Council of the European Union

Brussels, 8 February 2023
(OR. en)

5997/23

RECH 36
EDUC 35
PI 8
DIGIT 13

NOTE

From:	Presidency
To:	Delegations
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 the high-quality, transparent, open, trustworthy and equitable scholarly publishing* with a view to the Research Working Party meeting on 16 February 2023.

_____

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 underlined that open science is potentially a driver for the quality and impact of science to the benefit of society;

– its Recommendation of 18 January 2022 on building bridges for effective European higher education cooperation, 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;

---

[1]   14853/15
[2]   9526/16

–   its Conclusions of 10 June 2022 on principles and values for international cooperation in research and innovation[3], 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;

–   its Conclusions of 10 June 2022 on research assessment and implementation of open science[4], 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,

Towards an open scholarly publishing system ready for the future

1.   STRESSES that the transition to open science aims to improve research quality, efficiency and impact by promoting transparency, accessibility, reusability and trustworthiness 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;

---

[3]   10125/22
[4]   10126/22

3.	NOTES that the digital revolution has created new opportunities for more efficient and effective methods of scholarly publishing, such as online publishing tools and platforms for a wide range of research outputs, 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 not yet been fully realised, notably in relation to the expanding range of increasingly important research outcomes such as datasets and software;

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 growth, and UNDERLINES that the scientific practices for ensuring reproducibility, transparency, sharing and collaboration are important means of achieving a publishing system resilient to the challenges of our 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 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, must continue to be supported, allowing for a diverse range of models to co-exist;

6.	NOTES that the current system of scholarly publishing is a 'mixed economy' of 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 for scholarly publishing associated with certain business models may cause inequality 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 and where any author can publish their work without funding/institutional eligibility criteria; NOTES the variety of models that do not depend on article processing charges (APC);

8. HIGHLIGHTS 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;

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 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;

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 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 trust in science in society;

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, to propose measures to remove barriers to access to and reuse of publicly funded research results 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 make research data FAIR;

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 of Open Research Europe (ORE) into a collective, non-profit large-scale publishing service for the public good, and to promote other subject-specific and national not-for-profit, open access publishing platforms and models that provide high-quality publishing services to researchers and are connected at European level for increased capacity, efficiency and cost-effectiveness;

18. ENCOURAGES Member States and the Commission to invest in infrastructures for publishing based on open source and open standards, in order to support technological interdependency and avoid the lock-in of services, and to connect these infrastructures to the European Open Science Cloud (EOSC) federation;

19. ENCOURAGES Member States and the Commission to support the development of aligned institutional and funding policies and strategies regarding open access to scholarly publications in Europe, including articles, books, monographs and other publishing formats;

Skill development

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 ALLEA European Code of Conduct for Research Integrity, and STRESSES that in doing so it is essential to develop training and materials that support researchers in their endeavours to apply open science 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 responsible and open publishing and open science practices for students and for young and experienced researchers, thereby providing researchers with the skills and competencies they need [5];

Monitoring

23. ENCOURAGES Member States and the Commission to accelerate the development of an aligned approach and common 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.

---

[5] [Providing researchers with the skills and competencies they need to practise Open Science - Publications Office of the EU (europa.eu)](#)