Open Access in the European Research Area

Francesco Fusaro

Governance and Ethics Unit

Science, Economy and Society Directorate

Directorate-General for Research, European Commission

**8th Concertation meeting
Geneva, 5th November 2010**

European Research Area

Outline

- **Legal Basis**
- **ERA**
- **Role**
  - **Policy making body**
  - **Research Funding body**
  - **Capacity building/supporting body**
- **Some current projects**
- **Conclusions**
- **Next steps**

European Research Area

- **European Community Treaty ('Lisbon Treaty')**
  - Article 179
    - *The Union shall have the objective of strengthening its scientific an technological bases by **achieving a European Research Area in which researchers, scientific knowledge and technology circulate freely**, and encouraging it to become more competitive, including in its industry […].*
  - Article 180(c)
    - *"[…] the Union shall carry out the following activities, complementing the activities carried out in the Member States: […] - **dissemination and optimisation** of the results of activities in Union research, technological development and demonstration".*
  - Article 183
    - *"For the implementation of the multiannual framework programme the Union shall: - **lay down the rules governing the dissemination of research results**".*

European Research Area

A European Research Area

- **A Europe-wide space or 'single market' for research and innovation**
  - Free movement of knowledge ('Fifth freedom')
    - Knowledge circulation: access to, dissemination of and exploitation of publicly-funded research
  - ERA should set clear principles or rules regarding:
    - The management of intellectual property resulting from publicly funded research
    - Access to, and dissemination of publications and research data resulting from publicly funded research

- **Move towards policy measures to accelerate the realisation of ERA**

- **Policy-making body**
  - Launch and accompany policy debates at European level
  - Encourage Member States to take co-ordinated actions
- **Research funding body**
  - Set access and dissemination rules for EC-funded research (Framework Programmes)
- **Capacity-building/supporting body**
  - Fund relevant infrastructure, research and networking activities

European Research Area

Policy making body (1)

- **Consultation**
  - 2006: Study on the economic and technical evolution of the scientific publication markets in Europe
  - 2006: European Research Advisory Board (EURAB) report: scientific publication: policy on open access
  - 2007: Stakeholder conference '*Scientific publishing in the European Research Area*'; petition: Brussels Declaration
  - 2007: Green Paper on the future of the ERA
  - 2009: First Report of the European Research Area Board ("*We will know the ERA is a shared responsibility in 2030 when we see:* […] *All outputs of public, non-military funded research will be available via 'open access' to all concerned and interested*")

European Research Area

Policy making body (2)

- **Decision making and implementation**
  - Commission Communication COM(2007)56 on '*Scientific information in the digital age'*
  - Council Conclusions on '*Scientific information in the digital age'* (2007): Invitation to the European Commission to implement measures to:
    - Experiment with open access to scientific publications resulting from projects funded by the EU Research Framework Programmes
    - Support experiments and infrastructures with a cross-border added-value for access to and preservation of scientific information
    - Contribute to improved policy co-ordination between Member States and to a constructive debate between stakeholders
  - Commission Recommendation on the management of IP in knowledge transfer activities (COM(2008)1329)

Research funding body (1)

- **7th Framework Programme**

- **Key facts and figures**
  - 7th Framework Programme for Research and Technological Development (FP7)
  - Duration: Seven-year programme, 2007 to 2013
  - Budget: over €50 billion

- **Four main areas:**
  - <u>Co-operation</u>: all types of research
  - <u>Capacities</u>: infrastructures and policy
  - <u>Ideas</u>: frontier research (European Research Council)
  - <u>People</u>: mobility fellowships and career development

European Research Area

Research funding body (2)

- **The EC set its rules for access to research results financed through its Framework Programmes**
- **Experiment with Open Access in FP7**
- **Open Access (OA) free online access, for the user/reader, to <u>peer-reviewed publications</u> in scientific journals resulting from FP-projects**
- **What's at stake:**
  - All research builds on former work
  - Avoid duplication of research
  - Improve research uptake, usage and impact
  - Potentially improve return on investment in R&D & maximise socioeconomic impact
  - Free access to results funded by tax payers' money
  - European Research Area (ERA) & 5th Freedom: goal of free movement of knowledge in the ERA

European Research Area

- **"Gold" OA also referred to as paid OA, OA publishing or author pays model**
  - Costs for OA publishing are covered by authors (often via funding bodies or institutions)
  - Publication costs (including gold/author pays open access fees) are eligible for reimbursement
    - Legal reference: II.16.4 of FP7 Model Grant Agreement permits 100% reimbursement for "other activities" including open access publication
  - Research articles are immediately available open access upon publication

- **Limited to duration of project**
- **Uptake to be monitored during and at end of FP7**

Research funding body (3)

- **Open Access Pilot project in FP7 based on "Green" OA also referred to as self-archiving**
  - Covers ca. 20 % of FP7 budget (7 Themes)
  - Authors deposit final peer-reviewed manuscripts in repositories (open archives) and make it available in OA
  - 6 month embargo: Health, Energy, Environment, Information & Communication Technology (Cognitive systems/robotics), Research infrastructures (e-infrastructures)
  - 12 month embargo: Socio-economic Sciences Humanities and Science in Society
  - Applies during and after project ends

Research funding body (4)

- ## Special Clause 39
- **Grant agreements (GA) covered by pilot include Special Clause 39 (legal basis of OA Pilot)**
- **Special Clause 39 requires researchers to:**
  1. Deposit an electronic copy (published version or final manuscript) in an institutional or subject-based repository at moment of publication
  2. Make best efforts to ensure that this electronic copy becomes available open access (freely and electronically available to anyone):
     - immediately if the publication is published open access, or
     - within 6 or 12 months of publication, depending on area
- **Two steps: deposit and access treated separately**

European Research Area

Research funding body (5)

- **European Research Council (ERC)**
  - Peer reviewed scientific articles: deposit on publication and available open access no later than 6 months after later
  - Research data: essential that data be deposited, preferably immediately and no later than 6 months after publication
  - Preference for 'Green' open access ('Gold' also possible)
  - Guidelines apply during and after project duration

- **What Open Access is not (frequent misperceptions)**
  - An Open Access requirement is not a requirement to publish (researchers are free to publish or not)
  - Open access does not interfere with the decision to exploit research results commercially (e.g. patenting); discussion on open access comes *after* decision to publish has been taken
  - Open Access publications are not of a lower quality – they go through the same peer review process as other publications

Research funding body (7)

- **To date ~450 Grant Agreements**
- **Toolkit for researchers including model cover letter and model copyright agreement amendment to send to publishers**

Open Access Pilot in FP7:

- Leaflet "Open access pilot in FP7" [EN, pdf, 6122,9 KB] [more]
- Model cover letter for amendment to publishing agreement

  BG | CS | DA | DE | EL | EN | ES | ET | FI | FR | HU | IT | LT | LV | MT | NL | PL | PT | RO | SK | SL | SV

- Model amendment to publishing agreement

  BG | CS | DA | DE | EL | EN | ES | ET | FI | FR | HU | IT | LT | LV | MT | NL | PL | PT | RO | SK | SL | SV

- Guide to Intellectual Property Rules for FP7 projects pg. 15 – 18, section 7.3
- Guidance notes on Project Reporting, see especially pg 5, 25, 32
- OpenAIRE: Open Access Infrastructure for Research in Europe

European Research Area

Research funding body (8)

Quick guide for beneficiaries: **Publications** - *"Once a publication is introduced, the Co-ordinator may update or delete it and eventually change their order. That order will be kept when the list will be consolidated in the Final Report"*

Publications List

Title *	
Main Author *	
Title of the periodical or the series *	
Number, date or frequency *	
Publisher *	
Place of publication *	
Date of publication *	Syntax: dd/mm/yyyy
Relevant pages *	
Permanent identifiers (if available)	
Open access is/will be provided to this publication	Yes ⦿ No ○
Embargo period (months)	
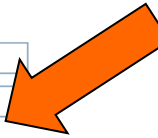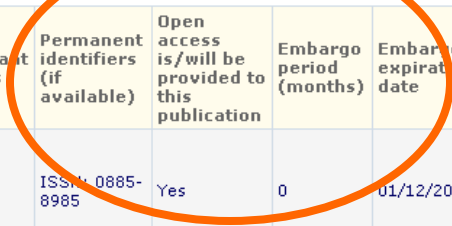
Add Publication   Cancel Edition

Project Publications

Nº	Title	Main Author	Title of the periodical or the series	Number, date or frequency	Publisher	Place of publication	Date of publication	Relevant pages	Permanent identifiers (if available)	Open access is/will be provided to this publication	Embargo period (months)	Embargo expiration date	Status	Actions	Order
1	Nanotechnology radar thermal management	Falessi C	Aerospace and Electronic Systems Magazine, IEEE	Volume: 24, Issue: 12	IEEE	NA	01/12/2009	11-16	ISSN 0885-8985	Yes	0	01/12/2009	VALIDATED	update delete	

Save Order

Research funding body (9)

Quick guide for beneficiaries: Final reporting *"The list of publications, applications for patent and exploitable foreground are consolidated and presented in the report based on the information registered during the course of the projects"*

In addition, please provide a list of all scientific (peer reviewed) publications relating to the foreground of the project, starting with the most important ones, in the table below.

Publications (peer reviewed)

TEMPLATE A - LIST OF SCIENTIFIC (PEER REVIEWED) PUBLICATIONS, STARTING WITH THE MOST IMPORTANT ONES

No.	Title	Main author	Title of the periodical or the series	Number, date or frequency	Publisher	Place of publication	Date of publication	Relevant pages	Permanent identifiers (3) (if applicable)	Is open access(4) provided to this publication	Embargo period (months)	Embargo expiration date
1	Nanotechnology radar thermal management	Falessi C	Aerospace and Electronic Systems Magazine, IEEE	Volume: 24, Issue: 12	IEEE	NA	01/12/2009	11-1	ISSN: 0885-8985	Yes	0	01/12/2009

Add or modify publications

Publications

(3) A permanent identifier should be a persistent link to the published version full text if open access or abstract if article is pay per view) or to the final manuscript accepted for publication (link to article in repository).
(4) Open Access is defined as free of charge access for anyone via the internet. Please answer "yes" if the open access to the publication is already established and also if the embargo period for open access is not yet over but you intend to establish open access afterwards.

✦ Section B (confidential)

The applications for patents, trademarks, registered designs, etc. shall be listed according to the template B1 provided hereafter.
The list should, specify at least one unique identifier e.g. European Patent application reference. For patent applications, only if applicable, contributions to standards should be specified.

TEMPLATE B1: LIST OF APPLICATIONS FOR PATENTS, TRADEMARKS, REGISTERED DESIGNS,UTILITY MODELS, ETC.

Type of IP Rights	Application reference(s) (e.g. EP123456)	Subject or title of application	Applicant(s) (as on the application)
Patent	EP1002055		Xenova Research Limited

Add or modify applications

Applications for patent

Please complete the table hereafter:

TEMPLATE B2: OVERVIEW TABLE WITH EXPLOITABLE FOREGROUND

Exploitable Foreground (description)	Short Title	Exploitable product(s) or measure(s)	Sector(s) of application	Timetable for commercial use	Patents or other IPR exploitation	Owner and Other Beneficiary(s) involved

ADDITIONAL TEMPLATE B2: OVERVIEW TABLE WITH EXPLOITABLE FOREGROUND

Exploitable foreground

Exploitable Foreground (description)	Explain of the Exploitable Foreground

Add or modify exploitable foregrounds

(5) In the table, for each row, please provide a text to explain the exploitable foreground, in particular:
- Its purpose
- How the foreground might be exploited, when and by whom
- IPR exploitable measures taken or intended
- Further research necessary, if any
- Potential/expected impact (quantify where possible)

Quick guide for beneficiaries: **Final reporting** *"Finally, the Report on Societal Implications (questionnaire) must be completed by responding to all questions"*

G. Use and dissemination

14. How many Articles were published/accepted for publication in peer-reviewed journals?	* 0
To how many of these is open access provided?	* 0
How many of these are published in open access journals?	* 0
How many of these are published in open repositories?	* 0
To how many of these is open access not provided?	* 0

Please check all applicable reasons for not providing open access:

☐ publisher's licensing agreement would not permit publishing in a repository

☐ no suitable repository available

☐ no suitable open access journal available

☐ no funds available to publish in an open access journal

☐ lack of time and resources

☐ lack of information on open access

If other - please specify	
15. How many new patent applications ('priority filings') have been made? *("Technologically unique": multiple applications for the same invention in different jurisdictions should be counted as just one application of grant).*	* 0

16. Indicate how many of the following Intellectual Property Rights were applied for (give number in each box).

Trademark	* 0
Registered design	* 0
Other	* 0

ch Area

Supporting body

Some current projects (1)

- **SOAP: Study of Open Access Publishing**
  - Survey researchers on their experiences with open access publishing & scenarios for the future (gold open access)

- **PEER: Publishing and the Ecology of European Research**
  - Investigate the effects of large-scale, systematic deposit in repositories (green open access)

- **OAPEN: Open Access Publishing in European Networks**
  - Develop and implement OA publication models for academic books in the social sciences and humanities

European Research Area

- **NECOBELAC: Network of collaboration between Europe and Latin American Caribbean countries**
  - Improve the production and dissemination of scientific information in public health & network of collaboration

- **EUROCANCERCOMS: Establishing an efficient network for cancer communication in Europe**
  - Aims to establish a single, efficient network for cancer communication in Europe for people involved in cancer: professionals, patients, politicians, industry

European Research Area

Conclusions (1)

- **Communication from the Commission: Europe 2020 - A strategy for smart, sustainable and inclusive growth (COM(2010)2020, 03.03.2010)**
  - A post-crisis European Commission's strategy for a vision of Europe's social market economy for the 21st century

- **Strategy to be drawn up for 2011 leading to policy measures**

- **Seven flagship initiatives *inter alia***
  - 'A Digital Agenda for Europe'
  - 'Innovation Union'

European Research Area

- **Communication from the Commission '<u>A Digital Agenda for Europe</u>' (COM(2010)245, 19.05.2010)**
  - Initiative to speed up the roll-out of high-speed internet and reach the benefits of a digital single market
  - Driving ICT innovation by exploiting the single market: "[…] *publicly funded research should be widely disseminated through Open Access publication of scientific data and papers";*
    "[…] the Commission will appropriately extend current Open Access publication requirements […]"

Conclusions (3)

- **Communication from the Commission 'Innovation Union' (COM(2010)546, 06.10.2010)**
  - Initiative to improve framework conditions and access to finance for research and innovation
  - Delivering the European Research Area:
    - Commitment 4: "*In 2012, the Commission will propose a European Research Area framework and supporting measures […]. They will notably seek to ensure through a common approach […] dissemination, transfer and use of research results, including through open access to publications and data from publicly funded research*"
  - Promoting openness and capitalising on Europe's creative potential:
    - Commitment 20: "*The Commission will promote open access to the results of publicly funded research. It will aim to make open access to publications the general principle for projects funded by the EU research Framework Programmes […]*".

European Research Area

Conclusions (4)

- **Policy-making body**
  - To mobilise and further engage Member States to undertake actions to ensure through a common approach dissemination, transfer and use of research results, including through open access to publications and data from publicly funded research
  - To promote open access to the results of publicly funded research

- **Research funding body**
  - To make open access to publications the general principle for projects funded by the EU research Framework Programmes

- **Capacity-building/supporting body**
  - To continue to support capacity-building activities and fund relevant infrastructure, research and networking activities

European Research Area

Next steps (1)

- **Workshop (November 2010) with Member States' representatives**
  - Hands-on policy workshop on open access and preservation based on exchange of views and debate
  - National experts are invited to be active part of a process aiming to develop an agenda for future common actions

- **Projects Workshop**

European Research Area

Next steps (2)

- **Reinforcing European strategies on access, dissemination and preservation of scientific information in the digital age (SiS.2011.1.3.1-1)**
  - To sustain/improve co-ordination of existing initiatives, to extend current activities to other countries and/or thematic areas, to put in place new/innovative co-ordination initiatives
  - Deadline 20.01.2011
  - Maximum requested EU contribution € 750 000
  - It is envisaged that two proposal will be financed
- **Study to develop a set of indicators to measure open access (SiS.2011.1.3.1-2)**
  - To define indicators and a methodology ensuring a yearly and sustainable monitoring of open access practices from 2000 onwards, to collect and analyse data that can trace the dynamics of open access in the European Research Area
  - Public procurement (Open procedure, first semester 2011)
  - Up to € 300 000

European Research Area

Resources

- **The EC and open access**
  - http://ec.europa.eu/research/science-society/open_access
- **Open access on CORDIS**
  - http://cordis.europa.eu/fp7/find-doc_en.html
- **Calls for proposals (Science in Society)**
  - http://cordis.europa.eu/fp7/sis/home_en.html

Thank you!
francesco.fusaro@ec.europa.eu

European Research Area