. Furthermore, Russia was selected because it is the regional hegemon and has the most influence over the CIS (Czerewacz-Filipowicz and Konopelko 2017). Armenia was selected because of its economic and political dependence on Russia and the CIS which creates an environment well-suited for policy diffusion (Czerewacz-Filipowicz and Konopelko 2017).

This paper utilizes a similar method of analysis to the method used by Lemon and Antonov (2020). In their paper, the authors used textual analysis software to compare the CIS model laws on their given topics with the laws of Russia and several Central Asian countries and found a significant amount of transcription (Lemon and Antonov 2020). In this paper, a similar

textual analysis is used to detect direct transcription from the CIS model code to the member states. A textual analysis software was used to produce a similarity percentage and detect instances of direct textual similarity between the CIS model code and the code of Russia and Armenia.

However, policy diffusion is not limited to the direct transcription of policies from a foreign source. In some cases a foreign law or code can serve as the exemplar from which a new code is made. In order to determine if the CIS model code acted as an example for the other national codes translated versions of the documents were subjected to a discourse analysis. The discourse analysis consisted of several side-by-side reads of the codes. In these side-by-side reads, chapter headings and article titles which were similar in wording or in meaning were identified. Similar articles of the national codes were then read and compared to the articles of the CIS model code to determine if the similar articles shared a meaning or intention. Sections of the laws where the wording, the topics addressed, the intention, and meaning were similar were identified and analyzed. Finally these areas of similarity were checked against international guidelines on forest management published by the Food and Agriculture Organization. This check was performed to determine if areas of similarity reflect diffusion from the CIS or if these areas are simply commonplace in the best practices of forest management. The discourse analysis allows for a deeper investigation to determine if diffusion had occurred.

5. Results

The most obvious form of policy diffusion is transcription or the direct copying, word for word, of a policy from another country. In this case, the CIS model forest code was compared to the Armenian forest code and the Russian forest code. Textual comparison software was used to determine if any wording from the CIS model code was directly placed into the codes of Russia and Armenia. This was done to determine to what extent transcription had occurred. The software looked for any instances where text in both documents appeared the exact same and instances where words had been slightly modified. The software then produced a similarity percentage.

In the first comparison between the CIS model forest code and the Russian forest code only 0.3% of the text was found to be identical or near identical. The instance of identical text is Chapter 12 in the CIS model code and Chapter 14 in the Russian code. The two chapters share an identical name "Разрешение споров в области использования, охраны, защиты, воспроизводства лесов" which translates to "Settlement of Disputes Related to Forest Use, Protection, and Renewal" (State Duma of the Russian Federation 2006, pg. 35). In the CIS model code, the chapter consists of two sentences, one of which is the exact same in the Russian forest code. The sentence which both codes share reads, "Disputes related to forest use, protection and renewal shall be resolved through judicial processes" (State Duma of the Russian Federation 2006, pg. 35). While the wording is the same in both documents, the statement is very generic and almost expected to appear in any law code. This small similarity contributes to the Russian code receiving a similarity percentage of 0.3%. The percentage is so small that it is clear that transcription did not occur and the one sentence shared in each is most likely coincidence and not

an example of diffusion. The same can be said about the Armenian code which had 0.0% similarity to the CIS model code.

Table 1. Similarity Percentages

	Forest Code of the Russian Federation	Forest Code of the Republic of Armenia
Similarity percentage when compared to the CIS Model Forest Code	0.3%	0.0%

While transcription is the most obvious form of policy diffusion and the easiest to find, more nuanced forms of policy diffusion needed to be investigated. In order to find potential similarities in the meaning of each code I performed a discourse analysis. The analysis consisted of reading the CIS model code and codes of Russia and Armenia section by section to determine if any sections overlapped and if they shared a common meaning. Several areas of overlap could be found when comparing the codes. In the next section, I will explain these areas of overlap to determine if policy diffusion is responsible for similarities.

The first area of overlap between the CIS model forest code and the forest codes of Russia and Armenia is in the categorization of forests. Articles 34, 35, and 36 of the CIS model forest code lay out three groups of forests. The first group consists of forests which are used for "water protection, protective, sanitary-hygienic, recreational" functions (IPA CIS 2003, pg. 17). Forests of the first group are the most diverse ranging from forests which protect rivers and fishing grounds to tundra forests and forests in national parks (IPA CIS 2003). The second group of forest consists of urban forests, forests in areas with limited forest resources, and forests that "have limited operational significance" (IPA CIS 2003, pg. 18). The third group of forests

consists of production and reserve forests which are utilized for commercial logging (IPA CIS 2003).

Article 10 of the Russian forest code also specifies three types of forests as protection, production, and reserve forests (State Duma of the Russian Federation 2006). Protection forests are similar to the CIS definition of the first category of forest which includes forests for water protection and recreational use. The main difference which arises is that the Russian code combines the CIS group 1 and 2 forests into one category called protection forests and separates the CIS group 3 forests into two categories of production and reserve (State Duma of the Russian Federation 2006). Despite this the content of the categories remains the same between the two laws. The Armenian forest code also lays out similar categorization of forests labeling them as protection, special significance, and production (National Assembly of the Republic of Armenia 2005). The Armenian code follows the CIS model code more closely as each category matches the definition of categories in the CIS code. The wording has been changed but the spirit of the categorizations remain the same between the CIS model code and the other two codes.

However, the likelihood of this similarity being due to diffusion from the CIS to its member states is low. When compared to the forest codes of other countries and international organizations these similarities seem coincidental. For example, the Food and Agriculture Organization of the United Nations published a guidance for forest use in which they differentiate between categories of forests such as production, reserve, and protective (Food and Agriculture Organization 1999). Furthermore, the Food and Agriculture Organization had been supporting the Armenian government in the forestry sector leading up to the publication of the new forest code (Government of the Republic of Armenia 2004). At the same time, Russia, with the help of the World Bank, held a European and North Asian Forest Law Enforcement and

22

Governance (ENA-FLEG) Preparatory Conference in 2005 (FLEG 2005). This conference brought together policy actors from across Europe and North Asia to discuss topics such as illegal logging and forest management (FLEG 2005). Although similarity on this topic exists, the origin of the similarity cannot definitely be from the CIS due to the influence of other international organizations in both Russia and Armenia.

Another area of similarity that can be found between the codes is the establishment of the government powers over forest management. The CIS code lays out powers such as "determination and approval of the allowable cut," maintaining fire safety standards, and establishing forest boundaries (IPA CIS 2003, pg. 14). The forest codes of Russia and Armenia also mention those three competencies of the government over forest management. Unsurprisingly, the Russian and Armenian codes go on to lay out more specific competencies at different levels of government such as local and regional levels (State Duma of the Russian Federation 2006; National Assembly of the Republic of Armenia 2005). Furthermore, the three competencies mentioned can also be found in the forest codes of other countries such as Australia or the FAO guidance on forest use ("Forestry Codes of Practice" 1996; Food and Agriculture Organization 1999). Establishing the competencies of the government in a law code is common practice and similarities between the codes reflects best practices and established norms in the field of forestry rather than diffusion through the CIS.

The textual analysis found that between the CIS model code and the Russian forest code there was 0.3% similarity. One of the areas which the software highlighted concerned liability for violation of the code. The CIS model code reads, "persons guilty of violating national forest legislation bear administrative and criminal responsibility in accordance with national legislation" (IPA CIS 2003, pg. 36). The Russian forest code offers a similar line which reads,

"persons guilty of forest offences shall be liable to administrative or criminal proceedings as established by law in the Russian Federation" (State Duma of the Russian Federation 2006). The software also highlighted a following clause which in the CIS model code reads, "citizens and legal entities are obliged to compensate damage caused to the forest fund…according to the procedure established by national legislation" (CIS IPA 2003, pg. 35). And in the Russian code it reads, "persons who inflict damage on forests shall compensate for it voluntarily or through judicial proceedings" (State Duma of the Russian Federation 2006, pg. 35).

In the original Russian text the lines are nearly identical with a few words changed while the translation differs slightly the sentiment is the same. Textual analysis helps to determine if transcription occurred between the two codes. However, identical text is hardly enough to determine if diffusion occurred. The Armenian forest code also has a section about liability for violation of the code; however, the text is different from both the CIS and Russian codes. This goes to shows that any forest code, or any law code in general, will have a section on liability. Because the statements in both are expected in most law codes it would be safe to say that what looks like transcription through diffusion is actually coincidental and not indicative of diffusion.

The CIS model forest code also lays out a definition of forest uses including wood harvesting, resin harvesting, harvesting of non-wood resources, hunting, harvesting fruits, berries, and medicinal plants (IPA CIS 2003). The Armenian code has a similar meaning when defining forest uses but the text uses more general terms such as "non-wood forest products" which could refer to berries, fruits, and medicinal plants (National Assembly of the Republic of Armenia 2005). The Russian code's list of forest uses is more extensive than both the CIS model code and the Armenian code. The Russian code is similar in that it includes terms such as "wood harvesting, resin harvesting, cultivation of forest fruits, berries…medicinal plants" (State Duma

of the Russian Federation 2006, pg. 8). However, the Russian code differs from the other codes to include uses such as construction of power and communication lines and exploration of mineral resources (State Duma of the Russian Federation 2006).

The CIS model code and the Russian forest code also share a similarly worded article concerned the harvesting of wood. The CIS code established that "it is prohibited to harvest timber at final felling in the volume exceeding the allowable cut" (IPA CIS 2003). The Russian code similarly establishes that "it shall be prohibited to harvest wood in volumes exceeding the allowable cut" (State Duma of the Russian Federation 2006, pg. 39). The Armenian code also establishes that an allowable cut limit will be decided but the wording is different from the other codes (National Assembly of the Republic of Armenia 2005). Establishing an allowable cut limit is one of the main principles of sustainable forest management and therefore widely understood as necessary to include in a forest code (Food and Agriculture Organization 1999). While the wording of the articles in the CIS and Russian codes is very similar, the allowable cut limit is a well-established principle of forest management.

The CIS model code and the forest codes of Russia and Armenia all share an article concerning the use of the forest by citizens. While the three codes are worded differently they all share the common idea that citizens have the right to use state-owned forests free of charge and are allowed to collect resources, such as berries and mushrooms, from these forests (IPA CIS 2003; State Duma of the Russian Federation 2006; National Assembly of the Republic of Armenia 2005). The codes also lay out similar obligations of citizens such as observing the fire safety rules and the rules on pollution. The article on citizens' use of the forest is interesting because it is unique to these codes. The FAO guidance on forest use is focused on commercial use of the forest and is not concerned with the use by citizens (Food and Agriculture

Organization 1999). Because this article is not seen in other international guidelines or national codes it suggests that this may have been diffused from the CIS model code. However, the origin of this article likely finds its roots in the old Soviet forest codes which "proclaimed free access to forests and equal rights for all citizens to use forests" (Ulybina 2014). As the CIS acts as an almost successor to the Soviet Union it makes sense that the model code, along with the codes of Russia and Armenia, would contain this old Soviet similarity.

The CIS model code and the Russian and Armenian codes all share an article on the principles of forest management planning. All three mention that forest management includes setting boundaries of forests, keeping an inventory of forests and their conditions, identification of areas in need of felling, assigning forests to groups, setting forest rehabilitation plans. All three codes share most of the same principles of forest management planning. However, they are very similar to the guidelines published by the Food and Agriculture Organization (1998). Given that the principles of forest management planning were published by the FAO before the development of the model code it is unclear whether diffusion occurred from the CIS to the member states or from the FAO to the member states. Furthermore, the FAO was active in assisting the Armenian government in forest policy development which suggests that the diffusion originated from the FAO in the case of Armenia (Government of the Republic of Armenia 2004).

All three codes share articles about forest protection. The CIS code establishes that forests must be protected from fires, illegal logging and any actions that cause undue harm to the forest (IPA CIS 2003). Similarly, the Armenian and Russian codes mention that forests must be protected. However, the national codes offer more specifics as to how the forests are meant to be protected. All codes offer special emphasis on fire protection; however, as the threat of fire is

globally understood it is not likely that the inclusion of an article on fire protection is indicative of policy diffusion from the CIS to its member states.

The CIS model code and the Russian forest code have similar protocols for dealing with forest pests and diseases. The CIS model code reads, "protection of the forest fund…from pests and forest diseases is provided by systematic monitoring…timely identification of pests and forest diseases, measures to prevent the occurrence of these outbreaks, their localization and elimination" (IPA CIS 2003, pg. 15). The Russian forest code reads, "forest pest management shall be aimed at detecting pernicious organisms in forests (plants, animals, and disease agents which can damage forests or forest resources under certain conditions) preventing them from spreading, and localizing and eradicating outbreaks of pernicious organisms" (State Duma of the Russian Federation 2006, pg. 16). The protocol for forest protection from pests is similar in both cases. Forest management standards offer similar guidance on pests and diseases but not this exact language (Food and Agriculture Organization 1999). Furthermore, the FAO was not directly influential in the development of the Russian forest code. However, the Russian involvement in the ENA-FLEG presents another source of possible diffusion of forestry ideas making it difficult to determine where the ideas originated.

The CIS model code and the Russian forest code include a clause on the inclusion of external organizations in the forest management process. The CIS code states that the code is based on several principles including the "participation of citizens and public organizations (associations) in addressing issues related to the protection and reproduction of forests and access to forest resources within their competence and in the manner prescribed by the national legislation" (IPA CIS 2003, pg. 15). The Russian code specifies a similar principle of the code as the "participation of citizens and civil society associations in decision-making which may affect

27

forests when they are used, protected and renewed, with procedures for and forms of such participation to be complaint with the legislation of the Russian Federation" (State Duma of the Russian Federation 2006, pg. 1). The involvement of citizens and civil society organizations in the process of forest management distinct to the CIS and Russian codes. The Armenian code and guidelines from the Food and Agriculture Organization do not mention citizen participation in forest management. The similarity between the CIS and Russian codes and the omission of this information from other international guidelines suggests that this similarity is due to policy diffusion. The wording is slightly different in this case and it suggests that Russian authors of this code drew inspiration from the CIS model code.

In general the CIS model code and the Russian and Armenian forest codes have overlapping themes. Some of the topics they all have in common include articles specifying the methods of forest monitoring and data collection and storage, methods of reproduction of damaged forests and afforestation, rules on harvesting and rules governing forest users, and details on lease and contract agreements for forest use (IPA CIS 2003, State Duma of the Russian Federation 2006; National Assembly of the Republic of Armenia 2005). However, these topics are common to forest legislation evidenced through the guidelines published by the Food and Agriculture Organization (1999). Some of these topics are also reflected in the ENA-FLEG report as well (2005). The involvement of the FAO in Armenia and the FLEG in Russia further suggests that the standards presented by these organizations were more influential than the CIS in the development of forest policy in Russian and Armenia.

Aside from the apparent similarities between the codes, several differences between the national codes and the CIS model code further suggest that diffusion from the CIS did not occur. An important difference between the Armenian code and the CIS and Russian codes is that the

Armenian code places the responsibility of fire protection on the owner of the forest while the CIS and Russian codes assume state responsibility for fire protection (National Assembly of the Republic of Armenia 2005; State Duma of the Russian Federation 2006; CIS IPA 2003). The difference in ownership and responsibilities is noticeable in the Armenian code as it focuses more on the rights and responsibilities of private owners (National Assembly of the Republic of Armenia 2005). The Russian forest code establishes state ownership of all forests and the CIS model code suggests the establishment of a "forest fund" or state-owned forests (State Duma of the Russian Federation 2006; IPA CIS 2003). State ownership of forests is a policy inherited from the Soviet Union (Ulybina 2014). Armenia interestingly breaks from that policy in the interests of facilitating a market economy at the suggestion of organizations such as the FAO and Sida (Government of the Republic of Armenia 2004).

Furthermore, the Russian code is far more concerned with commercial use of the forest while the CIS model code is generally more concerned with the protection of the forest and sustainable use. Three articles of the Russian forest code differ from the Armenian code, the CIS model code, and the FAO guidelines. These articles are concerned with "forest use for works related to geological exploration…and development of mineral resource deposits," "forest use for construction and operation of water reservoirs," and "forest use for construction, reconstruction, and operation of power transmission lines, communication lines" (State Duma of the Russian Federation 2006, pg. 13-14). These three articles are primarily concerned with commercial uses of forests outside the typical uses such as wood harvesting. The CIS model code does not offer guidance on these topics and the FAO guidelines and the Armenian code do not mention them. These articles are unique to the Russian code which further suggests that diffusion did not occur.

29

The Armenian forest code offers special guidance on the maintenance of what the code calls the "forest economy" (National Assembly of the Republic of Armenia 2005). The Armenian code is also more concerned with the commercial use of the forest. There is still an emphasis on protection and conservation of the forest; however, the articles on the forest economy emphasize business relations with those using the forests. The CIS model code is not as concerned with this and emphasizes the protection of the forest over commercialization. This an important difference between the Armenian code and the CIS model code which further suggests that the Armenian code is not the product of policy diffusion from the CIS.

Both the Russian and Armenian forest codes contain detailed provisions on the powers of state and municipal authorities over the forest. The CIS model code offers an article on the power of the national government; however, state, municipal and local authorities are left out of the CIS model code. This is an expected difference in the codes as the CIS is made of states with differing administrative types. The CIS model code is intended for national government use while the local level articles are more the responsibility of each individual nation. The difference, although expected, still contributes to the evidence that diffusion was not likely.

The Russian code also contains articles establishing rules for religious uses of the forest, and special articles for the use of the forest by indigenous peoples (State Duma of the Russian Federation 2006). These topics do not appear in the Armenian or CIS model code. Religious use of the forest and use by indigenous people are issues specific to Russia given its population of indigenous people which is not shared by other member states of the CIS such as Armenia. These specific articles help demonstrate the differences from the CIS model code.

Further evidence suggests that the CIS was not influential in the development of the Armenian forest code. Before the publication of the Armenian forest code in 2005, the

government of Armenia acknowledged that they were receiving help from the Swedish International Development Cooperation Agency (Sida) in the development of their new forest code (Government of the Republic of Armenia 2004). The Armenian government did not acknowledge the Commonwealth of Independent States in their *National Forest Policy and Strategy 2004* suggesting that the CIS was not directly influential in the development of the code. However, without extensive process tracing and interviews it is hard to determine concretely if the CIS had influence in the development of the forest code. Given the current evidence Sida played a more active role than the CIS in the development of the Armenian forest code.

The Russian case is a bit more complicated. While it is clear that the Russian government was interacting with other governments through the ENA-FLEG, a report from the IUCN-World Conservation Union indicates that the Russian government was not taking international advice (2006). In the report, the IUCN argues that the new Russian forest code, published in 2006, would create new problems and was publicly opposed by many NGOs (The World Conservation Union 2006). The report suggests that the Russian forest code does not meet international standards specifically concerning the regulation of legal relationships in forest use (The World Conservation Union 2006). In the case of Armenia, the influence of other international organizations is clear making CIS influence almost nonexistent; however, while Russia was interacting with other governments on forest management it appears that the Russian government was not following international advice. In light of this, the similarities between the CIS model code and the Russian code are likely to be the result of diffusion.

31

6. Conclusion

The literature on policy learning is rich, covering cases from democracies and authoritarian regimes. The mechanisms of policy learning have been theorized by many scholars. One of the most prominent mechanisms of policy diffusion is international organizations. Several scholars have suggested that international organizations serve as a path along which policy learning can take place (D. Dolowitz and Marsh 2000; Braun and Gilardi 2006; Oliveira and Pal 2018). It has been suggested that organizations founded and dominated by authoritarian governments such as the Commonwealth of Independent States or the Shanghai Cooperation Organization can serve as an avenue for illiberal policy transfer (Libman and Obydenkova 2018; J. Bader, Grävingholt, and Kästner 2010). Dragvena (2001) and Lemon and Antonov (2020) showed in their research that the Commonwealth of Independent States exerted great influence on its members in the adoption of policies related to business law, political participation, peaceful assembly, and civil society.

This paper has further tested the influence of the CIS on the diffusion of policies among its members. This paper compared the model forest code published by the CIS in 2003 with the forest code of Armenia, published in 2005, and the forest code of Russia, published in 2006. Through textual and discourse analysis it was discovered that the CIS had little influence over the creation of the Armenia forest code and some influence over the Russian forest code. When the text of the model code was compared against the text of the Russian and Armenian codes 0.3% similarity was found with the Russian code and 0.0% with the Armenian code. This clearly shows that direct transcription from the CIS model code did not occur. A discourse analysis was performed to find areas of the codes which has a similar meaning although the text was not identical.

While there was many areas where the topics and themes were the same in the CIS model code and the Armenian code, other evidence suggests that that the CIS had little influence. Armenia had been working with the Food and Agriculture Organization since it gained independence in 1991 and even published the *Strategy for the Development of the Armenian Forest Sector* in 1996 (Government of the Republic of Armenia 2004). Furthermore, in the early 2000s Armenia began working with the Swedish International Development Cooperation Agency (Sida) to develop their forest code which was adopted in 2005 (Government of the Republic of Armenia 2004). The similarities between the Armenian forest code and the CIS model code is likely coincidental and reflects best practices in forestry. These best practices were not the result of diffusion from the CIS to Armenia but rather the diffusion of these ideas from other institutions such as the FAO and Sida. Outside influence and other clear differences between the CIS and Armenian codes indicates that the CIS had little influence over the development of the CIS model code.

The Russian forest code shares several similarities with the CIS model code and the influence of other international organizations in Russia is considerably less. Russia did participate in the European and North Asian Forest Law Enforcement and Governance conference where ideas on forest management were shared. However, the World Conservation Union claimed that international advice was not followed by the Russian government (2006). Given this, the close relationship between Russia and the CIS, and the similarities between the two codes the CIS did have influence over the creation of the Russian forest code.

This research has mixed findings which are in part contrary to the findings of Dragneva (2001) and Lemon and Antonov (2020). These findings are significant as they suggest that CIS influence on legal harmonization among its members can be greatly impacted by the influence of

other organizations, in this case the Food and Agriculture Organization and Sida. There are several possible reasons for greater influence of external organizations in this case. For example, Armenia's desire to join the western world may have driven the government to seek out advice from western organization instead of the CIS. In the Russian case, its position as the regional hegemon and a founding member of the CIS may have influenced it to rely more on the CIS and less from external organizations. However, these reasons are purely speculative and further research would need to be conducted to determine their validity. Further research could also investigate more model laws to determine which topics diffuse more than others among the CIS members. While this current research has its limitations it does suggest that CIS influence over legal harmonization can be impeded if its member states look to other organizations.

Bibliography

Ambrosio, Thomas. 2008. "Catching the 'Shanghai Spirit': How the Shanghai Cooperation Organization Promotes Authoritarian Norms in Central Asia." *Europe-Asia Studies* 60 (8): 1321–44. https://doi.org/10.1080/09668130802292143.

———. 2010. "Constructing a Framework of Authoritarian Diffusion: Concepts, Dynamics, and Future Research." *International Studies Perspectives* 11 (4): 375–92. https://doi.org/10.1111/j.1528-3585.2010.00411.x.

———. 2017. "The Fall of Yanukovych: Structural and Political Constraints to Implementing Authoritarian Learning." *East European Politics* 33 (2): 184–209. https://doi.org/10.1080/21599165.2017.1304382.

Bader, Julia, Jörn Grävingholt, and Antje Kästner. 2010. "Would Autocracies Promote Autocracy? A Political Economy Perspective on Regime-Type Export in Regional Neighbourhoods." *Contemporary Politics* 16 (1): 81–100. https://doi.org/10.1080/13569771003593904.

Bader, Max. 2014. "Democracy Promotion and Authoritarian Diffusion: The Foreign Origins of Post-Soviet Election Laws." *Europe-Asia Studies* 66 (8): 1350–70. https://doi.org/10.1080/09668136.2014.939521.

Bank, André, and Mirjam Edel. 2015. "Authoritarian Regime Learning: Comparative Insights from the Arab Uprisings." https://www.jstor.org/stable/resrep07503.

Braun, Dietmar, and Fabrizio Gilardi. 2006. "Taking 'Galton's Problem' Seriously: Towards a Theory of Policy Diffusion." *Journal of Theoretical Politics* 18 (3): 298–322. https://doi.org/10.1177/0951629806064351.

Charter of the Commonwealth of Independent States. 1993. Vol. 31139. https://treaties.un.org/doc/Publication/UNTS/Volume%201819/volume-1819-I-31139-English.pdf.

Commonwealth of Independent States Interparliamentary Assembly. 2020. "CIS IPA Mandate." 2020. https://iacis.ru/About_IPA_CIS/Mandate.

Crain, Robert L. 1966. "Fluoridation: The Diffusion of an Innovation among Cities." *Social Forces* 44 (4): 467–76. https://doi.org/10.2307/2575080.

Czerewacz-Filipowicz, Katarzyna, and Agnieszka Konopelko. 2017. "The Commonwealth of Independent States." In *Regional Integration Processes in the Commonwealth of Independent States: Economic and Political Factors*, edited by Katarzyna Czerewacz-Filipowicz and Agnieszka Konopelko, 19–31. Cham: Springer International Publishing. https://doi.org/10.1007/978-3-319-47563-9_2.

Dolowitz, David, and David Marsh. 2000. "Learning from Abroad: The Role of Policy Transfer in Contemporary Policy-Making." *Governance* 13 (1): 5–23. https://doi.org/10.1111/0952-1895.00121.

Dolowitz, David P. 2017. "Transfer and Learning: One Coin Two Elements." *Novos Estudos CEBRAP* 36 (March): 35–56. https://doi.org/10.25091/S0101-3300201700010002.

Dragneva, Rilka O. 2001. "The Reality of Models: Reflections on the CIS Model Law on the Limited Liability Company." *Review of Central and East European Law* 27 (1): 113–32.

Duong, Hang. 2022. "How Do Policy Transfer Mechanisms Influence Policy Outcomes in the Context of Authoritarianism in Vietnam?" *Policy & Politics* 50 (2): 199–223. https://doi.org/10.1332/030557321X16347665146401.

Erdmann, Gero, André Bank, Bert Hoffmann, and Thomas Richter. n.d. "International Cooperation of Authoritarian Regimes: Toward a Conceptual Framework." *German Institute of Global and Area Studies (GIGA)*, 38.

FLEG. 2005. "Summary of the Europe and North Asia Forest Law Enforcement and Governance Prepatory Conference." Europe and North Asia FLEG Bulletin. International Institute for Sustainable Development. http://s3.us-west-2.amazonaws.com/enb.iisd.org/archive/download/pdf/sd/ymbvol110num1e.pdf?X-Amz-Content-Sha256=UNSIGNED-PAYLOAD&X-Amz-Algorithm=AWS4-HMAC-SHA256&X-Amz-Credential=AKIA6QW3YWTJ6YORWEEL%2F20230531%2Fus-west-2%2Fs3%2Faws4_request&X-Amz-Date=20230531T184341Z&X-Amz-SignedHeaders=host&X-Amz-Expires=60&X-Amz-Signature=c6d25ff650494ed383ff0d6152c702e3d966b6f3cac8405876d7a2f92250bd86.

Food and Agriculture Organization. 1998. "Guidelines on the Management of Tropical Forests." 135. Rome: Food and Agriculture Organization of the United Nations. https://www.fao.org/3/w8212e/w8212e00.htm#Contents.

———. 1999. "Code of Practice for Forest Harvesting in Asia-Pacific." FAO UN. https://www.fao.org/3/ac142e/ac142e.pdf.

"Forestry Codes of Practice." 1996. 133. Food and Agriculture Organization. https://www.fao.org/3/w3646e/w3646e00.htm#Contents.

Government of the Republic of Armenia. 2004. *National Forest Policy and Strategy of the Republic of Armenia*. Vol. Protocol Decision N38. https://unece.org/fileadmin/DAM/timber/meetings/20170913/National_Forest_Policy_Armenia.pdf.

Hall, Stephen G. F. 2018. "The Kremlin's Second Preventive Counter-Revolution: A Case of Authoritarian Learning from Success." https://dspace.ut.ee/handle/10062/63505.

Hall, Stephen G. F., and Thomas Ambrosio. 2017. "Authoritarian Learning: A Conceptual Overview." *East European Politics* 33 (2): 143–61. https://doi.org/10.1080/21599165.2017.1307826.

Heydemann, Steven, and Reinoud Leenders. 2011. "Authoritarian Learning and Authoritarian Resilience: Regime Responses to the 'Arab Awakening.'" *Globalizations* 8 (5): 647–53. https://doi.org/10.1080/14747731.2011.621274.

Interparliamentary Assembly of Member Nations of the Commonwealth of Independent States. 2003. *Model Forest Code*.

Kubicek, Paul. 2009. "The Commonwealth of Independent States: An Example of Failed Regionalism?" *Review of International Studies* 35: 237–56.

Lang, Bertram. 2018. "Authoritarian Learning in China's Civil Society Regulations: Towards a Multi-Level Framework." *Journal of Current Chinese Affairs* 47 (3): 147–86. https://doi.org/10.1177/186810261804700306.

Lemon, Edward, and Oleg Antonov. 2020. "Authoritarian Legal Harmonization in the Post-Soviet Space." *Democratization* 27 (7): 1221–39. https://doi.org/10.1080/13510347.2020.1778671.

Libman, Alexander, and Anastassia V. Obydenkova. 2018. "Understanding Authoritarian Regionalism." *Journal of Democracy* 29 (4): 151–65. https://doi.org/10.1353/jod.2018.0070.

Marsh, David, and J.C. Sharman. 2009. "Policy Diffusion and Policy Transfer." *Policy Studies* 30 (3): 269–88. https://doi.org/10.1080/01442870902863851.

National Assembly of the Republic of Armenia. 2005. *Forest Code of the Republic of Armenia. Translated by the World Food Organization*. https://www.fao.org/faolex/results/details/en/c/LEX-FAOC072651/#:~:text=Armenia-,Forest%20Code.,monitoring%2C%20control%20and%20forest%20lands.

Oliveira, Osmany Porto de, and Leslie A. Pal. 2018. "New Frontiers and Directions in Policy Transfer, Diffusion, and Circulations Research: Agents, Spaces, Resistance, and Translations." *Revista de Administração Pública* 52 (April): 199–220. https://doi.org/10.1590/0034-761220180078.

Soest, Christian von. 2015. "Democracy Prevention: The International Collaboration of Authoritarian Regimes." *European Journal of Political Research* 54 (4): 623–38. https://doi.org/10.1111/1475-6765.12100.

State Duma of the Russian Federation. 2006. *Forest Code of the Russian Federation. Translated by World Bank*. https://www.fao.org/faolex/results/details/en/c/LEX-FAOC068489/#:~:text=The%20Forest%20Code%20governs%20the,forests%20as%20an%20ecological%20system.

The World Conservation Union. 2006. "Forest Governance and Illegal Logging: Improving Legislation, and Interagency and Inter-Stakeholder Relations in Russia." Moscow: IUCN Global Temperate and Boreal Forest Programme. https://www.iucn.org/sites/default/files/import/downloads/forestgov_russia_summaryreport.pdf.

Tosun, Jale, and Aurel Croissant. 2016. "Policy Diffusion: A Regime-Sensitive Conceptual Framework." *Global Policy* 7 (4): 534–40. https://doi.org/10.1111/1758-5899.12363.

Ulybina, Olga. 2014. "Russian Forests: The Path of Reform." *Forest Policy and Economics* 38 (January): 143–50. https://doi.org/10.1016/j.forpol.2013.06.019.

Walker, Jack L. 1969. "The Diffusion of Innovations among the American States." *The American Political Science Review* 63 (3): 880–99. https://doi.org/10.2307/1954434.

Yilmaz, Gözde, and Nilgün Eliküçük Yıldırım. 2020. "Authoritarian Diffusion or Cooperation? Turkey's Emerging Engagement with China." *Democratization* 27 (7): 1202–20. https://doi.org/10.1080/13510347.2020.1777984.

Госуда́рственная ду́ма Федера́льного собра́ния Росси́йской Федера́ции. 2006. *Лесной Кодекс Российской Федерации*. https://www.consultant.ru/document/cons_doc_LAW_64299/.

Межпарламентской Ассамблеи Участников СНГ. 2003. *Модельный Лесной Кодекс*.

Национальное Собрание Республики Армения. 2005. *Лесной Кодекс Республки Армения*. https://www.arlis.am/.