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**NOTE**

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| From: | Presidency |
| To: | Delegations |
| No. prev. doc.: | 7355/23 |
| Subject: | Draft Council conclusions on high-quality, transparent, open, trustworthy and equitable scholarly publishing |
| | - Presidency text |

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 27 April 2023.

Changes in comparison to doc. 7355/23 are marked in **<u>bold underline</u>** for additions and in ~~strikethrough~~ for deletions.

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## 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[1], 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[2], which acknowledged that open science has the potential to increase the quality and impact of science to the benefit of society;

–   its Recommendation of 5 April 2022 on building bridges for effective European higher education cooperation[3], 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[4], 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[5], 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, equitable and sustainable scholarly publishing system**

1.   RECALLS that scholarly publishing, through journals, is currently the primary academic means of disseminating research results and new scientific knowledge ~~to other scholars~~; REITERATES the importance of accelerating the transition to open science to improve research quality, efficiency and impact by promoting transparency, accessibility, diversity, reusability, reproducibility and trustworthiness of **research** ~~scientific~~ results, ~~and~~ that open access to scholarly publications, including their reuse, is one of the core elements of an open science system, and that action is needed to ensure that scholarly publishing supports these aims;

3.   NOTES that the digital transition**, albeit with its challenges,** continues to create opportunities for new methods of efficient and effective 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 based on business and operational models that have not yet fully realised the digitalisation potential, notably in relation to the expanding range of increasingly important research outcomes such as datasets, software and research protocols; and UNDERLINES the importance of investing in e-infrastructure, digital **and innovative** tools and capacities;

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[5]   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, and UNDERLINES that the scientific practices for ensuring reproducibility, transparency, sharing, rigour and collaboration are important means of achieving a publishing system responsive to the challenges of democratic, modern and digitalised societies; **HIGHLIGHTS** ~~STRESSES~~ that immediate and unrestricted open access should be the **norm** ~~default mode~~ in publishing research involving public funds, with transparent pricing commensurate with the publication services and **where costs are** not covered by individual authors or readers;

**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 social sciences and humanities, should continue to be supported, while promoting open access publishing and allowing for a diverse range of formats to co-exist, and for publishing in a range of languages;

6. NOTES that the current system of scholarly publishing is operated by various for-profit and not-for-profit organisations and RECOGNISES with concern that the increasing costs of paywalls for access to scientific publications and for scholarly publishing cause inequalities and are becoming unsustainable for public research funders and institutions accountable for the spending of public funds, decreasing funding available for research;

7. HIGHLIGHTS the importance of not-for-profit, scholarly open access publishing models that do not charge fees to authors or readers and where authors can publish their work without funding/institutional eligibility criteria; NOTES the variety of models that do not depend on article processing charges or similar per-unit charges and STRESSES the importance of supporting the development of such models ~~founded on~~ **led by** public research organisations;

8. 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 access to research publications is restricted 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[6];

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

10. UNDERLINES that academic freedom 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;

11. STRESSES that rigorous peer review should continue to be essential to scholarly publishing, with researchers taking responsibility for peer review **and providing expert advice on editorial boards**, ensuring scientific standards, validity and quality of the research; EMPHASISES that peer review should continue to build and maintain research integrity and trust in science, including by retraction of invalid publications; RECOGNISES that the peer review system is currently facing various challenges, e.g. increased number of submissions and reviewer fatigue**; and** UNDERLINES the need to promote transparency through open peer review practices, and to give recognition to and reward researchers for peer review;

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;

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[6]    UNESCO Recommendation on Open Science - UNESCO Digital Library

**Way forward**

**Framework conditions**

13.a ENCOURAGES Member States and the Commission to step up support to the development of aligned institutional and funding policies and strategies regarding not-for-profit open access multi-format scholarly publishing models in Europe with no costs for authors or readers, and to set and implement roadmaps or action plans for a significant expansion of such publishing models;

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 action 2 in the ERA Policy Agenda 2022–2024, to examine and propose measures at EU level aiming at removing barriers to access to and reuse of publicly funded research results, as well as publications and data for research purposes**, while guaranteeing the author's consent**; INVITES Member States to update their national open access policies and guidelines to make scholarly publications immediately openly accessible under open licences and to apply the principles of FAIR (findable, accessible, interoperable and reusable) and "as open as possible, as closed as necessary" to research data, taking into account the OECD Recommendation concerning Access to Research Data from Public Funding[7];

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 dialogue between stakeholders, Member States, the Commission and Associated Countries in reforming research assessment, in coordination with global partners;

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[7] Recommendation of the OECD Council concerning Access to Research Data from Public Funding - OECD

15. 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 and weakens the position of Member States and research organisations in negotiating with commercial publishers; ACKNOWLEDGES ongoing developments to monitor progress towards open science within the framework of **European Open Science Cloud (**EOSC**)**, based on national monitoring and common qualitative and quantitative indicators; ENCOURAGES Member States and the Commission to accelerate these developments and reduce the fragmentation of monitoring initiatives by including open science monitoring in the ERA ~~M~~**m**onitoring ~~M~~**m**echanism, and to endeavor to ensure that the monitoring data adhere to the FAIR principles**;** ~~.~~

**Capacities: infrastructures and skills**

17. CONTINUES to encourage Member States to support the piloting of Open Research Europe (ORE) into a collective, not-for-profit large-scale open access 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, usability and cost-effectiveness;

18. ENCOURAGES Member States and the Commission to invest in and foster interoperable, not-for-profit infrastructures for publishing based on open source software and open standards, in order to avoid the lock-in of services as well as proprietary systems, and to connect these infrastructures to the ~~European Open Science Cloud (EOSC)~~;

19.a ENCOURAGES Member States and the Commission to develop mutual learning exercises on peer review, covering principles and practices, how to promote transparency and 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 and unrestricted open access to scientific publications;

21.    INVITES Member States and the Commission to align their open access and open science policies and recommendations with the Pact for Research and Innovation in Europe[8] and the European Code of Conduct for Research Integrity of the European Federation of Academies of Sciences and Humanities[9], 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, while ensuring that high standards of research integrity are complied with;

22.    INVITES Member States, in collaboration with the Commission, **to address in a systemic manner the issue of predatory publishing and** to promote and support training on responsible, open and ethical publishing practices for students and researchers at all career stages, thereby providing them with the skills and competencies they need, as well as to ensure adequate training and awareness on predatory, questionable, deceptive and low-quality publishing practices and their negative impact on reliability of research;**.**

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8      OJ L 431, 2.12.2021, p. 1–9
9      ALLEA-European-Code-of-Conduct-for-Research-Integrity-2017.pdf