

BIOTA AFRICA Data Sharing Protocol

It is a main aim of BIOTA AFRICA to make data which are obtained and analysed by the different disciplines available to other subprojects within BIOTA AFRICA as well as to other researchers, organisations, and institutions world wide that have a bona fide interest in the information. The accessibility of data is seen as an important precondition for a fruitful co-operation and the most effective use of data processed by BIOTA AFRICA.

The aim of this protocol is: (a) to ensure the distribution and analysis of scientific data obtained by BIOTA; (b) to set an equal treatment guideline for every scientist and/or institution involved; and (c) to guarantee the scientific/institutional copyright of self-reliantly collected and processed data. The mentioned aims are often in conflict. Therefore, this protocol sets unambiguous rules to avoid problems with respect to data use and data sharing.

All BIOTA AFRICA scientists and co-operation partners recognise the conditions of this protocol also vicarious for their staff members by their signature.

1. BIOTA AFRICA database access policy

1.1 Information access policy requirements

The information access policy requires that:

- Information sets may be subject to specific conditions;
- Any information should be acknowledged for its source(s) (BIOTA and author(s)); published information must be cited;
- Information should not be handed to a third party without prior agreement from BIOTA AFRICA or the scientist or institution who generated (or collected) the data;
- It should be used only for specified purposes such as teaching, scholarship, research, criticism, commentary, and news reporting; the purpose has to be clearly stated within the application;
- Information is free of charge, however, handling and data manipulation fees may be required (more so to commercial users than fellow research scientist);
- Information should be readily available to any person who helped collect or collate it (i.e., there should be mutual reciprocation);
- Access to information is subject to the format in which data are available at the time (except where the applicant agrees to the cost of conversion into a different format or in a format the user wants to supply it in e.g. Word instead of database to make it harder to incorporate into a database or spreadsheet).

1.2 Information restrictions

Access to the following categories of information can be restricted by the BIOTA AFRICA Data Management Group:

- Exact location or localities of sensitive specimens or materials;
- Threatened species' locations;
- Sensitive archaeological, cultural, historical or habitat location;
- Anything that may be stolen or traded illegally;
- Information on rare or pharmaceutical species;

- Information on indigenous traditional knowledge or practices;
- Sensitive information used in management decision (but with realistic time lines);
- Information that will allow financial gain;

These restrictions are suggested because such information may become globally available without due procedures. The BIOTA AFRICA Data Management Group should decide what information is restricted, but in keeping with the notion that information sharing will promote reciprocation.

Commercial use of information or alternative use resulting in income generation partially or wholly through access to and/or manipulation of BIOTA AFRICA information is prohibited without permission from the BIOTA AFRICA Data Managing Group.

Full credit should be given to the author(s) in all cases. More sensitive information can be mentioned with only a contact name given.

2. Use of content from the BIOTA AFRICA web site.

At the web site the following data will be made available in a meta-database:

- general information on the methods and procedures applied by BIOTA AFRICA
- a detailed list of the data, their quality and format available in sub-data bases

Access to and use of text, photographs and other files on the BIOTA AFRICA web sites are subject to the following terms and conditions:

2.1 Copyright laws protect contents

The BIOTA AFRICA scientists retain all rights, including copyrights in data, image, text, and any other information contained in these files.

Scientists or institutions who generated (oder collected) the data, image, text, and any other information are allowed to use this information without restrictions, subject to agreements made between the institutions and scientists involved in BIOTA AFRICA, agreements with co-operation partners, applicable national legislation, and international conventions.

It is expressly prohibited to copy any protected material on this web site, except for the purpose of fair use as defined in the copyright laws, and as briefly described below.

2.2 Fair use

Fair use of copyright material includes the use of protected material for non-commercial education purposes, such as teaching, scholarship, research, criticism, commentary, and news reporting. Unless otherwise noted, users who wish to download or to print text and image files from the web site for such uses are welcome to do so without expressed permission. Users must cite the author and source of this material as they would cite and acknowledge material from any printed work; the citation includes the URL of the BIOTA AFRICA web site.

As referring to international scientific standards, co-authorship has to be offered to the providing scientist/institution if appropriate due to the amount and the relevance of the provided data.

By downloading, printing, or otherwise using text and image files from this web site users agree that they will limit their use of such files to fair use, and will not violate BIOTA AFRICA's or any other party's proprietary rights.

2.3 Misuse of information

Misuse here is taken as information used for purposes other than that for which it was given, published without permission, or used without acknowledgement.

Misuse may result in the following courses of action:

- The institute or individual involved may be blacklisted and all local and foreign institutions/agencies alerted to this fact. Further data access will then be denied.
- The institute's director or funding agency in the case of many foreign scientists and consultants can be informed and asked to take appropriate action.
- Publish rebuttals of misused or poorly interpreted data, thereby shaming the original user on the Web Site.
- Legal action under existing copyright and constitutional law, locally and internationally.

3. Application procedure for BIOTA AFRICA information

All requests for BIOTA AFRICA information not available within the public domain or not based on individual agreements with BIOTA scientists or institutions according to 1.1 point 3 must be directed...

... in writing in consultation with the Head Office of BIOTA AFRICA (c/o Botanical Institute and Botanical Garden, University of Hamburg, Ohnhorststrasse 18, 22609 Hamburg, Germany, Fax: ++49-40-42816-539 or contact@biota-africa.org). The application will be evaluated by the Data Management Group of BIOTA AFRICA. Any agreement should be signed by the Head of BIOTA Southern Africa, BIOTA West Africa or BIOTA East Africa, respectively. The respective heads of the BIOTA AFRICA regional groups have to make sure that data access is in agreement with the respective author(s)/scientist(s). The application should be unambiguous regarding proposed use, information, requirements, and institutional affiliation of the applicant. Data provided by BIOTA AFRICA have to be treated in the manner described in paragraph 2.

The information restrictions outlined above should be considered before application. Well-motivated appeals related to conditions of supply or refusal of requests should also be directed to the Head Office of BIOTA AFRICA for re-evaluation. In cases where no agreement can be reached between BIOTA AFRICA and the applicant, appeals may be directed to the BMBF/ DLR-PT (contact: Dr. Lothar Quintern) for arbitration.

4. BIOTA AFRICA internal sharing and use of data

The demanded sharing of data between different regional groups or subproject within BIOTA does generally not require the same application procedure as described in paragraph 3.

Nevertheless, a written agreement (e.g. email or memo) between the respective subproject leader(s)/author(s) about the nature of the exchanged data and the intended use should be reached.

All regulations mentioned in paragraph 2 (fair use, copyright, co-authorship, and misuse of information) are applicable to BIOTA Africa's internal data sharing and use.

5. Use of external data by BIOTA AFRICA

If BIOTA AFRICA uses scientific information obtained by researchers or institutions not directly involved in the BIOTA project, naturally, BIOTA AFRICA will handle these data in the same manner as required for the use of data obtained by BIOTA AFRICA.

This includes the following unless otherwise agreed in individual data sharing agreements:

- BIOTA AFRICA members have to submit an application that is unambiguous regarding proposed use, information, requirements, and institutional affiliation of the applicant;
- Fair use of data: BIOTA AFRICA users will cite the author and source of the material as they would cite and acknowledge material from any printed work;
- Provided information will be used for restricted purposes within the BIOTA research design only such as teaching, scholarship, research, criticism, commentary, and news reporting;
- The purposes will be clearly announced within a specified agreement between BIOTA AFRICA staff member(s) and the provider;
- At any time data are included in a publication, co-authorship will be offered by BIOTA AFRICA staff if appropriate due to the amount and the relevance of the provided data as referring to international scientific standards
- Provided information will not be handed over to third parties by BIOTA AFRICA without prior agreement from the providing scientist/institution;
- BIOTA AFRICA members will obey all copyright laws;
- BIOTA AFRICA members will not use provided information commercially without prior agreement from the providing scientist/institution.

First name _____ Surname _____

Telephone _____ e-mail _____

Institution _____

Address _____

Thus done and signed at _____ on this

the _____ day of _____ 2007.

Responsible researcher