

Open Access Policies in Europe

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Published 28 May 2010

Abstract

Over the course of the past decade open access (OA) has moved from the preserve of a few visionaries to the mainstream of scholarly communications. The growth of OA has been dramatic (by any metric). But nowhere has this shift been more obvious than in the arena of public policy. Ten years ago there were no OA policies and any hope that they may be developed quickly was tempered by an inherent conservatism amongst administrators who did not wish to change the well-established and understood (although increasingly flawed) system. The sudden shift can only be understood when OA is seen in the context of wider political and policy issues. This paper describes that context in Europe and outlines some of the most significant European OA policies and policy statements.

Introduction

In February 2002 the Budapest Open Access Initiative was published outlining two complementary routes to OA (1). The 'green' route (as it was later christened) was for researchers to deposit their peer-reviewed papers in open, interoperable electronic archives or repositories; the 'gold' was to publish in OA journals. In either case, there would be no financial, legal, or technical barrier between the researcher and the interested reader.

It quickly became clear that policy around OA would have to focus on the green route rather than the gold. Concerns around academic freedom and the (as yet) relatively limited number of OA journals meant that it was inconceivable that any policy could be put in place that would insist that authors publish in OA journals. Green OA, however, was another matter.

To see why green OA policies have become increasingly popular one needs to consider the priorities that governments worldwide are increasingly giving to education and the knowledge economy. Even before the worldwide recession there was a growing belief that knowledge would be the main driver of economic growth in the 21st Century. No longer is performing world-class research enough – that research has to be converted to 'knowledge' to realize the investment made in research. There is increasing understanding that making research outputs OA increases the value of those outputs (both in terms of the number of people who can access the outputs and what they can do with them subsequently).

In parallel, the last decade has seen a growth in the e-science and e-research agenda where researchers are expected to work internationally and across disciplinary boundaries. If one of the

features of e-science is, in the words of Tony Hey, the ability to 'integrate, federate and analyse information from many disparate, distributed, data resources' (2) it is clear that open data resources (including journal articles) are required to 'integrate, federate and analyse'.

Finally, there is a recognition amongst universities administrators that OA can support their efforts to compete internationally for faculty, students, and funding. They are increasingly seeing OA a marketing tool to provide a shop window into the institution, boosting the institutions' impact.

So, a variety of drivers have encouraged governments, funders and institutions to consider and adopt OA policies.

Initial OA Policies in Europe – 2003-2006

In the history of OA policy developments in Europe we can identify four key developments over the period of 2003 to 2006 that paved the way for the burst of activity we have seen post-2006. Interestingly, these developments covered a wide range of bodies from multi-national organizations to individual funding bodies.

In October 2003, at a conference in Berlin initiated by Germany's Max Planck Gesellschaft (MPG), the *Berlin Declaration on Open Access to Knowledge in the Sciences and Humanities* was launched (3). Here, for the first time, funders of research explicitly acknowledged that 'Our mission of disseminating knowledge is only half complete if the information is not made widely and readily available to society.' Since the launch, the *Declaration* has attracted over 270 signatories worldwide, representing funding bodies, universities, research laboratories, and government ministries.

One of the first bodies to make the step from support for the *Declaration* to practical policy was Germany's largest research funder, the Deutsche Forschungsgemeinschaft (DFG). The DFG adopted a policy in which it:

'... expects the research results funded by it to be published and to be made available, where possible, digitally and on the internet via open access. To achieve this, the contributions involved should either be deposited in discipline-specific or institutional electronic archives (repositories) following conventional publication, or should be published in a recognised peer-reviewed open access journal. When entering into publishing contracts scientists participating in DFG funded projects should, as far as possible, permanently reserve a nonexclusive right of exploitation for electronic publication of their research results for the purpose of open access. Here, discipline specific delay periods of generally 6-12 months can be agreed upon, before which publication of previously published research results in discipline-specific or institutional electronic archives may be prohibited.' (4)

The terms and language of the policy have become familiar as other groups have adopted policies – encouraging deposit in OA repositories and/or publication in OA journals, the desire for authors to secure rights that allow deposit, the possibility of access 'embargoes' of up to a year, etc. The slight issue of confusion with the policy from the DFG is whether 'expects' is a hope or a requirement of grant.

Also in 2003 the UK House of Commons Science and Technology Committee launched an inquiry into scientific publishing. While the Committee of Members of Parliament is not part of the British Government, it is tasked with making recommendations for future science policy. The Committee took evidence from a wide range of interested stakeholders and concluded that the current model of scholarly communications is inadequate. In a series of recommendations the Committee suggested (5) that:

The Research Councils in the UK should require authors to place copies of their papers that result from research funded by the Councils in institutional repositories.

The Research Councils should make funds available as part of research grants to allow authors to pay publication charges for open access journals.

The Committee's report and recommendations provided a policy framework for the open access debate in the UK and has led, from 2006, to the adoption of OA policies by all of the seven British research councils (which fund around £2.8 billion on research each year). The details of each policy vary slightly, but the underlying principle is that recipients of research grants are required to deposit their papers in OA repositories and make them freely available after an embargo period.

While the early adoption of OA mandates by the UK Research Councils is in part due to the impetus of the Science and Technology Committee, it can also be explained by the example in the UK of one of the world's largest private research funders, the Wellcome Trust. The Wellcome Trust felt that the benefits of a move to the online environment and the dissemination of research across the internet were not being maximised in a subscription-based model and their core mission 'to improve human and animal health' could be better served by moving to open access.

So, from October 2006 it became a condition of funding that a copy of any original research paper published in a peer-reviewed journal must be deposited in PubMed Central (PMC) (and, from 2007, the UK version, UKPMC) (6). The policy stipulated a central OA repository as the Trust believed that having all of its funded research in a standard form in one place would increase data-mining possibilities because technological standardization procedures would be applied to content as it is deposited, as well as making it easier to use the repository as a funding management tool.

The fourth important policy strand came from the European Union. The Union has both a direct influence on scholarly communication through its significant research funding and an indirect influence as the setter of policy (such as the Lisbon agenda on the knowledge economy). In 2004 the EU, through the European Commission Directorate of Research, commissioned a '*Study on the economic and technical evolution of the scientific publication markets in Europe*' (7). The Study was published in January 2006 following an extensive period of research and consultation (with researches, funders, librarians, and publishers) and it concluded that there were a number of problems with the current market for scientific publications and made clear that:

'...policies should make sure that the market is sufficiently competitive and 'dissemination-friendly'. In particular, they should address the need to:

enhance access to research output;

prevent strategic barriers to entry and to experimentation.'

There have been a number of policy discussions and initiatives following the publication of the study, but perhaps the most significant is that today 20% of research grants issued under the

Framework 7 Programme (a 51 billion Euro funding programme) come with an open access requirement. The 20% figure is seen as trial and if successful it is assumed that the Framework 8 Programme, which will start in 2014, will operate with a full OA policy.

OA Policies in Europe – Post-2006

As we have seen, by the end of 2006 Europe had seen two high-level investigations into the scholarly communications market, both of which concluded that OA would offer significant benefits, together with the implementation of funder policies in the UK and Germany and strong support for policies elsewhere.

Over the past four years the rate of announcements of OA policies has increased dramatically. And the greatest increase has been in the area of institutional policies. While some institutions or departments within institutions (for example the Computing School at Southampton University) had adopted very early OA policies, this was not an area of great activity during the period described above. However, the floodgates opened post-2006, owing in no small part to the efforts of Harvard and Stanford to adopt mandates. Although most institutions realize that they cannot be Harvard or Stanford, there is a competitive pressure to ape the policies of the leading universities.

The EPrints team at Southampton University maintains the ROARMAP database of OA policies and mandates worldwide (8). There are now OA policies in at least 10 European countries, plus pan-European policies from the European Union. These are from both individual institutions and funders and are increasing at an accelerating rate. More are in the pipe-line and we have probably passed the point where any serious institution or funder that aspires to international influence needs to have, or be in the process of developing, an OA policy.

The Perfect Policy?

As more policies are adopted, the question of what form a policy should take has been discussed. Peter Suber (9) and Stevan Harnad (10) have outlined the nature of a 'perfect' policy and a number of common themes have emerged.

Firstly, it is vital to note that any agreement between researcher and funder or researcher and institution will predate that between researcher and publisher. Therefore, copyright should not be a barrier to the deposit of researchers' papers, especially if the authors, as initial copyright holders, retain the right to deposit.

Secondly, the timing of deposit. Papers should be deposited on acceptance or on publication. Some publishers insist on an embargo period between publication and making the paper OA. If so, it still makes sense to deposit the paper on publication and to keep it 'dark' until the expiry of the embargo period (which can be done automatically) rather than expecting the author to remember when the embargo period ends and then deposit their papers. Of course, the metadata describing the paper can be 'in the light' during the embargo period so allowing the paper to be discovered and for interested readers to request copies from the author.

Thirdly, the location of deposit. There is less agreement on this point. A strong case can be made that the locus of deposit should be the authors' institutional repository with funders harvesting

from the distributed repositories as they want. However, a number of funders (not least the Wellcome Trust) have decided that they would rather authors deposit in a centralized, subject-based repository. Then institutional repositories should be able to harvest from these as they need to.

Conclusion

Whatever the nature of the perfect policy, it is clear that any institution or funder has a rapidly growing number of precedents to choose from. OA policies perfectly fit with the knowledge and economic drivers informing wider governmental and institutional policies. This is why we have seen the acceleration in adoption of OA policies over the last few years, and why we will see a continuation of this trend into the next few. Europe will continue to be at the forefront of this development, with the EC, national governments, funders, and individual institutions playing their part in shaping a scholarly communications environment fit for the needs of the 21st Century.

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