



EUROPEAN COMMISSION
IMPACT ASSESSMENT BOARD

Brussels, D(2012)

Opinion

Title

**DG INFSO/DG RTD - Impact Assessment on Access to and Preservation of Scientific Information in the Digital Age
(Resubmitted version of 30 March 2012)**

(A) Context

Knowledge and innovation are essential to future growth. Europe is committed via its Europe 2020 strategy to become a competitive knowledge-based economy, by improving the production of knowledge, but also the dissemination and sharing of scientific results obtained through publicly funded and co-funded research. With the growing use of the Internet, the scientific community has greater opportunities for the electronic dissemination of research results. The open access (OA) principle aims at providing free on-line access and re-use of knowledge in the form of scientific publications, data, monographs and related materials. Following the Communication on scientific information in the digital age (COM(2007)56 final), the Commission has launched an Open Access Pilot in the 7th Framework Programme in 2009. The IA report focuses on the access to and the preservation of digital scientific information, as instruments to foster an innovative Union.

(B) Overall assessment

The revised report has been improved on a number of aspects but it should still address some of the Board's key recommendations in the first Opinion. The problem definition should be more focused and should better distinguish between the concrete problems that the initiative addresses and their underlying drivers in the economic context in which research publications are produced. The baseline scenario needs to take into account how the VAT issue is expected to be addressed. The operational objectives should include smart delivery targets and the presented options should be defined in more concrete terms, indicating clearly the kind of action expected from Member States. The analysis of costs and benefits of the different options in the assessment of impacts should be further strengthened, particularly the consequences for the economic relation between researchers and the publishers of academic journals. Finally the comparison of options should be made more transparent and the criteria for the selection of the preferred option should be clarified.

(C) Main recommendations for improvements

(1) Strengthen the problem analysis and the baseline scenario. The problem definition should be more streamlined, clearly distinguishing between the concrete problems that the initiative addresses and their underlying drivers in the economic context in which research publications are produced, for instance by better illustrating the relationship between the lack of access to scientific publication and data, the issue of financial incentives for the different actors involved, and the development of the open access movement. In this context, the report should also more explicitly analyse the consequences of OA on copyrights, the use of licenses, and Intellectual Property Rights where relevant. The report shows how this proposal relates to the Framework Directive on the European Research Area; however it should explain why this particular initiative was launched ahead of that Framework Directive. The baseline scenario should be more developed; better taking into account expected market and regulatory developments at international level, as well as the expected handling of the VAT problem, regardless of the fact that this is not addressed in the current initiative. The report should indicate whether existing EU legislation and international rules constrain possible EU intervention.

(2) Improve the presentation of the intervention logic. Operational objectives should be included in the report and refer to clearly timed and specified targets: they should address the kind of actions that the Member States ought to take when implementing the initiative. Possible priorities and trade-offs between different objectives should be clearly indicated. The report should strengthen the presentation of the options to show more concretely what they entail in practice (especially for option 4.4).

(3) Better present the expected impacts. The analysis of the impacts should be further developed in the main text based on explicitly stated assumptions with regard to implementation and compliance patterns in the Member States. The way in which changed practices would influence contractual relations between researchers and publishers should also be better assessed. The report should address the possible effects of OA obligations on access to international journals, which may object to limitations of their publishing rights. The report should assess more transparently what the impacts may be on research funding, including the possible crowding-out of direct support to research by outlays to cover additional publishing costs. The report should explain what financial impacts the most far-reaching form of OA ('Gold') would have on countries that have a research-intensive economic structure.

(4) Provide a clearer comparison of the options. The report should more clearly compare the broadened set of options on the basis of the criteria of effectiveness, efficiency and coherence. The report should explicitly state and apply these criteria in the selection of the preferred option.

(D) Procedure and presentation

The report should explicitly present the recommendations of the Impact Assessment Board and indicate how and where these have led to changes in the report. It should include references to the different opinions of specific stakeholder groups with regard to the objectives and the range and content of proposed policy options. Key concepts

(gold/green OA, embargo period, publicly-funded research, etc) should be explained in a glossary. Finally, the report should be considerably shortened in order to remain closer to the 30 page limit. Especially the problem definition should be more succinct and the report should avoid repetition, for instance in referring to EU policies.

(E) IAB scrutiny process	
Reference number	2011/INFSO/RTD/031
External expertise used	No
Date of Board Meeting	Written procedure. An earlier version of this report was submitted to the IAB in November 2011, for which the Board has issued an opinion on 7 December 2011.