



Convention on Biological Diversity

Distr.
GENERAL

UNEP/CBD/SBSTTA/14/INF/11
24 April 2010

ENGLISH ONLY

SUBSIDIARY BODY ON SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL ADVICE

Fourteenth meeting

Nairobi, 10-21 May 2010

Item 3.4 of the provisional agenda*

IMPROVING ACCESS TO THE BIODIVERSITY-RELEVANT DATA AND INFORMATION NECESSARY FOR SUPPORTING EFFECTIVE ASSESSMENT AND DECISION MAKING

Note by the Executive Secretary

1. The Executive Secretary is circulating herewith, for the information of participants in the fourteenth meeting of the Subsidiary Body on Scientific, Technical and Technological Advice, a note seeking to promote improved access to the biodiversity-relevant data and information necessary for supporting effective assessment and decision making.
2. This report has been prepared by the Secretariat for the Conservation Commons, hosted by the World Conservation Monitoring Centre of the United Nations Environment Programme (UNEP-WCMC). It includes in its annex the Charter of the Conservation Commons.
3. The document is circulated in the form and language in which it was received by the Secretariat of the Convention on Biological Diversity.

I. INTRODUCTION

4. Timely access to the best available data, information and knowledge on biodiversity is well recognised as an essential prerequisite for successful conservation efforts, and for helping to ensure that those developing policy and taking decisions do so with the best understanding of the implications of their decision for biodiversity and ecosystem services. Such data, information and knowledge underpins many of the activities being discussed and decided upon by the Conference of the Parties to the Convention on Biological Diversity¹.

* UNEP/CBD/SBSTTA/14/1

¹ In May 2008, decision IX/15 of the ninth Conference of the Parties to the Convention on Biological Diversity invited Governments and relevant organizations to take note of the “*need for further improvement of the availability and interoperability of biodiversity data and information*”; and also “*to make data and analytical tools widely available*”.

Decision IX/30 of the above mentioned meeting also calling for enhancing clarity, user-friendliness, efficiency, interoperability, and data comparability and further collaborate with key partner organizations, inter alia The Global Biodiversity Information Facility for the management of biodiversity data and the United Nations Environment Programme and its related institutions for biodiversity issues and knowledge management;

5. Parties, government agencies, conservation organizations, scientists and the private sector have all amassed impressive datasets on a wide range of issues relating to species, ecosystems, protected areas, and the related human and natural environmental. The problem is that in many cases these assets are still not openly accessible, and even when they are they may not be available to the broader community because the available tools are insufficient to ensure access to them in a meaningful way.

6. This situation clearly needs to be addressed, and 2010, as the year designated by the United Nations as the International Year of Biodiversity, provides a major opportunity for the international community to put greater focus on removing the barriers which are limiting the accessibility and availability of biodiversity-relevant data and information. In addressing this issue there is significant opportunity for the Convention on Biological Diversity (CBD) to play a catalytic role, working in collaboration with other key players.

II. BACKGROUND

7. Access to data and information has long been an area of concern, and was one of the issues addressed at the United Nations Conference on Environment and Development in Rio de Janeiro, Brazil in 1992. Chapter 40 of Agenda 21 recognised the importance of data in the management of sustainable development, but in doing so also highlighted the fact that even where data is available it may not be easily accessible. Meanwhile, Principle 10 of the Rio Declaration sought to address one of the potential barriers to access to information by declaring that “each individual shall have appropriate access to information concerning the environment that is held by public authorities”.

8. This issue has also been addressed by the UNEP Governing Council/Global Ministerial Environment Forum when discussing the strengthening the scientific base of UNEP. Decision 25/1/II “emphasizes the need for greater cooperation with and among existing bodies to make more efficient use of existing infrastructures, data, mechanisms and tools to enhance interoperability among systems”, much of which is concerned with increased access to and availability of data and information.

9. Article 17 of the Convention on Biological Diversity calls on Parties to “facilitate the exchange of information from all publically available sources, relevant to the conservation and sustainable use of biological diversity, taking into account the special needs of developing countries”.

10. In decision VIII/11 on Scientific and technical cooperation and the clearing-house mechanism, the Conference of the Parties (COP) to the Convention on Biological Diversity (CBD) invited Parties and other Governments, as appropriate, to provide free and open access to all past, present and future public-good research results, assessments, maps and databases on biodiversity, in accordance with national and international legislation (para 3).

11. However the fact that more work needs to be done to achieve this is evidenced by Decision IX/15 of the Conference of Parties (COP) to the Convention on Biological Diversity (CBD) which *inter alia* invites Parties, Governments and other relevant organizations to consider “the usefulness of providing, whenever possible, free and open access to all past, present and future public research results, assessments, maps and databases on biodiversity”.

12. In October 2009, participants at the second ad hoc intergovernmental and multi-stakeholder meeting on an intergovernmental science-policy platform on biodiversity and ecosystem services convened by UNEP discussed the gaps, needs and options for improving the use of science in decision making. The gap analysis submitted by UNEP² concluded that “while progress has been made, there remain significant barriers to the effective use of existing data and knowledge resulting from institutional and technical impacts on both the availability of data and information and on the ability of users to gain access to such data and information in meaningful ways”.

13. At the same meeting the Group of Latin American and Caribbean Countries (GRULAG) submitted an information paper on capacity building for improving the use of science in decision

² UNEP/IPBES/2/INF/1.

making.³ This covered a range of identified needs, but prominent amongst them was the need for open access to data and information.

14. Recognising that there were continued concerns with access to data and information, even amongst like-minded organizations, a group of conservation and scientific organizations met at the Third IUCN World Conservation Congress in Bangkok, in 2004. This meeting led to the establishment of the Conservation Commons as a collaborative partnership between institutions seeking to address the challenges that individual organizations and institutions face in sharing and increasing access to data and information. The UNEP World Conservation Monitoring Centre (UNEP-WCMC) currently provides the secretariat to the Conservation Commons.

15. The Conservation Commons is founded on three fundamental Principles, which interested organizations and individuals have been invited to review and formally endorse:⁴

- a. Open Access: The Conservation Commons promotes free and open access to data, information and knowledge for conservation purposes.
- b. Mutual Benefit: The Conservation Commons welcomes and encourages participants to both use resources and to contribute data, information and knowledge.
- c. Rights and Responsibilities: Contributors to the Conservation Commons have full right to attribution for any uses of their data, information, or knowledge, and the right to ensure that the original integrity of their contribution to the Commons is preserved. Users of the Conservation Commons are expected to comply, in good faith, with terms of uses specified by contributors and in accordance with these Principles.

16. This is also an area of concern for the scientific community. In 2000, concerned about proposals to the World Intellectual Property Organization (WIPO) and various legislatures to introduce a new form of intellectual property protection for the contents of databases, the International Council for Science (ICSU) and its Committee on Data for Science and Technology (CODATA) prepared a set of principles for dissemination of scientific data.⁵ Prominent amongst these is the principle that scientific advances rely on full and open access to data.

17. As a result of these concerns a number of organizations are actively facilitating improved access to particular types of data, and prominent amongst these is the Global Biodiversity Information Facility which has been working since 2000 to increase access to species observation records through improved information infrastructure, support for increased use of tools, standards and protocols, and capacity building.

18. In 2008, concern that there were still many barriers to access to data and information led IUCN members meeting at the World Conservation Congress in Barcelona to pass both a resolution calling on IUCN to develop a clear in-house policy and strategy for the management of biodiversity data, information and expert analysis consistent with the Principles of the Conservation Commons,⁶ and a recommendation calling on IUCN Members to ensure open access to all non-sensitive biodiversity data collected through conservation efforts and scientific research.⁷

19. The spread of the Internet has been enormously helpful in improving opportunities for sharing data, information and knowledge. However, despite the Internet, despite the many programmes, networks and institutions collecting and managing data at all levels, and despite a far more clearly understood need for data and information, there remain a number of barriers to more effective use of biodiversity

³ UNEP/IPBES/2/INF/6.

⁴ A list of those organizations that have endorsed the Principles is identified in the Annex.

⁵ ICSU/CODATA paper on Access to Databases: A set of Principles for Science in the Internet Era.

⁶ WCC Resolution 4.012 on IUCN policy and strategy for the management of biodiversity data and information.

⁷ WCC Recommendation 4.108 on open access to biodiversity data and information.

information, even where it already exists. These barriers, which result in data availability and data access varying significantly from one part of the world to another, include:⁸

- a. cultural barriers, which lead to an unwillingness to share data;
- b. lack of standardization, which makes it more difficult to combine data from multiple sources;
- c. insufficient incentive for those collecting and managing data to make it available to others;
- d. cost of digitization where the data concerned is still only available in hard copy;
- e. lack of information on datasets, on how data was collected and subsequently handled; and
- f. insufficient tools for providing meaningful access to data.

III. WAY FORWARD

20. The United Nations General Assembly has identified 2010 as the International Year of Biodiversity, and many activities are planned with the explicit intention of “bringing greater international attention to bear on the issue of the continued loss of biodiversity”.⁹ However data and information are fundamental to understanding of the status and trends in biodiversity, and understanding the results of human interaction with biodiversity. It is therefore vital in the International Year of Biodiversity to bring increased attention to bear on removing the barriers to more effective use of biodiversity data and information.

21. The international community is involved in a range of activities and initiatives that are specifically concerned with the need to collect, manage and use biodiversity data, including, for example: global, regional and thematic assessments; follow up to the Millennium Ecosystem Assessment; discussion on establishment of an Intergovernmental Panel on Biodiversity and Ecosystem Services; support for implementation of biodiversity-related Multilateral Environmental Agreements; and so on. There are many similar activities at the national level.

22. Currently the United Nations Environment Programme provides the secretariat to the Conservation Commons through the UNEP World Conservation Monitoring Centre (UNEP-WCMC), and has already been working with the Conservation Commons Steering Committee to develop a new agreement and modus operandi intended to increase the effectiveness of the Conservation Commons in promoting open access to data and information. In order for this to happen the following activities need to take place:

- a. A review of the barriers to open access to data and information, including the barriers relating to different user and provider communities, and barriers associated with geographic location and socio-economic status;
- b. Development of a strategy and workplan for addressing these barriers to open access to data and information, with the intention of removing the barriers, wherever possible and appropriate, by the year 2015 at the latest;
- c. Implementation of this strategy and workplan to the extent possible.

23. Removing these barriers is essentially a collaborative task that will involve many stakeholders, but it is an essential task if we are to ensure the improved access to data and information that is essential to science and assessment, and to decision making at all levels. UNEP-WCMC working with the Conservation Commons anticipates working with many key CBD stakeholders in addressing this issue.

⁸ UNEP/IPBES/2/INF/1

⁹ UN General Assembly A/RES/61/203

IV. SUGGESTED ACTION BY THE SUBSIDIARY BODY ON SCIENTIFIC, TECHNICAL AND TECHNOLOGICAL ADVICE

24. The Subsidiary Body on Scientific, Technical and Technological Advice may wish to recommend the Conference of the Parties at its tenth meeting the adoption of a decision along the lines suggested below:

The Conference of the Parties (COP) to the Convention on Biological Diversity (CBD),

Recalling the emphasis placed in Agenda 21 on bridging the data gap and improving data availability¹⁰, and the many references to data collection and sharing in the Plan of Implementation of the World Summit on Sustainable Development,

Recalling also decision 25/1/II of the United Nations Environment Programme Governing Council/Global Ministerial Environment Forum on strengthening the scientific base of the United Nations Environment Programme, which emphasized the need for greater cooperation with and among existing bodies to make more efficient use of existing data, and of mechanisms for sharing and increasing access to it,

Noting Article 17 of the Convention on Biological Diversity, which recognizes the importance of sharing information, and Decision IX/15 of the Conference of the Parties on follow-up to the Millennium Ecosystem Assessment, which calls for free and open access to data on biodiversity, and collaboration in making that data accessible,

Noting also that participants at the Second *ad hoc* Intergovernmental and Multi-stakeholder Meeting on an Intergovernmental Science-policy Platform on Biodiversity and Ecosystem Services emphasized the need for free and open access to biodiversity related data, information and knowledge in order to support decision making,^{11,12}

Noting also that the importance of access to data has been recognized as a key issue in a number of other international fora, including by the World Conservation Congress¹³ and the International Council for Science,¹⁴

Recognizing the role already being played by the members of the Conservation Commons, and by organizations such as the Global Biodiversity Information Facility, in attempts to substantially increase access to data,

Being aware that, despite this level of concern and interest, barriers to effective access to data and information remain,

Having considered the note by the Executive Secretary on improving access to the data and information necessary for supporting effective assessment and decision making (UNEP/CBD/SBSTTA/14/INF/11),

Welcomes the initiation of the Friends of the Conservation Commons, and the development of a Charter, as part of the implementation of the Principles of the Conservation Commons, and invites Parties, other Governments, relevant organizations, scientists and other relevant stakeholders to support this initiative;

Requests the Executive Secretary to continue collaborating with the Members of the Friends of the Conservation Commons and to undertake a review of the barriers to free and open access to biodiversity

¹⁰ Agenda 21, Chapter 40 Information for Decision Making

¹¹ UNEP/IPBES/2/4/Rev.1

¹² UNEP/IPBES/2/INF/6

¹³ WCC Resolution 4.102, and WCC Recommendation 4.108

¹⁴ ICSU/CODATA paper on Access to Databases: A set of Principles for Science in the Internet Era

related data and information, working with the Signatories of the Conservation Commons and other interested organizations;

Requests the Executive Secretary to prepare a strategy for removal of these barriers by 2015, and to begin to implement this strategy;

Invites Parties, other Governments and relevant organizations to work with the Executive Secretary in addressing this task;

Invites Parties, other Governments and relevant organizations in a position to do so to provide extrabudgetary resources for the above-mentioned activities.

Annex

Charter of the Friends of the Conservation Commons



Friends of the Conservation Commons

Charter

With this *Charter*, the undersigned organizations establish the *Friends of the Conservation Commons*, a collaborative partnership of organizations dedicated to furthering the *Principles* of the *Conservation Commons*, subject to rules and conditions stated below.

WHEREAS the concept of a global *Conservation Commons* was formed through the individual and institutional commitment of a group of conservation and scientific organizations, who first met in 2004 with the goal of addressing barriers to access for essential data and information, which barriers impeded biodiversity conservation efforts.

WHEREAS mechanisms (including a set of principles and a website) and an organisation designed to give more concrete form to the *Conservation Commons* were developed and implemented through a collaboration of institutions seeking ways to collectively address challenges to access and use of conservation knowledge resources by individual organizations and institutions.

WHEREAS activities and operations in support of the *Conservation Commons* involve substantial commitments of time, funding and other resources, investments should be based on mutual trust and a consensual, well-articulated understanding of the importance of shared knowledge to effective conservation.

NOW, THEREFORE, the Charter *Members* of the *Friends of the Conservation Commons* agree as follows:

I. Mission

The *Mission* for the *Friends of the Conservation Commons* is:

1. ***The Friends of the Conservation Commons will promote and enable conscious, effective and equitable sharing of knowledge resources to advance conservation based on the Principles of the Conservation Commons.***

The three fundamental *Principles of the Conservation Commons* are:

1. ***Open Access:*** *The Conservation Commons promotes free and open access to data, information and knowledge for conservation purposes.*
2. ***Mutual Benefit:*** *The Conservation Commons welcomes and encourages participants both to use resources and to contribute data, information and knowledge.*
3. ***Rights and Responsibilities:*** *Contributors to the Conservation Commons have full right to attribution for any uses of their data, information, or knowledge, and the right to ensure that the original integrity of their contribution to the Commons is preserved. Users of the Conservation Commons are expected to comply, in good faith, with terms of uses specified by contributors and in accordance with these Principles.*

2. Terminology

For purposes of this Charter, the following terms shall be defined as follows:

“*Friends of the Conservation Commons*” – refers to the collaboration being created under this Charter to further the *Principles of the Conservation Commons* subject to the rules and conditions of this Charter.

“*Member*” – as written with initial capital letter, refers to any organisation or individual that becomes a formal *Member of the Friends of the Conservation Commons*, under Article 4, until such membership shall cease. *Members* will be specifically identified by category upon application for membership as:

- a) *International not-for-profit organization*
- b) *National or local not-for-profit organization*
- c) *For-profit organization*
- d) *Governmental organization*
- e) *Intergovernmental organization*
- f) *Individual: individuals unaffiliated with other categories of membership*

“*Host Institution*” – refers to the appointed *Member* under Article 7.

“*Coordinator*” – a staff position appointed and supported by the *Host Institution* and reporting to the *Steering Committee*.

“*Principles*” – refers to the *Principles of the Conservation Commons*.

“*Signatory*” – refers to any organisation that has formally endorsed the *Principles* and has consented to be publicly named as a *Signatory of the Principles*.

“*Steering Committee*” – refers to a committee elected by *Members* whose decisions provide oversight of the *Friends of the Conservation Commons*, as described in Article 6.

3. Objectives

The objectives of the *Friends of the Conservation Commons* shall be as follows:

- (a) to encourage and support the application of the *Principles*;
- (b) to promote the development of standards, tools and incentives that support free and open access to conservation-related data, information, and knowledge;

- (c) to eliminate barriers to free and open access to conservation-related knowledge resources – that is, to data, to information and to knowledge; and
- (d) to develop and authorise the use of the *Conservation Commons* logo and other tools.

4. *Membership*

Membership in the *Friends of the Conservation Commons* shall be as follows:

- (a) Organizations (whether not-for-profit, for-profit, governmental or intergovernmental), and individuals may become a full member of the *Friends of the Conservation Commons*, if the following criteria are met:
 - i. They become a *Signatory*¹⁵ to the *Principles* of the *Conservation Commons*;
 - ii. They pay annual membership dues in an amount set forth in a *Schedule of Annual Membership Dues*, determined by decision of the *Steering Committee* on a periodic or annual basis;
 - iii. In the case of *Organizational Members*, they agree to participate in a peer review process evaluating the progress they have made toward implementing the *Principles* as described in Article 8;
 - iv. In the case of *Individual Members*, they are not affiliated with any *Organizational Member*; and
 - v. The *Steering Committee* has approved membership.
- (b) The *Steering Committee* shall set the first *Schedule of Annual Membership Dues*, at its first meeting, which shall be held not earlier than two months following the adoption of this *Charter*.
- (c) *Members* may terminate membership at any time with written notice to the *Coordinator*.

5. *Duties expected of Members*

Each *Member* commits to a good faith effort to:

- (a) Satisfy membership criteria;
- (b) Adhere to the *Principles*;
- (c) Undertake and/or actively support activities of the *Friends of the Conservation Commons*.

¹⁵ Institutional signatories of the Conservation Commons include the following: Alexander von Humboldt Institute (Colombia); American Museum of Natural History; BIONet International; BirdLife International; BP; Centre for International Forestry Research; Centro de Referência em Informação Ambiental (Brazil); Chevron-Texaco; CONABIO (Mexico); Conservation Biology Institute; Conservation International; DIDG Information Systems; Digital Library of the Commons; Environmental Systems Research Institute (ESRI); Erawan Interactive Digital Publishing; ETI BioInformatics; Flora & Fauna International; Global Biodiversity Information Facility; Global Invasive Species Programme; Inter-American Biodiversity Information Network (IABIN); IUCN, The International Union for Conservation of Nature; Knowledge Management Online; NASA (USA); National Biodiversity Institute of Costa Rica (INBio); National Biological Information Infrastructure (USA); National Geographic Society; Natural History Museum (UK); NatureServe; Open Source International; RedHat; Rio Tinto; Shell; South African National Biodiversity Institute; The Nature Conservancy; The Smithsonian Institution; The Society for Conservation GIS; TRAFFIC International; UNEP World Conservation Monitoring Centre; United Nations Development Programme; United Nations Educational, Scientific and Cultural Organization; Wildlife Conservation Society; WWF Brazil; WWF International; Zoological Society of London.

6. *Steering committee*

- (a) A *Steering Committee* for the *Friends of the Conservation Commons* will be elected by the *Organizational Members* of the *Charter*;
- (b) The *Steering Committee* will be composed of up to 15 elected members with a maximum of three representatives from each of the five Organisational categories of Membership;
- (c) Elections:
- i. Voting for membership of all the categories shall be open to all *Organizational Members*.
 - ii. *Steering Committee* members will serve a four-year term with possibility of re-election for one additional four-year term.
 - iii. *Elections* will be held at the same time as the IUCN World Conservation Congress (currently every quadrennium).
 - iv. *Nominations* to the *Steering Committee* will occur within a reasonable time prior to the election (time to be determined by the *Coordinator* and the *Steering Committee*).
 - v. The *Coordinator* will be responsible for conduct of the elections subject to the availability of funds and also to the advice and consent of the *Steering Committee*.
- (d) The *Coordinator* as well as the chief executive of the *Host Institution*, as described in Article 7 below, shall serve as ex-officio members of the *Steering Committee*;
- (e) The *Steering Committee's* operational structure and *Rules of Procedure* shall be determined by vote of its members. The *Responsibilities of the Steering Committee* shall be as follows:
- i. Elect its own *Chair* and other officers on an annual basis.
 - ii. Set its own *Rules of Procedure*, including specifically the rules for adopting Annexes on the issues specified in the *Charter*, and the rules governing amendments of the *Charter*.
 - iii. Designate the *Host Institution*, as described in Article 7.
 - iv. Undertake the following in conjunction with the *Host Institution* and *Coordinator*:
 - a) oversee and take direct action in promotion of the *Principles* including development of grants, fundraising and solicitation of donations, grants and contracts on behalf of the *Friends of the Conservation Commons*;
 - b) promote signature and adherence of the *Principles*;
 - c) monitor and report on developments and practices in implementation of the *Principles*;
 - d) maintain active current awareness of issues and developments affecting the *Conservation Commons* or the *Principles*;
 - e) develop mechanisms for maintaining contacts and coordination of the *Conservation Commons*-related activities among *Signatories* of the *Principles*;
 - f) offer advice to *Signatories* and non-signatories regarding matters relevant to the *Conservation Commons*;
 - g) oversee use of the *Conservation Commons* logo;
 - h) oversee use of a *Conservation Commons* licence;
 - i) review and approve the annual report of the *Coordinator* regarding the functional, substantive and institutional operations of the *Friends of the Conservation Commons*;
 - j) conduct regular reviews of operations and maintain oversight;

- k) propose amendments to this *Charter* as needed from time to time;
 - l) conduct a biennial (once every two years) self-review.
- v. Appoint such subcommittees and working groups as shall be required to meet its responsibilities. Membership of such working groups may include invited individuals or organizations that are not *Members*.
- (f) The *Steering Committee* shall hold meetings at least once a year. The *Rules of Procedure* shall state the mechanism by which the venue of meetings shall be set, including whether and when meetings must be face-to-face, and when they can be held by telephonic conference, electronic or mail communication, or any other option;
- (g) The *Steering Committee* will normally meet in open session but may meet in closed “executive session”, when confidentiality is determined to be required by *Steering Committee* decision;
- (h) *Members* of the *Friends of the Conservation Commons*, may attend and observe meetings (without vote) of the *Steering Committee* with prior notification to the *Coordinator* in good time in order to accommodate them logistically;
- (i) Non-member observers and/or expert advisors may attend and observe/participate (without vote) in the *Steering Committee* at the invitation of the *Steering Committee*.

7. *Host institution*

- (a) The *Steering Committee* shall designate one *Organizational Member* to serve as *Host Institution* of the *Friends of the Conservation Commons*. The duties of the *Host Institution* will be:
- i. Appoint or second, subject to ratification by the *Steering Committee*, an individual to serve as *Coordinator* of the *Friends of the Conservation Commons*;
 - ii. Provide workspace and support to the *Coordinator* and such staff as may be engaged to support the *Coordinator*'s work;
 - iii. Receive, hold, manage and dispense funds in a transparent manner following generally accepted principles of accounting for such funds;
 - iv. Serve as the formal address of the *Friends of the Conservation Commons*, for purposes of all communications.
- (b) Subject to the availability of funds, the duties of the *Coordinator* shall be as follows:
- i. Coordinate with the *Steering Committee* and provide support to its meetings;
 - ii. Sit as a non-voting ex-officio member of the *Steering Committee*;
 - iii. Oversee any permanent, temporary, part time or seconded staff of the *Friends of the Conservation Commons*;
 - iv. Issue statements on behalf of the *Conservation Commons*, subject to direction from and/or approval/ratification by the *Steering Committee*;
 - v. Undertake management of the activities and funds of the *Friends of the Conservation Commons* in accordance with the Objectives in Article 3, above;
 - vi. Provide (on behalf of or through the *Host Institution*) an annual report to the *Steering Committee* regarding the activities undertaken, which shall include:
 - a) an evaluation of the status of *Members*' adherence to the *Principles*;
 - b) financial situation of the *Friends of the Conservation Commons*;
 - c) other matters the *Coordinator* or *Steering Committee* shall deem relevant.

- vii. Take primary responsibility for the work of the *Friends of the Conservation Commons*, in conjunction with the *Steering Committee*, and with support from the *Members* and other *Signatories*, as set forth in *Articles 5* and *6*, including especially the tasks set out in 6.e.iv.
8. *Periodic Review of Each Organizational Member's Implementation of the Principles of the Conservation Commons*
 - (a) The *Friends of the Conservation Commons*, through the *Steering Committee* or a subcommittee created for this purpose, shall conduct a periodic evaluation of *Organisational Members* to evaluate their progress made toward implementing the *Principles*, and provide assistance and advice regarding further progress;
 - (b) The methodology, standards and indicators to be used in this evaluation, as well as the underlying purposes, uses, and processes for that evaluation, shall be set forth in a document that shall be adopted (and amended, from time-to-time) by the *Steering Committee* in close consultation with *Members*;
 - (c) Results of any organisation's peer review will not be distributed outside of the *Steering Committee* or the subcommittee referred to in subsection (a) without the organization's consent.
 9. *Other provisions*
 - (a) This *Charter* shall create a collaboration hosted by the *Host Institution*, and nothing contained herein shall create a legal partnership, joint venture or entity;
 - (b) Nothing in this *Charter* shall be construed to create a joint and several liability between the *Members*. Consequently, no *Member* or member of the *Steering Committee* shall be held responsible for costs, commitments or liabilities of other *Members*, the *Friends of the Conservation Commons*, or the *Host Institution*, except by that organization's or individual's written consent;
 - (c) Except as provided in this paragraph, in the event that necessary funds or other resources are not available for the activities described in *Article 7*, the *Coordinator* and/or the *Host Institution* shall bear no responsibility for failure to take actions that were authorised or approved by the *Steering Committee* to be funded by the *Friends of the Conservation Commons*. In that event, the *Host Institution* shall be responsible:
 - i. for either maintaining or cancelling all registrations or other legal status documents for the *Friends of the Conservation Commons*, with formal notice to the *Steering Committee*;
 - ii. for submitting a final report under *Article 7* clause b.vi; and
 - iii. for providing notice to all *Members* as well as to any persons or organizations transacting business with the *Friends of the Conservation Commons*.
 - (d) This *Charter* may be amended by vote of the *Members* voting through their *Steering Committee* members, unless the *Steering Committee Rules of Procedure* shall authorise some other process.
 - (e) This *Charter* shall only be terminated in the event of either:
 - i. a legal order requiring termination;
 - ii. complete inactivity of the *Friends of the Conservation Commons* for a period of one year;
 - iii. replacement by a superseding instrument; or
 - iv. a decision of two thirds of the *Steering Committee*.

(f) Upon termination, all funds, activities, and properties of the *Friends of the Conservation Commons*, and all rights regarding the use of the *Conservation Commons* name, licences and logo, shall be concluded and disposed of in accordance with applicable law or any legal agreement(s) binding the *Host Institution*.

(g) This *Charter* shall be interpreted and enforced under the laws of the country of the *Host Institution*.

(h) This *Charter* shall become a binding document upon execution by at least three qualified *Organizational Members*. Any other organisation may become a *Signatory* and a *Member* of this *Charter*, if it formally agrees to this *Charter* within one year of that date. Apart from the historical fact of signing this *Charter*, there shall be no difference between *Charter Members*, and those *Members* who have subsequently applied successfully for Membership of the *Friends of the Conservation Commons*.
