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**NOTE**

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From:	Presidency
To:	Delegations
No. prev. doc.:	5997/23
Subject:	Draft Council conclusions on high-quality, transparent, open, trustworthy and equitable scholarly publishing - Presidency text

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Delegations will find attached a Presidency text on the *draft Council conclusions on high-quality, transparent, open, trustworthy and equitable scholarly publishing* with a view to the Research Working Party meeting on 9 March 2023.

Changes in comparison to doc. 5997/23 are marked in **bold underline** for additions and in ~~strikethrough~~ for deletions.

**DRAFT COUNCIL CONCLUSIONS ON HIGH-QUALITY, TRANSPARENT, OPEN,  
TRUSTWORTHY AND EQUITABLE SCHOLARLY PUBLISHING**

THE COUNCIL OF THE EUROPEAN UNION,

RECALLING

- its Conclusions of 1 December 2015 on research integrity<sup>1</sup>, which recognised the importance of open science as a mechanism for reinforcing research integrity, and vice versa;
- its Conclusions of 27 May 2016 on the transition towards an open science system<sup>2</sup>, which **acknowledged** ~~underlined~~ that open science **has the** ~~is potentially a driver for~~ **to increase** the quality and impact of science to the benefit of society;
- its Recommendation of ~~18 January~~ **5 April** 2022 on building bridges for effective European higher education cooperation<sup>3</sup>, which underlined the importance of support for the piloting and testing of open-source solutions to overcome common challenges, thus contributing to the interoperability, digital readiness, data sovereignty and responsibility of higher education systems;
- its Conclusions of 10 June 2022 on principles and values for international cooperation in research and innovation<sup>4</sup>, which encouraged open science in order to seek reciprocal consolidation and dissemination of research results through frameworks and strategies focusing on open and immediate access to scientific publications, and supported the rights of researchers to publish, share, disseminate and communicate openly the results and data of their research, including through training and teaching, as well as to associate in representative professional or academic organisations without being disadvantaged by the system in which they work or by any censorship or discrimination;

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1 14853/15

2 9526/16

3 **OJ C 160, 13.4.2022, p. 1–8**

4 10125/22

- its Conclusions of 10 June 2022 on research assessment and implementation of open science<sup>5</sup>, which underlined the need for unimpeded access to and reuse of publicly funded research results, publications and data for research purposes, and highlighted the benefits of open science and of immediate open access to research publications, **and of multilingualism for the wider communication of research results,**

### **Towards an open scholarly publishing system ready for the future**

1. **REITERATES the importance of accelerating** ~~STRESSES that~~ the transition to open science ~~aims~~ to improve research quality, efficiency and impact by promoting transparency, accessibility, **diversity,** reusability, **reproducibility** and trustworthiness **of** ~~in~~ scientific results, and that open access to scholarly publications, including their reuse, is one of the core elements of an open science system;
2. RECALLS that scholarly publishing is ~~still~~ the primary means of disseminating research and new scientific knowledge; STRESSES that rigorous peer review is essential to scholarly publishing, with researchers taking responsibility for peer review and providing expert advice on editorial boards, **ensuring scientific standards and quality;**
3. NOTES that the digital **transition** ~~revolution~~ has created new opportunities for more efficient and effective methods of scholarly publishing, such as online publishing tools, **repositories** and platforms for a wide range of research outputs **in all fields, both at national and European level,** but that much of the current system is ~~still~~ based on business and operational models ~~inherited from the era of print and paper,~~ and that scholarly publishing's potential for digitalisation has **that have** not yet been fully realised **the digitalisation potential,** notably in relation to the expanding range of increasingly important research outcomes such as datasets, ~~and~~ software **and research protocols; and UNDERLINES the importance of investing in digital infrastructure, tools and capacities;**

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<sup>5</sup> 10126/22

4. EMPHASISES that scholarly publishing should support essential principles of academic freedom, research integrity and scientific excellence, as well as maximum accessibility and reusability of research results, while also supporting research communities and their **transdisciplinary collaboration** growth, and UNDERLINES that the scientific practices for ensuring reproducibility, transparency, sharing, **rigour** and collaboration are important means of achieving a publishing system **responsive** ~~resilient~~ to the challenges of our **democratic**, modern and digitalised societies; STRESSES that ~~research results should be as open as possible and as closed as necessary, and that~~ immediate and unrestricted open access should be the default mode in publishing, with no fees **commensurate with the publication services and covered by research funders or institutions, not by individual authors or readers** ~~for authors~~;

### **Supporting diversity and ensuring equity in scholarly publishing**

5. ACKNOWLEDGES that publishing practices vary across disciplines, and EMPHASISES that some publication formats, such as monographs, books and long-text formats, especially in the ~~humanities and social sciences~~ **and humanities**, ~~must~~ **should** continue to be supported, **while promoting open access publishing and** allowing **also** for a diverse range of ~~models~~ **digital formats** to co-exist;
6. NOTES that the current system of scholarly publishing is a ‘~~mixed economy~~’ of **operated by various** for-profit and not-for-profit organisations and ~~CONSIDERS that this mix should be maintained, but at the same time~~ RECOGNISES with concern that the increasing costs **of paywalls for access to** ~~for~~ scholarly publishing associated with certain business models ~~may~~ cause ~~inequality~~ **ies** ~~in scientific communities~~ and may also become unsustainable for public research funders and institutions accountable for the spending of public funds;
7. HIGHLIGHTS the importance of non-profit, scholarly open access publishing models that do not charge fees to authors **or readers** and where ~~any~~ **authors** can publish their work without funding/institutional eligibility criteria; NOTES the variety of models that do not depend on article processing charges (APC) **and STRESSES the importance of supporting the development of such models**;

8. ~~HIGHLIGHTS~~ **STRESSES** that it is essential to avoid situations where researchers are limited in their choice of publication channels due to financial capacities rather than quality criteria, and where they, as well as the broader public, are prevented from accessing research publications by paywalls; **WELCOMES coordination within the EU and with global partners to support equity in scholarly publishing, taking account of the UNESCO Recommendation on Open Science**<sup>6</sup>;

~~9. NOTES that the lack of data and trustworthy information on the state of scholarly publishing, including costs, hinders the advance of open access, and policy development, implementation and evaluation; STRESSES that open access monitoring, including FAIR (findable, accessible, interoperable and reusable) principles, enables deeper insight into publishing practices, provides guidance for policy development and review, allows the effects of funding mechanisms to be assessed and is crucial to negotiating agreements with publishers;~~

### **Enhancing trust and ensuring high quality, transparency and integrity in scholarly publishing**

10. UNDERLINES that **academic** freedom of ~~scientific research~~ encompasses the right to freely define research questions, choose and develop theories, gather empirical material, employ academic research methods, question accepted wisdom and bring forward new ideas, and entails the right to share, disseminate and publish the results thereof, including through training and teaching, and STRESSES that any restriction of these practices is a threat to academic freedom **and to research integrity**;

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<sup>6</sup> [UNESCO Recommendation on Open Science - UNESCO Digital Library](#)

11. STRESSES that rigorous peer review is essential to scholarly publishing and additionally central to research assessments based on qualitative evaluation, and that the peer review, **designed to assess the validity and quality of the research,** process should continue to operate on trust and integrity and should continue to play a key role as an integral part of the research process; HIGHLIGHTS that quality-assured publications and good publication practices give recognition to researchers and research institutions and build and maintain **research integrity and** trust in science, **including retraction of flawed publications** in society; **RECOGNISES that the peer review system is currently facing various challenges e.g. lack of transparency, increased number of submissions, and reviewer fatigue, and UNDERLINES the need to promote open peer review practices, and to give recognition to and reward researchers for peer review;**
12. EMPHASISES that peer review is the foundation of the scholarly publication system, designed to assess the validity and quality of publications with the ultimate purpose of maintaining research integrity and trust in science, whilst at the same time RECOGNISES that the peer review system is currently facing various challenges e.g. lack of transparency, increased number of submissions, and reviewer fatigue, and UNDERLINES that transparency in peer review includes different forms of openness that can be adapted in line with open science;
13. STRESSES that reproducibility is a key characteristic of research quality which is closely related to research transparency and integrity, and that a lack of reproducibility may have a negative impact on scientific progress and on trust in science;

## Way forward

### Framework conditions

14. WELCOMES the introduction of secondary publication rights by a number of Member States into their national copyright legislation, enabling open access to scholarly publications involving public funds; ENCOURAGES the Commission, in the context of ERA ~~policy~~ action 2 **in the ERA Policy Agenda 2022–2024**, to propose measures **at EU level** to remove barriers to access to and reuse of publicly funded research results, **as well as** ~~and~~ publications and data for research purposes ~~at EU level~~; INVITES Member States to update their national open access policies and guidelines ~~as soon as possible~~ to make scholarly publications immediately openly accessible under open licences and to **apply the FAIR (findable, accessible, interoperable and reusable) principles to** ~~make research data FAIR~~;

**14.a EMPHASISES the need for a change in research culture that recognises diverse research activities with the overarching goal to maximise high quality and impact of the research; WELCOMES in this respect activities of the Coalition for Advancing Research Assessment (CoARA); and ENCOURAGES close collaboration between stakeholders, Member States, the Commission and Associated Countries in reforming research assessment, in coordination with global partners;**

### ~~Elements for ensuring quality~~

~~15. ENCOURAGES Member States and the Commission to develop mutual learning exercises and discuss training and principles for peer review, to take action to promote different transparency practices in the peer review process, and furthermore to recognise and reward peer review activities in the assessment of researchers;~~

16. ~~INVITES Member States and the Commission to promote, recognise and reward research and publication practices that enhance the transparency of research processes and the reproducibility of research results, including through support to FAIR publications and data, and to expand activities to ensure adequate training and awareness on reproducibility related issues, including accredited training on integrity, reproducible research workflows, and publication processes; ENCOURAGES Member States and the Commission to take measures to enforce compliance with good and ethical publishing practices and to raise awareness of questionable research and publishing practices and their negative impact on the quality of research;~~

### Supporting diversity

17. CONTINUES to encourage Member States to support the development **piloting** of Open Research Europe (ORE) into a collective, non-profit large-scale **research** publishing service for the public good, and to promote **and support** other subject-specific and national not-for-profit, open access publishing platforms and models that provide high-quality publishing services to researchers and, **whenever possible and suitable**, are connected at European level for increased capacity, efficiency and cost-effectiveness;
18. ENCOURAGES Member States and the Commission to invest in **interoperable** infrastructures for publishing based on open source **software** and open standards, in order to ~~support technological interdependency and~~ avoid the lock-in of services **as well as** **proprietary systems**, and to connect these infrastructures to the European Open Science Cloud (EOSC) ~~federation~~;
19. ENCOURAGES Member States and the Commission to **continue to** support the development of aligned institutional and funding policies and strategies regarding **non-commercial** open access to scholarly publications in Europe, including articles, books, monographs and other publishing formats;



## Skill development

- 19.a** ~~[moved from para 15]~~ ENCOURAGES Member States and the Commission to develop mutual learning exercises **on peer review, covering** and discuss training and principles **and practices** for peer review, to take action **how** to promote different transparency practices in the peer review process, and furthermore **how** to recognise and reward peer review activities in the assessment of researchers;
20. ENCOURAGES Member States and the Commission to take action to promote institutional capacity building and to increase researchers' knowledge of intellectual property rights and their value, including the consequences of copyright transfers from authors to publishers and the importance of researchers' strategic intellectual property management in facilitating immediate open access to scientific publications;
21. INVITES Member States and the Commission to base their open access and open science policies and recommendations on the **Pact for Research and Innovation in Europe**<sup>7</sup> and **the ALLEA-European Code of Conduct for Research Integrity of the European Federation of Academies of Sciences and Humanities**<sup>8</sup>, and STRESSES that in doing so it is essential to develop training and materials that support researchers in their endeavours to apply open science **principles** to publications and data, while ensuring that high standards of research integrity are complied with;
22. INVITES Member States, in collaboration with the Commission, to ~~arrange mutual learning exercises and discuss~~ **promote and support training on** responsible and, open and ethical publishing and open science practices for students and for young **early career** and experienced researchers, thereby providing researchers **them** with the skills and competencies they need<sup>9</sup>, **as well as to develop mutual learning exercises on policies and actions against questionable, deceptive and low-quality publishing practices and their negative impact on reliability of research;**

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<sup>7</sup> **[OJ L 431, 2.12.2021, p. 1–9](#)**

<sup>8</sup> **[ALLEA-European-Code-of-Conduct-for-Research-Integrity-2017.pdf](#)**

<sup>9</sup> **[Providing researchers with the skills and competencies they need to practise Open Science – Publications Office of the EU \(europa.eu\)](#)**

## Monitoring

23. **NOTES that the lack of data and trustworthy information on the state of scholarly publishing, including costs and bibliometric data, hinders the advancement of open access, policy development, implementation and evaluation; STRESSES that open access monitoring enables deeper insight into publishing practices, provides guidance for policy development and review, allows the effects of funding mechanisms to be assessed in particular with regards to their impact on research integrity and is crucial to negotiating agreements with publishers;**
24. **ACKNOWLEDGES ongoing developments to monitor progress towards open science within the framework of EOSC, based on national monitoring;** ENCOURAGES Member States and the Commission to accelerate these developments of an aligned approach and common **qualitative and quantitative** indicators ~~in this field~~ and, furthermore, to endeavour to ensure that the resulting monitoring data adhere to the FAIR principles and are provided in an openly accessible manner to the extent possible.
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