

**Memorandum of Cooperation  
Between  
the Smithsonian Institution [SI]  
for the Ecosystem Thematic Network  
and  
The Inter-American Biodiversity Information Network [IABIN]**

This Memorandum of Cooperation (hereinafter “MOC”) is entered into by and between the Smithsonian Tropical Research Institute (hereinafter “STRI”), an operational unit of the Smithsonian Institution of the United States, established in Panama to increase and diffuse knowledge among humankind, recognized by the government of the Republic of Panama as an International Mission and the **Inter-American Biodiversity Information Network** (hereinafter “**IABIN**”). STRI is represented by Dr. Eldredge Bermingham and IABIN is represented by Gladys Cotter, Chair of the IABIN Executive Committee (IEC).

*Recalling* Initiative 31 of the Plan of Action of the Summit of the Americas on Sustainable Development held in Santa Cruz, Bolivia, in December 1996, which called on the governments of the Hemisphere to take actions “to establish an Inter-American Biodiversity Information Network (IABIN), 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”;

*Considering* that the Rules of procedure adopted at the First Meeting of the IABIN Council Miami, Florida, USA, December 13-14, 1999 designated the IEC to guide effectively the operations of IABIN and to execute the policy decisions of the Council, to execute the decisions of the Council, and to make operational policy decisions and commit network resources to facilitate projects;

*Recalling* that IABIN was strongly supported in the Ministerial communiqué to the Heads of State and delegations attending the Summit of the Americas which led to the endorsement of IABIN in the April 2001 Québec Presidential Summit Plan of Action.

*Advance hemispheric conservation of plants, animals and ecosystems through, as appropriate: capacity building, expanding partnership networks and information sharing systems, including the Inter-American Biodiversity Information Network;*

*Recalling* Article 1 Paragraph 4 of the Rules of Procedures of IABIN which mandates it to participate in developing strategies for biodiversity information management in collaboration with other global and regional initiatives to fulfill its mandate to protect, enhance, and utilize biodiversity information most effectively.

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

*Have agreed as follows:*

#### Article 1

##### Objective

- 1.1 The objective of this MOC is to establish a framework for collaboration between IABIN and STRI, in which the latter will function as the IABIN Ecosystem Thematic Network (TN) Coordinating Institution to further common goals.
- 1.2 These goals include facilitating the development and implementation of the Ecosystem Thematic Network, based on the priorities for the TN endorsed by the IABIN Council to promote the sharing of data, knowledge, information, technologies, and best practices relevant to biodiversity conservation and sustainable management within the Americas.
- 1.3 The activities undertaken under this MOC will promote the exchange of scientific and technical data and augment scientific and technical information capabilities of the Parties to this MOC and their constituents, as well as promote the participation and involvement of other organizations and institutions in the Ecosystem Thematic Network as envisioned by, but not limited to, IABIN principles and the Proposed Scope for Participation of National Organizations in the IABIN Thematic Networks (Annex I).

#### Article 2

##### Responsibilities of IABIN

IABIN will:

- 2.1 Collaborate with the Ecosystem Thematic Network Coordinating Institution and facilitate their activities under the IABIN framework to enable the sharing of data, knowledge, information, technologies, and best practices relevant to biodiversity conservation and sustainable management within the Americas;
- 2.2 Collaborate with the Ecosystem Thematic Network Coordinating Institution in the implementation of activities referred to in Article 1.2, following the guidelines and priorities for the TN endorsed by the IABIN Council;
- 2.3 Participate, as appropriate, in workshops, working groups, and other activities organized by the Ecosystem Thematic Network Coordinating Institution and that are aligned with IABIN's objectives;
- 2.4 Facilitate, as appropriate, the effective participation of the Ecosystem Thematic Network Coordinating Institution in IABIN activities, including the IABIN Council Meetings;
- 2.5 i) Collaborate with the Ecosystem Thematic Network Coordinating Institution to seek out and facilitate funding for the TN, in particular a potential grant from the

World Bank/GS/OAS/GEF Project in accordance with the objectives of said project and the fundraising roles established there; ii) ensure and facilitate synergies with the other IABIN TNs; iii) recognize on IABIN's website and other promotional literature the role of Ecosystem Thematic Network Coordinating Institution as the lead organization in the Ecosystems TN.

### Article 3

#### Responsibilities of the Ecosystem Thematic Network Coordinating Institution

The IABIN Ecosystem Thematic Network Coordinating Institution will:

- 3.1 Submit an annual work plan pursuant to the establishment of the Ecosystem Thematic Network to be approved by the IEC and implement said plan.
- 3.2 Elaborate and submit to the IEC an annual report of progress of the execution of the annual work plan
- 3.3 Collaborate with IABIN to establish an effective coordination with other IABIN Thematic Networks in order to ensure the implementation of an overall interoperable network;
- 3.4 Collaborate with IABIN to seek out and facilitate funding for the TN;
- 3.5 In coordination with IABIN, actively promote and encourage the participation and incorporation of other interested organizations and institutions in the Ecosystem Thematic Network activities as set forth in Article 1.3 of this MOC and when needed for specific funding opportunities, create consortia of partners;
- 3.6 Collaborate with IABIN to enable the sharing of data, knowledge, information, technologies, and best practices relevant to biodiversity conservation and sustainable management within the Americas;
- 3.7 Collaborate with IABIN to promote adoption of interoperability standards for the exchange of data and technical information relevant to biodiversity conservation within the Americas;
- 3.8 Collaborate with IABIN in the elaboration, development and implementation of programs pertaining to the promotion and use of biodiversity information and management and decision support tools within the Americas;
- 3.9 Collaborate with IABIN in the promotion of the integration of biodiversity and geospatial data in the development of value-added decision support tools within the Americas;

- 3.10 Participate, as appropriate, in workshops, working groups, and other activities organized by IABIN;
- 3.11 Attend and participate in the IABIN Council Meetings as network resources allow it or complementary funds are obtained;
- 3.12 Promote relevant cooperative research, training activities, technical exchange of specialists, and other opportunities for professional interaction among participants concerned with biodiversity information exchange within the Americas;
- 3.13 Facilitate the effective participation of an IABIN designate in the management of joint activities developed under this MOC;
- 3.14 Ensure that all CI promotional and outreach activities in support of the Ecosystems Thematic Network (web sites, publications, reports, pamphlets, posters, etc.) include the IABIN logo. Logos of the CI and all contributing institutions, as appropriate, should be included as supporting institutions to this IABIN activity;
- 3.15 Operate a website only under the domain name and technical design guidelines to be provided by the Secretariat.

#### Article 4

##### Execution

- 4.1. The IABIN Secretariat is hereby designated as the lead for executing IABIN's responsibilities under this MOC. Members of the IABIN Executive Committee (IEC) and IABIN Focal Points (FPs) may also participate directly in the execution of this MOC.
- 4.2. Future annexes may be agreed upon by the parties and included in this Memorandum and will form an integral part of this MOC.
- 4.3. The execution of the potential IABIN GEF Project financial resources and its technical requirements for the establishment of the Ecosystem Thematic Network will be governed by an Agreement with the GS/OAS, as Executing Agency of the "Building IABIN" GEF Project.

#### Article 5

##### Disclaimer

- 5.1 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.
- 5.2 The Parties of this MOC declare that they do not form a legal society, joint enterprise or any other kind of merchant society, and that the main purpose of the

parties is not to establish a for-profit commercial enterprise. Any kind of duties or taxes or legal or administrative responsibility that could derive from this agreement will be the individual responsibility of the parties, according to their individual legal status.

#### Article 6

##### Planning and Review of Activities

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

#### Article 7

##### Settlement of Disputes

7.1 Any dispute between the Parties arising out of the interpretation or execution of this MOC or breach thereof shall be settled by direct negotiation.

#### Article 8

##### Non Exclusive Agreement

8.1 This MOC does not preclude STRI or IABIN from entering into similar agreements with other organizations, for the same or alike purposes

#### Article 9

##### Entry into Force, Amendment and Termination

9.1 The present MOC will enter into force upon signature by the Representative of the Smithsonian Tropical Research Institute and the Chair of the IEC and will have a duration of 36 (thirty six) months, after which it can be extended to additional periods as agreed upon by the parties;

9.2 This MOC shall remain valid until it is terminated as described under Paragraph 9.5;

9.3 Any amendment to this MOC will be effected only on the basis of written consent of the Parties;

9.4 This MOC may be terminated by either Party giving at least six-month written notice or shorter period, if mutually acceptable to all Parties. Such termination shall not carry any financial liability to any of the Parties in regard to this specific MOC;

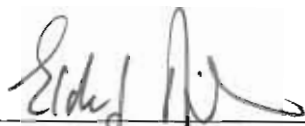
9.5 The termination of this MOC shall not affect the validity or duration of projects or other agreements that the Ecosystem Thematic Network Coordinating Institution may have initiated prior to such notification;

9.6 Upon termination, the Ecosystems Thematic Network Coordinating Institution shall cease to represent itself as a representative of IABIN or its Ecosystems Thematic Network. In case the CI is unable to continue with the execution of this agreement, all products and materials including intellectual property rights, software, databases, website domains and its content, files and hardware, and tools acquired or developed through the implementation of this agreement shall be returned in certified good and workable conditions at no cost to GS/OAS, as Executing Agency of the Building IABIN GEF Project. At the same time, the GS/OAS will grant the SMITHSONIAN a nonexclusive, nontransferable, irrevocable royalty-free license to use these same products and materials.

**THE PARTIES HEREBY EXECUTE THIS MEMORANDUM OF COOPERATION, EFFECTIVE UPON THE DATE OF SIGNATURE,** in two (2) copies of the same effect, one (1) for each party..

Smithsonian Tropical Research Institute

Inter-American Biodiversity  
Information Network



---

Dr. Eldredge Bermingham  
Date: August 7, 2006  
Deputy Director, STRI

---

Gladys Cotter  
Date  
IABIN Council Chair

## **Annex 1. Proposed Scope for Participation of National Organizations in the IABIN Thematic Networks**

- All national organizations will be able to participate as users of the data available through IABIN
- The national organizations that possess data could make them available through one or more of IABIN Thematic Networks as Data Providers
- Are encouraged to interact with the IABIN National Focal Point and are welcomed to present their views at IABIN Council Meetings
- Are encouraged to submit proposals for the matching grants to digitize data under each of the thematic networks and the catalog, when the call for proposals opens
- Are encouraged to submit proposals to develop decision-making tools when the bidding process for these tools opens.
- Some of the national organizations will be consulted in the process of establishing one or more of the thematic networks (a representative sample will be selected)
- Some of the national organizations will be consulted in the selection of participants for the Thematic Working Group (TWG) of one or more of the thematic networks (a representative sample will be selected) and it is possible that one person from the organization be selected to participate in the TWG
- Will be consulted to identify existing data for the thematic network(s) of their specialty, what format the data is under, etc, and about the minimum number of data to be included in the reporting format for users (a representative sample will be selected)
- Will be consulted on the definition of criteria for data quality in their area of specialty (a representative sample will be selected)
- Will be consulted about the definition of criteria for the selection of experts to be included in the Expert Database of each of the Thematic Networks (a representative sample will be selected) and will be asked to submit names of experts to be included in these
- A representative participation from each country will be sought in the workshops and other capacity building activities
- Some national organizations will be asked to participate in testing and evaluating the prototype interfaces and data digitizing tools in their area of specialty