

How the EU & National Legislators Must Enable Open Access to Research

The Secondary Publishing Right (SPR) is one of the key tools that **opens the road to Green Open Access** by challenging and **lifting the contractual barriers** between publishers and authors around the deposition of post-prints or Versions of Record in public not-for-profit repositories

TAKE ACTION!

Legislation can be adopted **at EU and at national levels**. For the sake of coherence in rules looking at cross-border projects, EU-wide rules would be most effective.



EU institutions



National legislators

Adopt **harmonized legislation** that

- ✓ CREATES A **SAFE & CLEAR LEGAL ENVIRONMENT** FOR RESEARCHERS
- ✓ HAS NO OR A VERY **LIMITED EMBARGO PERIOD** & BENEFITS A **VAST ARRAY OF RESEARCHERS**
- ✓ APPLIES TO **ALL TYPES OF SCHOLARLY PUBLICATIONS** FROM ALL DISCIPLINES
- ✓ INCLUDES AN **ENFORCEMENT MECHANISM**

7 EU COUNTRIES HAVE SPR



Council of the European Union

Brussels, 23 May 2023 (OR. en)

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"WELCOMES the introduction of secondary publishing rights by a number of Member States into their national copyright legislation, enabling open access to scholarly publications involving public funds (...)"

Council conclusions on high-quality, transparent, open, trustworthy and equitable scholarly publishing

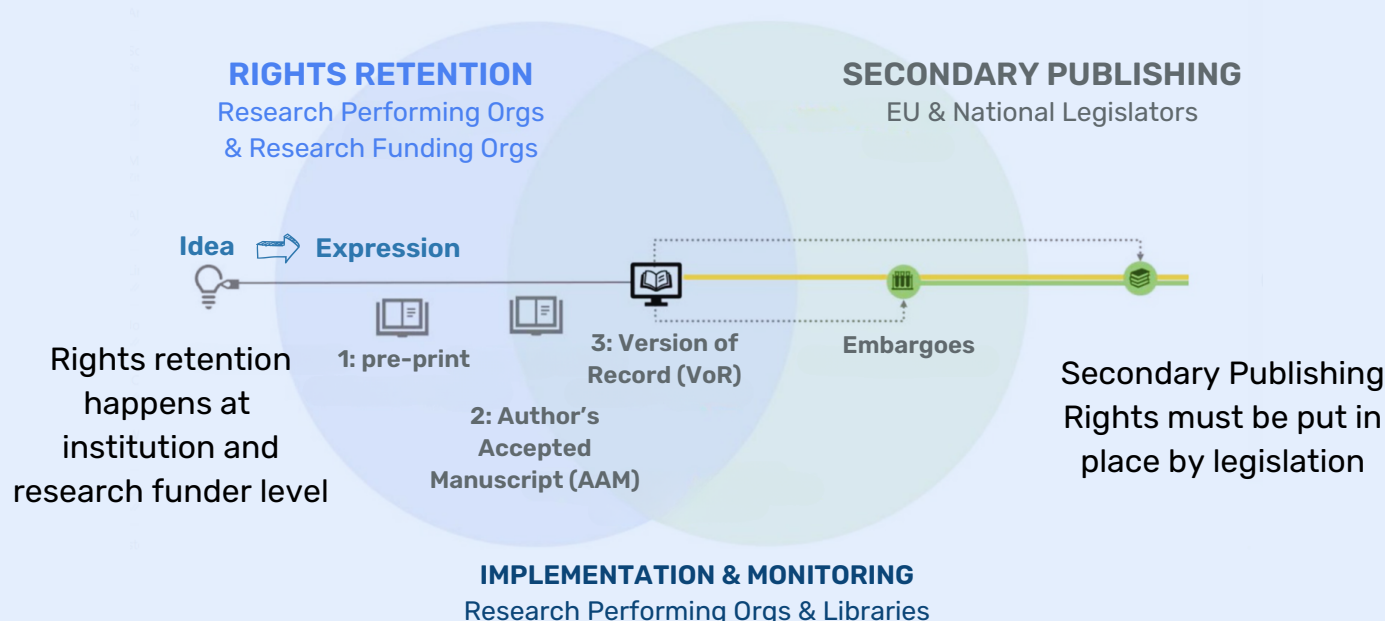
CHALLENGES

There is great heterogeneity among the seven countries. SPR articles not only serve different aims and operate in different legal frameworks, but also have different components that affect their implementation. Often, the voice of the relevant stakeholders has not been taken thoroughly into account.



RIGHTS RETENTION & SPR

A PERFECT COMBINATION TO ACHIEVE OPEN ACCESS



SPRs are an example of broader efforts to recalibrate the entire scholarly communication system including Rights Retention policies. Their success requires expertise in both copyright and Open Access.

SPR Report, see the full report here: <https://doi.org/10.5281/zenodo.8428315>