MEGAflorestais
Brasil, 2008

Forest Governance in Transition

Synopsis of Meeting of MegaFlorestais in Brasilia and Amazonas, Brazil
October 27-31, 2008

Co-Chairs of MegaFlorestais
Tasso Azevedo, Director General, Brazilian Forest Service
Sally Collins, Associate Chief, US Forest Service

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RIGHTS + RESOURCES

Rights and Resources Group
1238 Wisconsin Ave, Suite 204
Washington, DC 20007
www.rightsandresources.org
Tel: +1.202.470.3900 Fax:
+1.202.944.3315

1. Background

MegaFlorestais[1] is an informal group of public forest-agency leaders dedicated to advancing international dialogue and exchange on transitions in forest governance, forest industry, and the roles of public forest agencies.

Meetings of MegaFlorestais are coordinated by the Rights and Resources Group, the secretariat of the Rights and Resources Initiative (RRI), a global coalition of organizations committed to encouraging forest tenure and policy reforms.

The purpose of MegaFlorestais is to provide public forest agency leaders from large forested countries the opportunity to share experiences on governance and industry in an informal, frank and technical manner. The process aims to foster stronger relationships between forest agencies, collectively strengthening their abilities to play leading roles in advancing forestry's contribution to social and economic development. MegaFlorestais meetings encourage free and open conversation following the Chatham House Rule which states: "*When a meeting or part thereof, is held under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed*."

MegaFlorestais 2006, the first formal meeting of MegaFlorestais, was hosted by the US Forest Service, bringing together leaders from Brazil, Cameroon, Canada, China, India, Indonesia, Mexico, Russia and the United States (a synopsis of that meeting is available here.

MegaFlorestais 2007 was hosted by Russian Federal Forest Agency in St. Petersburg, Russia. A synopsis of that meeting is available here.

2. MegaFlorestais 2008: Brazil

MegaFlorestais 2008 was held at several sites in Brazil: its opening session was held in the nation's capital, Brasilia; then in Manaus, the capital of the state of Amazonas; and then aboard the ship Helio Gabriel as it plied the Amazon River, with a field trip to the forestry and milling operations of the Precious Woods-Amazonas near Itacoatiara. Building on lessons learned from the previous MegaFlorestais meetings, the 2008 sessions provided a combination of briefings on the current state of the global forest sector and formal and informal discussions between participants.

Leaders from forest agencies participating included:

Name	***Title***	***Country***
Zhu Lieke	Deputy Director, State Forest Administration	China
Ahmad Fauzi Masud	Director for Forestry Information, Ministry of Forestry	Indonesia
Jean Pierre Araujo Meloni	Specialist, Forest and Fauna Management, INRENA	Peru
Doug Konkin	Deputy Minister, BC Ministry of Forests and Range	British Columbia, Canada
Mikhail Giryaev	Deputy Head, Russian Federal Forest Agency	Russia
Sébastien Malele Mbala	Directeur Chef de Service, Direction de la Gestion Forestière	Democratic Republic of the Congo
Sally Collins	Associate Chief, United States Forest Service	USA
Tasso Azevedo	Director General, Brazilian Forest Service	Brazil

Resource persons and other support people included:

[1] MegaFlorestais – a Portuguese phrase that translates to "those with mega forests."

Name	*Title*	*Country*
Andy White	Coordinator, Rights and Resources Initiative	USA
Arvind Khare	Director of Finance, Rights and Resources	India
Brooke Kennedy	Asia Program Coordinator, Rights and Resources	USA
Camila Chagas	Division for International Cooperation, Brazilian Forest Service	Brazil
Raquel Breda dos Santos	Division for International Cooperation, Brazilian Forest Service	Brazil
Daniel Tristao	Division for International Cooperation, Brazilian Forest Service	Brazil
Alex Moad	Assistant Director for Technical Cooperation, International Programs, US Forest Service	USA
Kathleen Atkinson	Budget Coordinator, U.S. Forest Service	USA
Don Roberts	Managing Director, CIBC World Markets	Canada
Eri Indrawan	Deputy Director, International Cooperation, Ministry of Forestry	Indonesia
Chen Guangqing	Secretary, State Forestry Administration	China
Li Yingrui	Deputy President, Daxing'anling Forestry Corporation	China
Yan Zhen	Division Director, Department of Planning and Finance, State Forestry Administration	China
Zhang Zhongtian	Deputy Division Chief, Department of International Cooperation, State Forest Administration of China	China
Sten Nilsson	Acting Director, IIASA	Austria
Kiko Brito	Environmental Journalist	Brazil
Char Miller	Environmental Analysis Program, Pomona College	USA
Antonio Ribeiro Santos	Spanish Translator	Brazil
Igor Razumovskii	Counselor of International Cooperation Department, Federal Forest Agency	Russia
Natalia Kuznetsova	Russian Translator	Brazil

More information on the meeting, as well as supplementary documentation is available on the MegaFlorestais webpage (here). Documents available on the website include:

- Event agenda
- List of participants
- Participant presentations:
    - *Forest Governance in Russia,* Mikhail Giryaev
    - *The Amazon Fund*, Tasso Azevedo
    - *Avoided Deforestation & Forestry Wikipedia*, Sten Nilsson
    - *Precious Woods – Amazon*, Tim Van Eldick
    - *The Global Bio-Energy Market: Developments and Implications,* Don Roberts
    - *Forest Tenure Transitions: Changes 2002-2008, Emerging Lessons*, Arvind Khare
    - *Brazil: Facts and Forests*, Tasso Azevedo

Context: This meeting of MegaFlorestais took place at a time when several crises intersected the global forest landscapes at the same time. Chief among these are:

- Biophysical crisis afflicting several forest areas;
- The climate crisis affecting and being affected by forests;
- Linked crises of food and energy putting pressure on forest lands; and
- The emerging financial crisis

It was also a strategic moment since MegaFlorestais 2008 took place just before the XIV meeting of COP of the United Nations Framework Convention on Climate Change in Poznań, Poland slated for December 2008. Unfortunately the voices of government forest-agency leaders are often not heard in this key forum where a different set of negotiators determine how the forests are managed to deal with the crisis of climate change.

Using these various crises as the backdrop the forest leaders revisited the history and purpose of MegaFlorestais and identified a number of key issues to focus their deliberations.

3. Discussion in Brazil - Key Issues and Observations

The meeting discussed five issues: 1) climate change and forest agencies; 2) market transitions; 3) transitions in tenure; 4) transitions in forest agencies; and 5) forest and land policy in Brazil. Summaries of each discussion follow below.

(1) Climate Change and Forest Agencies: Alterations in forest management are tied to realignments in perspectives on the impact of climate change on the world's forests. But no two nations' responses to the challenges climate change poses are exactly alike. Some of these differences are framed by a North-South divide: the intense focus on tropical deforestation is not matched by closer examination of developed countries' forest-management practices. There are serious concerns about how carbon markets will be organized and who will reap their benefits. As distinct as reactions are, there was strong agreement that foresters must develop a much-more forceful presence in international discussions about climate change; if their voices are not heard in diplomatic councils, then the profession of forestry will find itself marginalized just when the world would benefit from its insights.

Two sets of questions dominated the discussion on climate change. One set of questions related to the role of foresters and forest agencies in climate negotiations - *Where are foresters in international discussions of climate change? How can they gain a greater presence in these vital discussions?* And the second sets of questions were focused on emerging carbon markets - *What is the legal framework for carbon and how to regulate a carbon market? Who owns the carbon stored in these forests? Who receives compensation should a carbon market take off? How to determine compensation and how to hold markets accountable? How will the individual countries monitor, ensure transparency and access to these markets? How to create reliable data and make it accessible to investors? How to ensure appropriate representation, independent auditing and verification, without which there will be no credible market?*

Forest agencies and climate negotiations: Absence of forest agencies in the negotiation process shaping the future forest governance emerged as a major concern. A number of key points emerged from the discussion:

- Forestry is facing a major crossroads since its founding in the 17th century. The role of forests and the profession of forestry is being reshaped as a response to climate change. The national contexts within which each forest agency operates vary but there is little doubt that for most agencies the climate change will affect the way they work including their regulatory and monitoring systems. Within national bureaucracies the ambiguity on the role of agencies persist as some see this as a key environmental issue; others as an agricultural one (which is reflected in the location of forest agency within national bureaucracy). MegaFlorestais-participating countries need to develop a consensus so that they can better promote forestry's place in the global climate change discussions.

- Public-land foresters have not engaged with other influential constituencies and need to work with those who are invited to the table to discuss climate change. Foresters must be there as well to set climate change issues in the context of economic development and social justice. There is a need to reverse the current trend where forest interests are influenced by crises of food security, energy and biofuels development but are not themselves influencing these conversations – and the onus is on forest agencies themselves.

Carbon Markets: The challenges confronting the creation of carbon markets are many. A number of issues are as yet unresolved - their potential, structure, unit size, equity and rules of market.

- Forest ownership remains contested and it is likely that some governments will receive major inflows from global carbon markets without certainty over forest right. Moral appropriateness and exacerbation of conflicts remain key issues in such situations. Additionally, in countries like Brazil, where deforestation is caused by conversion of forests into agricultural land, the key challenge will be the equation for resolution; i.e. if benefits go to those who were deforesting illegally, then those entities which have not been clear-cutting will begin to do so; and if benefits go to conservationists, the illegal loggers will not necessarily stop.

- The U.S. Congress will soon probably support a "Cap-and-Trade" bill, but from a forestry perspective it is crucial that protocols governing this system must insure the maintenance of healthy forests and equity of payments. Similar decisions will be taken by other countries. Foresters have but a narrow window of opportunity for influencing these structures as they emerge, for someone else will do so if foresters do not.

- Canada has adopted a different approach to the establishment of carbon markets: it assumes that there will be a willing seller and a willing buyer of carbon credits, and therefore is not waiting for emergence of an international market. Due to the beetle infestation--Canada no longer is a carbon sink but a net emitter of carbon. It is therefore creating an internal system based on a transparent framework outlining benefits, contract provisions, gains from activities, costs, guarantees, etc. Once set up, it may forge regional agreements with contiguous regions of the U.S.

- Many countries believe that using the market to address development is unlikely to succeed. For example, Brazil relies on market to determine the value of carbon but not the trade of carbon. The Amazon Fund, created by the government of Brazil and supported by donors, raises another prospect and possibility: its multi-tiered management structure insures that national, state and civil society are all represented in the creation of policy. The assumption is that it is the interest of each of these three stakeholders to decrease emissions, and that in this way it will find the most efficient way to control or reduce emissions to secure additional funds.

- Given China's recent land-tenure reform, which clarify rights at the household level coupled with its existing public payment scheme for environmental services makes it possible to create a national system. As in Costa Rica, US and other countries with clear community and household rights, public PES is a viable option. China's experience in this regard would be instructive.

- As carbon markets are established they must also account for unpredictable events – fires, disease, hurricanes – that will disrupt emissions calculations. Who should pay for emissions that are not directly cause by forest owners?

(2) Market Transitions: Pressures of global economic crisis and climate change are forcing a number of transitions in market. These transitions taking place in traditional wood markets as well as in the converging markets for fuel, fodder and fiber.

<u>Wood Markets</u>:

- British Columbia (B.C.) is currently confronted with a unique situation. It is facing the loss of 600 cubic meters of wood to insects and disease, often attributable to climate change stressors; and at the same time, due to the collapse of the U.S. homebuilding market, B.C. has lost upwards of 80% of its timber sales. The province's forests are as unhealthy as is its economic outlook. It is therefore trying to create a carbon offset program whose outcome will be dependent on negotiating tenure rights issues with its First Nations and ability to work across ministries.

- In Indonesia the national forest policy on wood markets is shifting: by 2014, the government will no longer allow harvesting in "natural forests" – only on plantations. After 2014, "natural forests" will be used only for non-timber forest products. The driving factor is increased demand from other countries for Indonesian timber. This situation may change however if Russia accelerates its harvest: what happens to the world market if Russia extracts 600 cubic meters of wood? What

happens to developing countries which need to cut wood to sustain their economic development? Increases in production in one part of the globe will intensify pressures in others.

- As Russia enacts its new Forest Code and develops its industry, it is faced with a number of interrelated issues of size, timing and method of harvesting timber. It is estimated that total possible area of timber harvesting in Russia is 635 million m^3 consisting of 268 million m^3 in the inaccessible zone, and 367 million m^3 in the accessible zone.

- The national management of Peru's 78 million hectares of forest is being revised, consistent with the government's commitment to strengthen the structure of the forest industry. This entails changes in the legal framework and institutional organization. In 2008, for example, the Ministry of Environment was created to manage natural protected areas totaling 18M hectares (on which no timber harvest is allowed); and the Ministry of Agriculture was restructured, with responsibilities for forest administration on 20M ha of national forests in which timber can be harvested. New strategies are being devised to address plantation forests; a compensation system is being developed for Avoided Deforestation; and the country is establishing a legal framework to encourage foreign investment; to date capital principally has flowed in from Britain and China.

- Participants noted as well that there are internal tensions within the major forested countries – the intense focus on deforestation in tropical countries is not matched by an equally close examination of the practices of developed countries such as Canada, Russia, and the United States; should not the loss of forest cover due to disease and fire in the north receive as close scrutiny as impact of harvesting in the south?

Convergence of Fuel Food and Fiber Markets: Convergence of markets for food, fuel and fiber is being driven by public policies relating to bio-energy and shifts in land use. These converging realities mean that the feed-stocks for food, fuel and fiber will all trade on the basis of their energy equivalency; feed-stocks that move up more than the price of product indicates that the money to be made is held by those who own that particular feedstock

What role is public policy playing in the convergence and in driving up of prices?

- EU has been focusing on development of bio-diesel and dramatic growth in bio-energy but is beginning to back down on the requirements for transport fuel (20% renewable energy use by 2020) because of concern over biofuels. These developments have significant implications for EU's wood supply? Wood prices will rise dramatically; wood pellets are being used to fire coal plants; and energy and forest products are in direct competition to fulfill EU policies

- US is also promoting mixed transportation fuels; over 1/3 of corn crop is used for ethanol. It is predicted that by 2020 US will use 70-200 million tons/year of wood energy products, suggesting a more dramatic rise in wood prices

- China has set up ambitious targets for renewable energy (15% by 2020). It needs to build roughly 1000 biomass plants by 2020 (6 per month estimated) to meet this target. Each of these plants would require supplies from thousands of farms which creates incentives for bio-energy plants/crops. The policy is to use marginal land for this purpose but the concern is that it will not remain restricted to "marginal land" and may necessitate important land-use decisions.

- These policies being pursued by major countries and trading blocks almost guarantee higher prices for wood (and food and energy). Moreover, land-use shifts will inevitably create more conflicts over land and use rights. Forest leaders will face these challenges whose origins lie in the decisions taken by other sectors.

- The downturn in U. S. housing market has reduced pressures for the development of forest land; is this the time to invest green infrastructure? Green forestry, green jobs, and a focus on the provision of ecological services might be the right tools to rebuild the global economy.

- The current crisis will have a positive impact on forestry. But the consequences and outcomes will vary depending on what forestry means for individual countries.

- Brazil believes the global economy is unpredictable and the forest industry is unpredictable, but is certain that climate change is happening and will impact everyone; investment in Amazon Fund is one way to make initial steps toward safe-guarding society from climate change; at times of crisis, people tend to shift toward real investments – forests as an asset are quite stable so maybe the investments on forests will grow?

- Investment in agricultural sector and productivity has decreased; there is potential to increase production in the southern hemisphere but it would be necessary to avoid land-use conflicts. What does this mean for potential REDD countries? Because Avoided Deforestation is the low-cost source, there may be significant downward pressure on the prices of carbon. It may necessitate re-evaluation of incentives for REDD.

(3) Forest Tenure in Transition: Establishing forestry's relevance to land-tenure reforms is as critical, because forest agencies have yielded to other actors and been made to yield to them on national and global levels. But for REDD (Reduced Emissions from Deforestation and Degradation) to succeed strong forest-land governance with land-tenure rights assured will be necessary prerequisites for determining who owns the carbon stored in forests and who will receive the funds that come for their maintenance. Although nine of the 30 countries that are considered to be REDD-ready have launched major land-tenure initiatives since 2002, 21 nations have not. Without these reforms and professional foresters in support of their operations it is difficult to foresee how REDD compliance will be achieved.

The discussion on the status of tenure and tenure reform included the following points made by government representatives.

- Indonesia faces many challenges regarding tenure. For example, REDD is very difficult to implement because the state does not grant ownership rights to communities (due to the government's interpretation of constitution and forest statutes). Land and natural resources are controlled by the state and the government has granted limited utilization rights to communities in some areas surrounding forests for a period of 60 years, and can be extended for 35 years. Last year, although the government announced a major scheme to allocate 9-13 million hectares for "community plantations", the response, so far, has been very poor-- a total of only 6000 hectares were transferred in 2008. This is likely symptomatic of unsettled institutional arrangements within the government and unclear market prospects for products. The government of Indonesia has formed an internal Tenure Working Group and has expressed interest in exploring collaboration with other institutions.

- China: Tenure reform has been a major priority of the Ministry of Forestry since 2007. This reform clarifies collective ownership and enables them to allocate tenure to households within the collective. In 2008, the government spent 2.4 billion Yuan (about 352 million USD) on collective forest reforms paying 1 Yuan/mu (15 Yuan/hectare) to local forest agency offices to cover costs of surveying, land certificates, etc.

- Brazil: Indigenous territories are widely recognized as playing a key role in maintaining forests and diminishing deforestation, since deforestation rates are lower on their lands than on public or private lands. Preventing deforestation and degradation is an emerging part of the rationale for recognition of Indigenous Peoples rights. On privately held lands, however, illegal deforestation is common. (Landowners are legally entitled to clear 20% of the forest on their land, but not more – yet they commonly clear far more than the 20%.) Clear tenure is a necessary but not sufficient condition for reversing deforestation trends. Gaining rights over the use of the resource along with economic incentives is critical to changing behavior. Geographical realities and historical patterns will also determine a nation's or region's strategies to achieve REDD.

- Canada: With land-tenure rights must come accountability and responsibility. The process must be transparent, too. As an example: when Canada's First Nations did not have tenure to the land, they tried to stop all logging with B.C. Now that they have gained some land rights (and will gain more in time), the First Nations want to reduce the forest management costs they now are bearing; and are eager to be in the forest business they were previously trying to shut down.

- US: USFS is making a major shift on public lands from timber concessions to longer-term community stewardship tenure whereby communities have management responsibilities but also directly benefit.

- In some countries, poverty is driving the decision to give user rights to the forest poor, but as India's "Tribal Act" suggests this might not immediately solve the problem of deforestation.

(4) Forest Agencies in Transition: Public-land agencies that manage forests have been rethinking their missions and their objectives**.** A part of this rethinking is reflected in the reallocation of forest lands for production and conservation purposes (see above) and another part is reflected in the reassignment of land between private, community, and public players. In addition, the agencies leaders are worried about the lack of emerging leaders in forest sector and about the inequity in access to emerging technologies which could assist several tasks faced by the agencies.

Digital Divide: Professor Nilsson's presentation sparked animated conversation about the need for real-time imagery; greater access to global satellite data; and for a speedier transmission of such data for fire-fighting, forestry management, and the monitoring of carbon value, deforestation, etc.

- Brazil mentioned the critical need to close the "digital divide" between the richer and poorer nations; to extend the public domain to include such public-funded satellite data; and noted that these images are key tools but not the only methods needed to fight fires in temperate forests and deforestation in tropical terrain;

- The United States observed that the need for instantly updated imagery would help better manage fires; and

- China noted that one dilemma of satellite imagery is that that the satellites follow fixed paths but that fires can blow up anywhere;

- Russia agreed that imagery data is incomplete and noted that it is not useful without longitudinal data to allow comparisons with GPS imagery across time.

Leadership Gap: There was a virtual unanimity amongst forest leaders that forest agencies are facing critical shortage of forest specialists, lower registration in forest colleges and a gap in future forest leadership.

- Of the 50,000 forest workers in Russia, only 30-35% has the requisite skills. It might take 20 years to generate the new leadership needed to lead a better educated, more professional workforce.

- In Indonesia, the future of forest leaders is unknown, for there are very few young people entering the profession of forestry. Many youth are moving to employment in more exciting economic realms. With the exception of carbon markets, forestry appears to be a "sunset investment."

- B.C. is facing steep challenge in terms of identifying the next generation of forest leaders. The projections by 2016 are that public forestry employment will be at 85% of current levels; by 2026 it will be at 60% of current levels. The clear challenge will be how to deliver public services in the context of a diminished staff.

In addition to these country-specific challenges there were concerns about forestry education: how are foresters being trained to respond to the challenges of climate change? Does their education contribute to the dilemmas contemporary foresters face in advancing their interests and expertise in international forums? Where is the profession going? Where is the next generation of foresters going to come from? How will they be educated for the related challenges posed by climate change, food, energy, etc.?

(5) History of Land and Forest Policy in the Amazon: Tasso Azevedo, "Brazil: Facts and Forests"

Organization of MegaFlorestais in Brazil provided the right opportunity to learn more deeply about the challenges facing the Brazilian Forest Service (BFS) and the people and land it serves. Tasso Azevedo discussed the physical geography, political structure, demographic complexity, and economic status of Brazil and detailed the size and significance of the Brazilian forest sector (six million jobs; 3.5% GDP; 8.5% exports; a key reality for thousands of communities).

This sector's impact in the legal Amazon is especially important because this single state accounts for nearly 50% of Brazil's entire land mass. Because the vast forested region has only recently been developed, Azevedo stressed two salient facts: 85% of its forested estate remains intact, but it has lost 15% in just the last 30 years. The pressures are emanating from the south of the country; most of the loss of forest is attributable to its conversion for agricultural production; and at present deforestation is most visible along

rivers and roads. Making the situation more complex is the fact that while 75% of all land in the Amazon is public, its status and extent is not always clear, legally or otherwise. Surveying these lands and determining their ownership and purpose is a critical component of BFS' work.

Founded in 2006 to promote sustainable development in the use and conservation of forest resources and services, BFS has developed two strategic development goals:

Strategic Action 1: Expand Forest Plantations based on reforestation of degraded lands.
Strategic Action 2: Expand the sustainable management of natural forest in harmony with the protection of high conservation-value ecosystems.

To achieve these ends, it has created a series of policy tools - incentives (financial, technical assistance, and technological), and regulatory devices (laws and enforcement).

The agency has outlined six steps to reforming the forest sector, including:

- Making forestry a priority
- Enroll stakeholders in forest policy development
- Create the legal framework for the sustainable management of Public Forests
- Address sustainable forest development in the government
- Create a mechanism to fund the efforts
- Decentralize the responsibility for and actions on forests

BFS has also advocated for the creation of National Forest Fund to help underwrite its efforts; these funds, in combination with the recently announced Amazon Fund to which the Norwegian government has committed $1B, will be targeted at slowing the rate of deforestation in the Amazon.

4. Wrap-up Session & Recommendations for Next Steps

At an informal wrap-up session participants discussed the structure and format of the meeting and shared their ideas about how it might be improved. There was strong agreement that the design of the meeting worked very well, including the use of the Chatham House Rule; they applauded the invitation of a small set of leaders on a personal, rather than institutional, basis, and wanted the total numbers of participants kept to a minimum to facilitate more forthright conversations. There were also a number of specific suggestions for important subjects and approaches that MegaFlorestais 2009 might address. These included:

- governance issues (e.g. structural reforms, monitoring technology, and increasing accountability and transparency)
- bio-energy development and market updates
- REDD and emerging markets for ecosystem services
- providing more time for formal group interactions and break-out sessions
- notifying participants of topics to be discussed in advance to build greater consensus at the meeting

Doug Konkin, Deputy Minister, British Columbia Ministry of Forests and Range, offered to host the next meeting of MegaFlorestais in BC in October 2008. Participants gratefully accepted the offer and requested that RRG work with Canadian representatives to organize the next meeting.

MegaFlorestais 2008 also agreed:

1. To support a pilot program, named the International Forest Leaders Seminar, to be hosted by USFS at Grey Towers in the spring 2009. It will be designed to build continuity in MegaFlorestais by inviting "next generation" leaders to attend this annual event.
2. To call for the presence of public agency foresters in climate change discussions at all international forums
3. To consult with one another about how to influence the deliberations at the United Nations Framework Convention on Climate Change
4. To stress the need for open-access to all publicly funded satellite imagery that will enable public forest agencies, NGOs and other relevant organizations to better monitor and assess the condition of global forests

All participants expressed their gratitude to the Brazilian Forest Service for hosting MegaFlorestais 2008; to the Rights and Resources Group for organizing and facilitating the meeting; and to the various sponsors for underwriting the event. Participants agreed on the value of MegaFlorestais in facilitating and encouraging

the free exchange of ideas and experiences between forest agency leaders and as a possible source of a new, shared vision of the roles of forest agencies in the future. And they all looked forward to the opportunity to meet in British Columbia in 2009.