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Consultation on the ERA Framework: Areas of untapped potential for the development of the European Research Area (ERA)

Section 7: Open Access

Response on behalf of LIBER (Association of European Research Libraries), based on the LERU response

Universities benefit from the aggregated impact of their researchers’ publications. The new audiences that Open Access brings to research can use this access to build on research findings and to make further discoveries. A university’s mission is to create knowledge and to disseminate it; Open Access can help universities to fulfil this mission. Having university research open and showcased to the world potentially boosts a university’s profile and enables the uptake and use of the fruits of research effort funded for the benefit of Society.1

Open Access to research publications and to scientific data would help solve access problems regarding publications and take forward the agenda on Open Science. Before Open Access, the only way to see academic work was by paying for subscriptions to journals or by paying a fee to view an article on the publisher’s website. This restricted access to those who could afford to pay for access in these ways.2 Scientific research data funded by public money should be Open Access by default. If this were the case, it would be possible to embed data re-use and sharing into research communities, thus avoiding duplication of scientific research effort and enabling the maximisation of research funding.

Sharing data and Open access to scientific output is a necessity, not a luxury. There are examples in Member States where discussions about subscription prices are linked to Open Access models, in at least one case with the national Government as an intermediary. Benefits to Small and Medium sized companies (SMEs) are a driver in looking at the possibility of turning subscriptions into licences which allow Open Access across a whole country. However, such discussions are the exception rather than the rule.

Access to research information must be optimised if the European research community is to operate effectively, producing high-quality research that has a wider social and economic impact. A recent report’s key finding is that access is still a major concern for researchers. Although researchers report having no problems finding content in this age of electronic information, gaining access is another matter due to the complexity of licensing arrangements, restrictions placed on researchers accessing content outside of their own institution, and the laws protecting public and private sector information.3

Researchers are generally aware of the issue of Open Access to publications. The issue here is not one of awareness, but of access to suitable infrastructures and support mechanisms to enable green

Open Access deposit and gold open access publishing. Europe still lacks comprehensive infrastructures to fully support data-driven science. There is a host of issues to be addressed: academic, cultural, financial, technical and legal. Whose responsibility is it to ensure that data can be shared and re-used? Which incentives do academics need to share data? Who will describe, validate, review and curate data? How do we make sure that privacy and ethical issues are respected? How much will all this cost, and who will pay? Several universities and research libraries contribute a lot of effort to put data-driven science into practice but more incentives are needed to reach out more broadly. ⁴

EU copyright legislation does cover scientific research outputs, but needs to be updated as modern publishing and research trends develop. Commercial licences can over-ride fair dealing exceptions and this is wrong. Nor is there a level playing field across the ERA. A uniform and modern EU copyright legislation is needed in order to provide legal security to researchers, students and citizens. Additionally, in an era of Open Data, the EU Database Directive should be re-examined to ensure that it allows Open approaches to data management.

VAT on digital publications is an issue. In most Member States VAT on print publications is relatively low, whereas VAT on digital publications is set at a much higher rate. This then acts as a barrier to moving to the e-only delivery of research publications, because it is more expensive to buy e-only materials than to buy print or print + e-. This leads to a situation where libraries buy print and e- because it is cheaper, only to dispose of the paper because it is not actually wanted. The VAT framework has thus created a situation which is both nonsensical and environmentally unfriendly.

Open Access repositories with research materials (both publications and research data) across Europe should become more interoperable. This will make their content discoverable through as many routes as possible. Developments in the Europeana portal⁵ will also in future allow repository content to be discoverable through that portal. TTThe deposit of content remains a point of particular attention. Repositories are far emptier than they should be. Mandates for deposit (especially from funders), linked to institutional strategies for opening up access to research output should be stimulated on a European level.

How much of the pan-European infrastructure to support Open Access to research publications and data should be at the European level, how much at the member state level and how much at institutional level? Some infrastructure, for example major infrastructure for the storage of research data emanating from international scientific experimentation, is best managed at a European/global level. Other data outputs could be handled at the national, or even local, level through a distributed network of well-founded repositories for data, which are interoperable. The frameworks for creating and managing these repositories could be agreed at European level, but implemented nationally and/or locally. For research publications, academic researchers are likely to deposit in a subject repository (if this exists for their subject area) or in an institutional repository. Deposit in an EU-level repository is less likely, because a researcher’s primary loyalties lie elsewhere.

⁴ Some of these issues are being explored in the EU-funded ODE (Opportunities for Data Exchange) project at http://www.alliancepermanentaccess.org/index.php/current-projects/ode.
⁵ See http://www.europeana.eu.
Should Member States have national policies for Open Access, linked to EU policies? National governments and funding agencies have an important role to play here. Several funders already have Open Access mandates in place, and the EC has taken a lead in making it obligatory for research outputs from the Framework programme to be made available in Open Access.

Policies of Member States on research publications and data should be better co-ordinated at a European level. Even at a national level in the Member States, there is often a lack of co-ordination or buy-in by universities, research bodies and independent researchers. It is unlikely that more stringent co-ordination at an EU level would itself automatically lead to greater compliance across the ERA. Rather, the EU should play a more facilitative role, providing funding for infrastructure and advocacy and guidance in Best Practices, which will demonstrate yet more clearly the benefits of Open Access to research publications and data, thereby encouraging take-up.

Are there instances where the barriers presented by the current subscription model have hampered research? It is sobering to note that the World Health Organisation found in a survey conducted at the start of the millennium that more than half of research-based institutions in lower-income countries had no current subscriptions to international research journals, nor had they had any for the previous five years. Unsurprisingly, researchers in developing countries rank access to the research literature as one of their most pressing problems. By making work available in Open Access, researchers are helping to create a global knowledge commons so that all may benefit, not just the relatively wealthy.6

There is one important area which the Consultation does not explicitly address, and this is the long-term digital preservation of research outputs and research data. Simple access to such materials is different from a guarantee of the sustainable, long-term preservation of such materials. Long-term access to digital publications and data is essential for the ERA. It is irresponsible to create digital objects (research publications or data) and not to be able to guarantee long-term access to them.

What is needed now is a pan-European digital preservation infrastructure. The LIBER-supported LIFE project (Lifecycle Information for E-literature) has done ground-breaking work in the area of costing for digital preservation of a range of material types.7 LIBER is also involved in the EU funded APARSEN project, a Network of Excellence that aims to bring together a diverse set of practitioner organisations and researchers in order to bring coherence, cohesion and continuity to research into barriers to the long-term accessibility and usability of digital information and data.8

What actions, other than funding, are needed at an EU level to remedy some of these issues? The EU can and should play a major role in co-ordinating the development of joined-up Open Access infrastructure across the ERA. Funding is part of this, but it is far more than an issue of funding. There needs to be advocacy, identification of Best Practice, alignment of policies and mandates, proactive intervention to ensure that the infrastructure is in the right place when needed and is sustainable, and working with champions to ensure that all these actions are carried out. The LERU Roadmap Towards Open Access identifies infrastructure for the embedding of green and gold routes

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7 For LIBER (Association of European Research Libraries), see [http://www.libereurope.eu](http://www.libereurope.eu); for the first two of three phases of the LIFE project, see [http://discovery.ucl.ac.uk/14954/1/14954.pdf](http://discovery.ucl.ac.uk/14954/1/14954.pdf)
towards Open Access into the European landscape. This submission identifies key challenges in terms of the management and re-use of research data. The EU through funding, advocacy, guidance, proactive intervention and consultation with relevant stakeholders can help develop an era of Open Scholarship in Europe. LIBER, together with LERU, is ready and willing to contribute to this task.