



*Mekong River Commission*

**For Sustainable Development**

**MEKONG RIVER COMMISSION  
GUIDELINES ON CUSTODIANSHIP AND  
MANAGEMENT OF THE  
MEKONG RIVER COMMISSION  
INFORMATION SYSTEM**

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# MEKONG RIVER COMMISSION GUIDELINES ON CUSTODIANSHIP AND MANAGEMENT OF THE MEKONG RIVER COMMISSION INFORMATION SYSTEM

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# **MEKONG RIVER COMMISSION GUIDELINES ON CUSTODIANSHIP AND MANAGEMENT OF THE MEKONG RIVER COMMISSION INFORMATION SYSTEM**

The member countries of the Mekong River Commission (MRC) recognise that the objectives of the "**Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin**" signed in Chiang Rai, Thailand on 5<sup>th</sup> April 1995 (hereinafter referred to as the "Mekong Agreement") can only be achieved when its implementation is supported by the acquisition, updating, and exchange of the necessary data and information for planning, development, and monitoring purposes.

At its Eighth Meeting held on 01 November 2001 in Bangkok, Thailand, the MRC Council approved the Procedures for Data and Information Exchange and Sharing (hereinafter referred to as the Exchange and Sharing Procedures).

As provided in the Exchange and Sharing Procedures, a series of technical guidelines and standards need to be developed. These Guidelines on Custodianship and Management (hereinafter referred to as the Guidelines) have been developed under the provisions of Clause 5.1 of the Exchange and Sharing Procedures in order to define the key operating principles and activities of data custodianship and management.

## **Section 1 – Management of the MRC Information System**

In order to provide data and information services to the MRC, its member countries, and projects and programmes, the MRC-Information System (hereinafter referred to as the MRC-IS) is being established. The MRC-IS is a structured communication and management system for data and information. Its ultimate goal is to support the activities (planning, development, decision making, and monitoring) in the framework of the Mekong Agreement. The MRC-IS includes the following components:

1. MRC-Integrated Database;
2. Models, and other data processing tools;
3. Institutional and technical mechanisms for data and information sharing and exchange;
4. People involved in developing, maintaining, and using the MRC-IS.

The MRC member countries entrust the MRC Secretariat with the management of the MRC-IS.

In order to achieve an effective management, the Information System Design and Implementation Team (ISDIT) comprising of representatives of MRC Secretariat divisions/programmes and those of National Mekong Committees (NMCs) has been established, with functions and responsibilities as defined in its Terms of Reference

(Annex I). Its goal is to help the MRC Secretariat in the development of technical guidelines and standards for all matters relevant to the implementation of, and in conformity with, the Exchange and Sharing Procedures.

## **Section 2 – Data and Information Custodianship**

### **2.1 Data and Information Custodianship**

MRC Secretariat shall be “Custodian of the MRC-IS” with duties as specified in the Procedures for Data and Information Exchange and Sharing.

NMCs/Line Agencies of each riparian country, as the ones that initially collect, process, and store the data and information to be exchanged and shared under the Exchange and Sharing Procedures, shall be “Primary Custodians”.

### **2.2 Rights and Responsibilities of custodians**

The MRC Secretariat in its role as the Custodian of the MRC-IS, holds data and information in the MRC-IS on behalf of the MRC member countries.

The Custodian of the MRC-IS, in consultation with the NMCs, and through the ISDIT, is responsible for determining appropriate standards for approval by the Joint Committee.

Each custodian shall develop and implement data management plans in order to ensure the continuity of collection, processing and maintenance of necessary data and information.

Each custodian is the authoritative source for the fundamental dataset(s) in its care.

Each custodian is accountable for the integrity of the data in its care and for maintaining agreed access even if the custodian contracts another party to collect some or all of the required data.

Each custodian shall establish and exchange metadata of the dataset(s) in their respective care in accordance with the approved standards.

### **2.3 Selection of Nominated Agencies as Primary Custodians**

Each NMC shall be responsible for the selection of custodians for the datasets in its country that are required for implementation of the Mekong Agreement. The MRC Secretariat, through ISDIT, may assist by the preparation of suggested selection criteria.

## **2.4 Scope of Data and Information**

MRC Secretariat, through ISDIT as appropriate, shall develop, issue and regularly update the detailed specification required for each of 12 major groups/types of data and information provided for in the Exchange and Sharing Procedures.

Collection or processing of additional and/or unavailable data and information that is required from time to time to facilitate MRC activities, programs, and projects, is subject to the agreement of the MRC Joint Committee as to procedures and cost sharing.

## **Section 3 – Obligations and Responsibilities of Users**

There are four classes of data and information users, each with varying obligations and responsibilities.

### **3.1 Internal Data and Information Users**

All bodies of the MRC (Council, Joint Committee, and Secretariat), NMCs and Line Agencies are internal data and information users and have full access to all data and information available in the MRC-IS.

Internal Data and Information Users shall respect the rights of the original data owner in relation to copyright, intellectual property and any specified confidentiality requirement, and acknowledge the source when appropriate on publication.

### **3.2 Other Data and Information Users**

#### **3.2.1 Commercial Data and Information Users**

These users are those who intend to use MRC-IS data and information for profit or other commercial gain. They include, but are not limited to the following:

1) *independent commercial data and information users* (such as a development company using MRC data to design a private commercial project).

Their use of the data and information shall be subject to a legally binding licence issued by the MRC Secretariat. This licence will be specific to the particular requirements of each situation and, among other things, may include:

- Permission to use from the original sources
- Limitations on publication
- Matters of intellectual property rights
- Fees and charges

2) *directly contracted commercial data and information users* (such as a consultant contracted by MRC Secretariat, or NMCs and Line Agencies).

Their obligations and responsibilities, including among other things, matters of copyright and intellectual property, will be specified by the terms of the standard contract of engagement.

3) *commercial data and information users associated with MRC partners* (such as a consultant contracted by a MRC partnership organization for MRC purposes).

For users contracted by MRC partners, their use of data and information shall be governed by a license issued by MRC Secretariat. To ensure this, the MRC Secretariat will include appropriate provisions in partnership agreements.

### **3.2.2 Research /academic or Civil Society Data and Information Users**

The regular conventions of international copyright shall be applied to these users.

The MRC Secretariat shall issue a license, in which conditions for use of data and information shall be specified, for these users.

The release of data and information by the MRC Custodian must be in accordance with the Objectives and Principles of the Exchange and Sharing Procedures.

### **3.2.3 Public Data and Information Users**

The MRC, in line with established policies, will make appropriate data and information available to the public through various media. No special obligations and responsibilities apply to the general public other than those provided by any applicable laws.

## **Section 4 - Implementation and Review of these Guidelines**

### **4.1 Implementation**

The MRC Secretariat, together with the NMCs, shall be responsible for implementation of these Guidelines.

The ISDIT shall serve as the forum for coordination between the MRC Secretariat and the NMCs for all matters relevant to the development and implementation of the MRC-IS, and shall help the MRC in the development of technical guidelines and standards in conformity with the Procedures for Data and Information Exchange and Sharing.

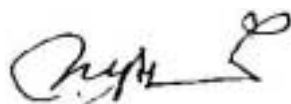
### **4.2 Review**

The MRC Secretariat shall be responsible for conducting a review of these Guidelines, and for making appropriate recommendations for further guidance and direction. This review, including recommendations, shall form part of the annual report to the Joint Committee and Council, required by the Exchange and Sharing Procedures.

In formulating the report, the MRC Secretariat needs to take into account the views of NMCs, other custodians, and users of exchanged and shared data and information, including the extent to which their needs are met.

Any proposed amendment, modification, or revision of these Guidelines is subject to the Joint Committee's approval.

Adopted by the Joint Committee on July 2002 at its 16<sup>th</sup> Meeting in Phnom Penh, Cambodia.



MRC Joint Committee Member for the Kingdom of Cambodia



MRC Joint Committee Member for the Lao People's Democratic Republic

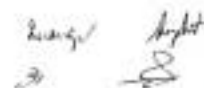


MRC Joint Committee Member for the Kingdom of Thailand



MRC Joint Committee Member for the Socialist Republic of Viet Nam

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Annex 1

Terms of Reference of the Mekong River Commission Information System  
Design and Implementation Team

Design/ *[Signature]*  
/ *[Signature]*



# **Mekong River Commission**

## **Information System Design and Implementation Team**

### **(MRC ISDIT)**

#### **Background**

In order to strive for the Vision, namely, "an economically prosperous, socially just and environmentally sound Mekong River Basin", the Mekong River Commission (MRC) aims to serve the Mekong riparian countries on the sustainable development of the Mekong River Basin water and related resources. One of the important means to achieve this Vision is to provide meaningful information to relevant partners. In July 2000, the MRC Secretariat started with the preparation for the development of the MRC Information System (MRC-IS). The system is intended to provide data and information services to the MRC, its member countries, and projects and programs. Hence, through the development of the MRC-IS, the MRC Secretariat aims to play a key role as a regional information hub, which will link partners through information networks, and which will provide them information services and products. The objectives of the development of the MRC-IS are:

1. To develop an integrated database;
2. To develop models to generate information and knowledge;
3. To develop institutional and technical mechanisms for data and information sharing and exchange;
4. To enhance capacity in the fields of data and information management.

In order to coordinate the technical development of the MRC-IS, a multidisciplinary team, with representatives from the MRC Secretariat and the NMCs, is set up and is referred to as the MRC Information System Design and Implementation Team (MRC ISDIT).

#### **1. Functions and responsibilities of the MRC ISDIT**

The MRC ISDIT shall serve as the forum for coordination between the MRC Secretariat and the NMCs for all matters relevant to the development and implementation of the MRC-IS, and shall help the MRC in the development of technical guidelines and standards in conformity with the Procedures for Data and Information Exchange and Sharing.

The MRC ISDIT is to assist the MRC Secretariat in:

1. Facilitating the design, development, and implementation of the MRC-IS;
2. Prioritising, formulating, and recommending data and information needs and updates;

3. Prioritising, drafting and recommending standards on, among other matters, format, classifications, data quality;
4. Prioritising, drafting, and recommending technical guidelines;
5. Planning and drafting delivery schedules;
6. Proposing modalities for data and information exchange and sharing;
7. Drafting data license agreements including obligations and responsibilities of users;
8. Preparing the annual report to the Council and Joint Committee as stipulated in the Procedures for Data and Information Exchange and Sharing; and
9. Undertaking other tasks as instructed by the Joint Committee.

## **2. Members**

The MRC ISDIT shall be composed of 02 members from each NMC and, 5 members from MRC Secretariat representing Technical Support Division (TSD), and relevant programmes. The members should have the following qualifications:

1. A broad knowledge on data management and information technology (IT), and, preferably, on general concepts regarding databases and Geographic Information Systems (GIS);
2. A good overview and experience on the linkages between NMCs and the line agencies, with the MRC Secretariat;
3. A good knowledge on the data/information availability within the MRC programmes, NMCs, and the line agencies;
4. Good coordination and communication skills;
5. Fluency in English.

Members of the MRC ISDIT are officially confirmed by the CEO of the MRC Secretariat after proper consultation with, and agreement from each NMC. Each NMC shall inform the MRC Secretariat on the change of its representatives in the MRC ISDIT.

## **3. Meetings**

The meetings of the MRC ISDIT shall be convened regularly as decided by its members. The Director of the TSD of the MRC Secretariat, and the Team Leader of the Database and GIS Team of the TSD, shall serve respectively as the Convener and the Secretary of the Meeting.

The MRC Secretariat shall cover the meetings' costs for all members.

## **4. Minutes of the meeting**

Minutes of each meeting shall be distributed to each member and placed in the MRC Secretariat LAN system.

## **5. Modification of the Terms of Reference**

The MRC Secretariat, after proper consultation with and agreement of the Secretary or Director General of each NMC, may recommend to Joint Committee for modification of these Terms of Reference.

11<sup>th</sup> of July 2002

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