

**Memorandum of Cooperation
between
The Secretariat of the Convention on Biological Diversity
and
The Council of the Inter-American Biodiversity Information Network**

This Memorandum of Cooperation is entered into by and between the Secretariat of the Convention on Biological Diversity (hereinafter “the Secretariat”) and the Council of the IABIN (hereinafter “the IABIN Council”),

Recalling paragraph 3 of Article 18 of the Convention on Biological Diversity that provides for the establishment of a Clearing-House Mechanism;

Recalling decision II/3 by which the Conference of the Parties decided that the clearing-house mechanism should be developed in close cooperation with relevant international organizations and entities as active partners in the clearing-house mechanism to maximize the existing experience and expertise;

Recalling also decision II/3 by which the Conference of the Parties decided that the clearing-house mechanism should be developed by enhancing networking between existing national, regional, subregional and international centers of relevant expertise, as well as governmental and non-governmental institutions and the private sector;

Recalling further decision IV/2 by which the Conference of the Parties acknowledged the need to establish a reliable network of existing and evolving biodiversity institutions and initiatives that can serve the needs and demands of Parties, not only during the pilot phase but also in the long term;

Recalling Article 31 of the Summit of the Americas on Sustainable Development (held in Santa Cruz, Bolivia, in December 1996) through which countries “seek to establish an Inter-American Biodiversity Information Network, primarily through the Internet, that will promote compatible means of collection, communication, and exchange of information relevant to decision-making and education on biodiversity conservation, and that builds upon such initiatives as the Clearing-House Mechanism provided for in the United Nations Convention on Biological Diversity, the Man and the Biosphere Network (MABNET Americas) and the Biodiversity Conservation Information System (BCIS), an initiative of nine IUCN programs and partner organizations”;

Recognizing the need to cooperate in order to promote coordination and collaboration towards the goal of enhancing global access to biodiversity information;

Have agreed as follows:

Article 1
Objective

The objective of this Memorandum is to establish a framework for collaboration between the Inter-American Biodiversity Information Network (IABIN) and the Clearing-House Mechanism (CHM) of the Convention on Biological Diversity to further common goals. These goals include facilitating the development and implementation of technologies and best practices necessary in order to share knowledge and information relevant to biodiversity conservation and sustainable management. The activities undertaken through this Memorandum of Cooperation (hereinafter “MOC”) will promote the exchange of scientific and technical knowledge and augment scientific and technical information capabilities of the Parties to this MOC and their constituents.

Article 2
Responsibilities of the IABIN

The IABIN will:

- 2.1 Work collaboratively with the Secretariat on the development of plans for the implementation of the IABIN as a regional initiative supporting the objectives of the CHM;
- 2.2 Collaborate with the Secretariat to promote adoption of interoperability standards for the exchange of data and technical information;
- 2.3 Collaborate, as appropriate, with the Secretariat in the elaboration, development and implementation of programs pertaining to the promotion and use of biodiversity information and management tools;
- 2.4 Participate, as appropriate, in workshops, working groups, and other activities organized by the CHM to address capacity-building, technical approaches, policy issues and other concerns of mutual interest to the IABIN and to the CHM;
- 2.5 Promote relevant cooperative research, training activities, technical exchange of specialists and other opportunities for professional interaction among participants concerned with biodiversity information exchange;
- 2.6 Share with the Secretariat, within the limits of available resources, expertise pertaining to distributed interoperable networks and metadata;
- 2.7 Promote awareness of the CHM by making information about CHM activities, technical approaches, and information resources available through the IABIN communication channels;

- 2.8 Facilitate the effective participation of the Secretariat in the IABIN activities by inviting the Secretariat to name a representative to the IABIN who may participate in the IABIN Executive Committee as an observer;
- 2.9 Facilitate, as appropriate, the effective participation of the Secretariat in the management of joint activities developed under this Memorandum of Cooperation.

Article 3
Responsibilities of the Secretariat

The Secretariat will:

- 3.1 Work collaboratively with the IABIN, as appropriate, to develop plans for the implementation of the IABIN as a regional initiative supporting the objectives of the CHM;
- 3.2 Collaborate with the IABIN to promote adoption of interoperability standards for the exchange of data and technical information relevant to biodiversity conservation under the CHM;
- 3.3 Collaborate, as appropriate, with the IABIN in the elaboration, development and implementation of programs pertaining to the promotion and use of biodiversity information and management tools;
- 3.4 Participate, as appropriate, in workshops, working groups, and other activities organized by the IABIN to address capacity-building, technical approaches, policy issues and other concerns of mutual interest to the IABIN and the CHM;
- 3.5 Promote relevant cooperative research, training activities, technical exchange of specialists and other opportunities for professional interaction among participants concerned with biodiversity information exchange;
- 3.6 Share with the IABIN, within the limits of available resources, expertise pertaining to distributed interoperable networks and metadata;
- 3.7 Promote awareness among the Parties to the CBD of the IABIN by making information about IABIN activities, technical approaches, and information resources available through Secretariat communication channels;
- 3.8 Facilitate the participation of the IABIN in CHM activities by inviting IABIN representation on CHM committees and working groups;
- 3.9 Facilitate, as appropriate, the effective participation of IABIN in the management of joint activities developed under this Memorandum of Cooperation.

Article 4
Execution

- 4.1. The execution of this Memorandum will be effected through annexures relating to specific activities agreed upon by the Parties under this MOC.
- 4.2. Such annexures will form an integral part of this Memorandum.

Article 5
Disclaimer

Information transmitted by one Party to the other Party under this MOC shall be as accurate as possible, but the transmitting Party does not warrant the suitability or authenticity of the information transmitted for any particular use or application by the receiving Party or by any third party.

Article 6
Planning and Review of Activities

The Parties to this MOC shall designate representatives who, at times mutually agreed upon by the Parties, shall review the activities being carried out under this MOC.

Article 7
Settlement of Disputes

Any dispute between the Secretariat and the IABIN Council arising out of the interpretation or execution of this Memorandum shall be settled by negotiation. If the Parties to this MOC are unable to reach agreement, the dispute shall be settled through arbitration in accordance with the Arbitration Rules of the United Nations Commission on International Trade Law (UNCITRAL) as at present in force.

Article 8
Entry into Force, Amendment and Termination

- 8.1 The present Memorandum will enter into force upon signature by the Executive Secretary of the Convention on Biological Diversity and the Chair of the IABIN Council.
- 8.2 Any amendment to this Memorandum will be effected only on the basis of written consent of the Secretariat and the IABIN Council.

- 8.3 This Memorandum may be terminated by either Party giving six-months written notice.
- 8.4 The termination of this MOC shall not affect the validity or duration of the projects under this MOC that are initiated prior to such notification.

THE PARTIES HEREBY EXECUTE THIS MEMORANDUM OF COOPERATION, EFFECTIVE UPON THE DATE OF SIGNATURE.

Convention on Biological Diversity

Inter-American Biodiversity
Information Network

s/ Hamdallah Zedan June 25, 2002

s/ Gladys Cotter May 7, 2002

Hamdallah Zedan Date
Executive Secretary

Gladys Cotter Date
IABIN Council Chair