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# Open Access Strategy Review Background Report

Approved by the Delegation Open Science on 1 December 2023

Legal notice	
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#### **Executive Summary**

The primary objective of the Open Access (OA) Strategy Review is evaluating and reinterpreting the strategic parameters of the current strategy, which was developed by swissuniversities in collaboration with the Swiss National Science Foundation SNSF and adopted by these partners in 2017. The revised OA Strategy will represent a continuation and further development of the existing strategic foundations. In the interest of evaluating and adapting the strategic parameters, the revision addresses current developments as of 2023/2024 as well as experiences made thus far, with the overarching aim of ensuring the sustainable, long-term development of the OA landscape, as set out in the 2017 OA Strategy. The Background Report at hand aims at preparing and structuring the revision of the OA Strategy.

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The 2017 OA Strategy envisions that "by 2024, all scholarly publication activity in Switzerland should be OA, all scholarly publications funded by public money must be freely accessible on the internet." From 2019 to 2022, the share of closed access articles decreased by 15.7 percentage points, with an average of 32.8 percent of all articles remaining closed access over the same period. As such, the implementation of the OA Strategy has driven the OA transformation forward, although the set vision has not been achieved entirely. Furthermore, additional challenges arose, including the added-value offered by publishers' services for increasing costs, monitoring Article Processing Charges (APCs) that are paid directly by researchers ("costs in the wild"), and open access to long-form publications such as monographs or book chapters. In the following, the main elements of the situation and context analysis (section 2) are presented.

Gold and Hybrid OA, understood as "pay-to-publish" models, enabled most of the increase in the percentage of open access scholarly articles; these models are supported in the current OA Strategy, mainly in the form of negotiations with publishers and by the SNSF's OA policy. The negotiations with publishers have led to a significant shift from subscription spending to so-called "read & publish" licence expenditures. This development has contributed to more equitable access to academic research findings while also guaranteeing researchers continued access to prestigious journals. However, it should be noted that there are systemic distortions in scholarly publishing. The "publish or perish culture" prevalent in today's research assessment system incentivises researchers to publish more. This practice is further fuelled by some for-profit publishers, who substantially increase their APC revenues by means of the growing publication volume.

The 2017 OA Strategy sets out the principle of cost neutrality, while also allowing for additional costs in the transition phase. The experiences made during the negotiations for "Big Deal" transformative agreements suggest that the principle with its wording has become challenging. This is further complicated by the observed increase in Hybrid OA journals, which is perceived as part of the publishers' strategy of a global market segmentation: other regions, including North America and Asia, retain the subscription model so far. Because the costs for Gold and Hybrid OA are in some cases paid by researchers themselves, cost monitoring is rendered more complex. Additional efforts and resources are needed to develop a more systematic cost monitoring system that caters to the information needs of decisionmakers.

The inflation of the publication volume has raised concerns about quality assurance processes, an inflated publication volume bears the risk of a deterioration in the quality of scholarly publications as well as peer-review fatigue. Seen globally, different approaches to OA have been taken thus far, and the increasing scepticism in Europe towards the viability of read & publish agreements, particularly with the three main publishers, will impact the negotiations and scope of transformation possible in Switzerland. Alternative forms of OA publishing are also part of the current OA Strategy, notably with the objective of developing solutions for making scholarly publishing independent from oligopoly markets. On the one hand, various Diamond OA projects are being piloted for specific research communities in Switzerland, and although they are a niche market representing just a small percentage of the overall publishing volume, the Diamond OA ecosystem is well established in small-scale contexts with specific needs and thus well positioned to further its capacities. On the other hand, it remains open as to whether Diamond OA has the potential to scale up and provide a realistic alternative to the well-established big publishers, as the European and Swiss Diamond OA ecosystem is not (yet) in a position to make up a substantial share of the OA publication landscape. Indeed, the Diamond OA landscape is at present fragmented and requires professionalisation as well as a pooling/networking of institutional infrastructures and services both nationally and internationally.

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The Green OA Road is envisioned in the OA Strategy in the form of action items that encompasses infrastructure and services as well as a supportive regulatory framework. While the infrastructures and services needed for Green OA (e.g. institutional repositories) are in place at the institutional level, they would benefit from national and international connectivity. Moreover, a supportive regulatory framework is also needed to encourage the Green OA Road. The SNSF is implementing the rights retention strategy that aims to prevent the transfer of exclusive rights to publishers; however, it is still in an early implementation phase and calls for strong institutional support and suitable framework conditions.

The introduction of a secondary publication right under Swiss law for publicly funded scholarly publications would be an optimal way to implement the Green OA Road, as authors would be freed from navigating different publisher policies and the associated legal risks. The Delegation Open Science commissioned a <u>legal study</u> amongst others for the introduction of a secondary publication right, the results of which were made available in October 2023. It should, however, be noted that legislation to introduce such a right failed to achieve consensus in 2018 in this specific political context and timeframe, while experiences from neighbouring countries suggest that strong pushback from the private sector must be expected if the issue is placed on the political agenda. In sum, the implementation of Green OA has been advanced by the OA Strategy mainly through institutional services and infrastructure, but there remains potential to strengthen this pathway by introducing a more supportive regulatory framework.

While the situation and context analysis reveals that the OA Strategy has brought about advances in the OA transformation, additional challenges have also arisen. To address these developments, the Delegation Open Science is basing its revision of the OA Strategy on the following key issues (see section 3):

- 1. Added value for society, environment, and economy
- 2. Definition of the OA transformation
- 3. Scope of OA publications
- 4. Instruments for implementation
- 5. International and European connectivity
- 6. Defining Key Performance Indicators
- 7. Impact of (Gold) OA on the system
- 8. Quality assurance in scholarly publishing
- 9. Financial sustainability
- 10. Serving a heterogeneous landscape
- 11. Interfaces with other research policies such as research assessment
- 12. Adequate consideration of parallel processes

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#### Abbreviations

	AAM	Author Accepted Manuscript
	ANR	Agence national de la recherche
	APCs	Article Processing Charges
	CC	Creative Commons
	CoARA	Coalition for Advancing Research Assessment
	CSAL	Consortium of Swiss Academic Libraries
	DelOS	Delegation Open Science
	DIAMAS	Developing Institutional Open Access Publishing Models to Advance Scholarly Communication
swissuniversities	DOAB	directory of open access books
	DORA	Declaration on Research Assessment
	EOSC	European Open Science Cloud
	EQUAP <sup>2</sup>	Evaluating the Quality Assurance Process in Scholarly Publishing
	ERA	European Research Area
	ERI	Education, Research, Innovation
	ETHZ	Eidgenössische Technische Hochschule Zürich
	EUA	European Universities Association
	HEIs	Higher Education Institutions
	IPSP	Institutional Publishing Service Providers
	ITSL	Center for Information Technology, Society, and Law
	LIBER	Ligue des Bibliothèques Européennes de Recherche
	NOAM	National Open Access Monitoring
	OA	Open Access
	OPERAS	Open Scholarly Communication in the European Research Area for So-
		cial sciences and humanities
	ORD	Open Research Data
	ORE	Open Research Europe
	PgB	Federal project contributions
	SCOSS	Global Sustainability Coalition for Open Science Services
	SERI	State Secretariat for Education, Research and Innovation
	SNSF	Swiss National Science Foundation
	SSH	Social sciences and humanities
	VoR	Version of Record

#### **Open Access Strategy Review: Background Report**

#### 1. Introduction

#### 1.1. Objective and structure of the Background Report

The primary objective of the Open Access (OA) Strategy Review is evaluating and re-interpreting the strategic parameters of the current strategy, which was developed by swissuniversities in collaboration with the Swiss National Science Foundation SNSF and adopted by these partners in 2017. The revised OA Strategy will represent a continuation and further development of the existing strategic foundations. In the interest of evaluating and adapting the strategic parameters, the revision addresses current developments as of 2023/2024 as well as experiences made thus far, with the overarching aim of ensuring the sustainable, long-term development of the OA landscape, as set out in the 2017 OA Strategy. The Background Report at hand aims at preparing and structuring the revision of the OA Strategy. Moreover, the review feeds into planning implementation activities within the 2025–2028 Federal project contributions (PgB) Programme Open Science II.

The Delegation Open Science approved the review's planning at its meeting of 9 June 2023. Subsequently, the Advisory Committee prepared the present document for the attention of the Delegation Open Science. The Background Report was approved by the Delegation Open Science on 1 December 2023. The aim of this Background Report is to prepare the review of the 2017 OA Strategy. To that end, section 2 contains a "situation and context analysis" on OA in Switzerland presented in accordance with the dimensions of both the current Swiss National OA Strategy and the Action Plan and supplemented by further dimensions (section 2.3) that are to be considered in particular. The Background Report understands the dimensions to be the action items and measures set out in the 2017 OA Strategy and the 2018 Action Plan as well as additional dimensions that that are observed in the current OA landscape. Based on the situation and context analysis, section 3 then proposes key issues to take into account for the OA Strategy Review. Lastly, section 4 lists the key documents on OA scholarly publications.

#### 1.2. The 2017 Swiss National OA Strategy

In 2015, the State Secretariat for Education, Research, and Innovation (SERI) commissioned swissuniversities to prepare, in collaboration with the Swiss National Science Foundation (SNSF), a strategy for implementing open access (OA) to scholarly publications. The <u>Swiss National Strategy on Open Access</u> was adopted by both partners in 2017. It envisions that "by 2024, all scholarly publication activity in Switzerland should be OA, all scholarly publications funded by public money must be freely accessible on the internet." Its scope covers scholarly articles in peer-reviewed journals, monographs, and edited collections. It acknowledges that the OA landscape consists of a mix of OA models.

The 2017 OA Strategy sets out five guiding principles. The first states that the various stakeholders in the Swiss Education Research Innovation (ERI) system are to adopt a powerful and unified approach to drive the OA transformation forward. Second, the importance of commitment to OA within the research communities is stressed. Third, the Strategy formulates the need for cost transparency and cost neutrality; to be sure, while the OA transformation must not lead to higher costs in the medium- and long-term for Switzerland, additional costs during a transitional phase are not excluded. Fourth, control over, and diversity of academic output, requires a multi-pronged approach in order to overcome obstacles like the high market concentration. Lastly, a revision of quality assessment systems is needed, as this is a determining factor in where researchers publish.

To achieve the vision of 100 percent OA by 2024, the partners committed to seven action items:

Adopting and aligning (institutional) OA policies

- Negotiations with publishers
- Coordinating and pooling resources (for infrastructures)
- Alternative forms of publishing
- Communicating and raising awareness
- Supportive regulatory framework
- National monitoring

The implementation of the Strategy was specified by swissuniversities in an <u>Action Plan</u>, which is based on the Strategy's action items. The Action Plan, adopted in 2018, formulates eight measures to implement the seven action items listed above as well as one additional measure addressing participation in international initiatives and infrastructures.

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#### 2. Situation and context analysis

The situation and context analysis takes stock of the overall development of OA (section 2.1), of the dimensions covered by the Swiss National OA Strategy, and of further dimensions that can be observed in the current landscape. In the analysis, current developments as well as opportunities and risks at the national, European, and international levels are considered.

#### 2.1. Overall development of open access

Between 2019 and 2022, the proportion of closed access articles decreased by 15.7 percentage points (see Fig. 1), with 32.8 percent of all articles published in closed access in the same period (see Fig. 2).<sup>1</sup> In the European context, this can be assessed as a positive result: For the same period (2019–2022), an average rate of 40.2 percent closed access articles was reported for France,<sup>2</sup> while in Germany the average rate of closed access articles is 37.6 percent.<sup>3</sup>

Among open access scholarly articles with the involvement of authors affiliated with Swiss institutions, most were published – between 2019 and 2022 – via the Gold OA Road (28.9 percent), followed by Hybrid OA (19.1 percent), Green OA (15.5 percent) and the Diamond OA model (3.7 percent) (see Fig. 2). The overall percentage of Gold OA articles increased by 8.6 and Hybrid OA articles by 16.2 percentage points between 2019 and 2022, a result most likely driven by the read & publish agreements, notably those concluded with Springer Nature, Elsevier, and Wiley.

Although Hybrid OA<sup>4</sup> publications are per definition open, the modalities and conditions of Hybrid OA publishing are in some cases questioned by stakeholders.

1 See Swiss Open Access Monitor. https://oam.oamonitor.ch/ (last accessed 7 December 2023).

2 See French Open Science Monitor. <u>https://frenchopensciencemonitor.esr.gouv.fr/publications/general?id=general.genres-ouverture</u> (last accessed 7 December 2023).

3 See German Open Access Monitor. https://open-access-monitor.de/publications (last accessed 7 December 2023).

4 Hybrid OA means resources published with an Open (creative commons) licence in a non-OA publication (e.g., in a

subscription-based journal). Hybrid resources are usually published in exchange for an article processing charge, or APC. See Swiss Open Access Monitor. https://oamonitor.ch/wiki/open-access-typology-2/



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*Fig. 1: Annual development of ratio open to closed access to scholarly articles in Switzerland for 2019–2022. Source: <u>Journal Monitor, Swiss Open Access Monitor</u> (last accessed 7 December 2023)* 

Note: Data on Green OA must be understood as a tendency only, as there are delays due to embargo periods.



*Fig. 2: Percentages of open and closed access to scholarly articles for 2019–2022. Source: Journal Monitor, Swiss Open Access Monitor* (last accessed 7 December 2023).

Although the overall trend is positive – as it confirms a proportional increase in open access to scholarly articles, other challenges arose: Aspects such as the added-value offered by publishers' services for increasing costs, monitoring article processing charges (APCs) directly paid by researchers ("costs in the wild"), and open access to long-form publications. Further systemic issues have also been observed, such as the inflation in publication

volume which is mainly caused by a "publish or perish" research culture that in turn is leveraged by for-profit publishers. These aspects are treated in greater detail below.

# 2.2. Dimensions covered by the Swiss National OA Strategy 2.2.1. Negotiations with publishers

Key messages:

The read & publish agreements negotiated in recent years have supported the increase in open access publishing in Switzerland, while also bringing about a transformation from "pay-to-read" towards "pay-to-publish" publication models.

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The negotiated transformative agreements with the three large publishers Springer Nature, Elsevier and Wiley (so-called "Big Deal negotiations") make up roughly three quarters of expenditures for licences in Switzerland. The agreements concluded with the three large publishers set precedents for negotiations with medium-sized publishers. However, while including additional services and becoming more comprehensive, the agreements with large publishers have also led to cost increases. Stakeholders are concerned about the continued dependency on large publishers and have raised questions about the shrinking room for manoeuvre due to the medium-term binding of resources for agreements with publishers. Another point of concern is the lack of transformation of hybrid OA publications. The scholarly publication system is currently developing at a different pace and in different directions globally and within Europe, and these disparate strategies on how to achieve OA are impacting the scope of negotiations in Switzerland.

The OA Strategy specifies "negotiations with publishers" as one of eight action items for achieving the vision of making all scholarly publication open access by 2024. The Strategy sets out that the negotiations are to encompass different OA models as well as "offsetting agreements including big deals with OA components". The Strategy sees such agreements as necessary transitional and transformative measures, even if they allow larger publishers to strengthen their position by expanding their OA offerings.

The Consortium of Swiss Academic Libraries (CSAL) conducts these negotiations on behalf of swissuniversities. The negotiations with large publishers are led by the president of swissuniversities. Almost all universities and further institutions are covered by the consortium licences for the major academic publishing houses and the negotiations have resulted in an increase in the overall licence volume in Switzerland.<sup>5</sup>

Most prominent among the negotiations are the so-called "Big Deals' agreements" with the three major publishing houses Elsevier, Springer Nature, and Wiley.<sup>6</sup> Cost-wise, agreements with the three big publishers constitute roughly three quarters of the 2023 expenditures for licences in Switzerland (see Fig. 4). Content- and policy-wise, the Big Deal negotiations have an overall impact on negotiations with all publishers.

With the agreements negotiated by CSAL over the past years, licence expenditures have shifted substantially from subscription to read & publish models (see Fig. 3 and 4). Not all agreements allow for a distinction to be made between costs for reading and publishing. For the six (2021) and seven (2022) read & publish agreements with a distinguishable percentage for publishing, the costs for publishing constitute 53 percent (2021) and 56 percent (2022) of expenditures for licences (see Fig. 3).

5 See CSAL. https://consortium.ch/?lang=en

6 In this document, the term "Big Deal" refers to transformative agreements with the three major publishers.



*Fig. 3:* Shift from subscription spendings to read & publish licence expenditures. Source: CSAL, Aug. 2023.



*Fig. 4: Shift from subscription spendings to read & publish licence expenditures, indicating the share of Big Deals. Source: CSAL, 28 Aug. 2023.* 

Note: These overviews for licence spending should be read and compared with caution as cost monitoring is not straightforward: for example, results may be skewed due to the fact that the different agreements were converted to Swiss Francs from other currencies, with no statistical compensation made for exchange rate fluctuations.

Critical elements in the negotiations include the role of hybrid journals, which in some cases account for a considerable percentage of the publication portfolio, as well as the use of yearly quotas, which favours researchers who publish earlier in the year.

#### Publisher's market strategy through APCs

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Initially, open access initiatives focused on removing publisher paywalls. Consequently, Gold OA was understood as promising and introducing transformative "read & publish agreements" the path to pursue. OA policies such as LIBER in 2017, (see also Amsterdam Call for Action on Open Science in 2016 and the OA2020 Initiative in 2015) focused on avoiding subscription fee increases and were characterised by a certain "organisational divide" between librarians with responsibilities for scholarly communication (researchers as authors) and those responsible for licensing electronic resources (researchers as readers). When publishers then introduced APCs, there was a shift of costs from readers to authors. According to LIBER, Europe's leading association of research libraries, this new structure plays into the "divide and conquer" scenario in which some commercial publishers increase their revenues both through subscription fees and hybrid APCs.<sup>7</sup>

Due to the growing number of Gold OA publications, more funds are needed to cover publication costs (APCs). A complicating factor is that some Gold OA spending is not allocated to central library acquisition budgets, but rather distributed across faculties, departments, or research teams; these "costs in the wild" make OA cost monitoring difficult.

In a critical assessment, some APCs are deemed unsustainable.<sup>8</sup> One reason being that the "publish or perish culture" is tied to a research assessment system that incentivises researchers to publish more. This practice is further fuelled by some for-profit publishers, who substantially increase their APC revenues by means of the growing publication volume. In the subscription model, there is also an incentive to increase the number of journals in order to sell additional subscriptions. Moreover, under certain circumstances, APCs can create unfair publishing conditions by favouring researchers with better access to OA funds and creating additional barriers for researchers to publish, as opposed to creating barriers to read, as is the case in subscription models.<sup>9</sup> In this context, the EU <u>Council Conclusions on</u> <u>High-Quality, Transparent, Open, Trustworthy and Equitable Scholarly Publishing</u> highlight the importance of not-for-profit scholarly publishing.

#### "Big Deal" negotiations

The first round of negotiations with the major academic publishers started in 2018. Upon concluding the initial agreements with Elsevier (contract term 2020–2023), Springer Nature (contract term 2020–2022), and Wiley (contract term 2021–2024), swissuniversities implemented the read & publish model with the three biggest publishing houses. The second round of negotiations began in 2022 with Springer Nature (agreement for the years 2023–2025). In early 2023, the round continued with Elsevier and is scheduled to be concluded in 2024 with negotiations with Wiley (see Fig. 5).

<sup>7</sup> LIBER (2022). Four Urgent Recommendations for Open Access Negotiations with Publishers. <u>https://libereurope.eu/ar-ticle/four-urgent-recommendations-for-open-access-negotiations-with-publishers/</u>

<sup>8</sup> Sanderson, K. (2023). Editors Quit Top Neuroscience Journal to Protest against Open-Access Charges Nature 616, p. 641–641. <u>https://doi.org/10.1038/d41586-023-01391-5</u>

<sup>9</sup> Grove, J. (2023). Can the EU make a 'parallel publishing system' work? <u>https://www.timeshighereduca-tion.com/news/can-eu-make-parallel-publishing-system-work</u>; Pampel, H. (2023). EU-Mitgliedstaaten betonen die Rolle von wissenschaftsgeleiteten Open-Access-Modellen jenseits von APCs. <u>https://wisspub.net/category/open-access-transformation/</u>



Fig. 5: Negotiation timeline. swissuniversities, 2023.

The negotiations aims and governance for the negotiations are defined by the Delegation Open Science and approved by the members of swissuniversities. The results and lessons learned from the negotiations are regularly discussed among the stakeholders involved and result in further recommendations.

Although the first round of Big Deal agreements as well as the SNSF's OA policy and the Gold OA Fund of swissuniversities led to a substantial increase in open access to scholarly articles, it is debatable how financially sustainable the agreements are for the scholarly publishing system in the long term (see Fig. 6). Impact and success of the Big Deal negotiations is assessed differently, depending on which negotiation objectives are considered most relevant.



# Fig. 6: Key values of the Big Deal read & publish agreements. Source: CSAL, 28 August 2023.

#### On cost neutrality and cost monitoring

The 2017 OA Strategy sets the following principle regarding costs:

"OA should not lead to higher publication costs (cost neutrality) in the medium and long-term for Switzerland as a whole, although there will be additional costs in the transition phase. A prerequisite for implementing OA is a comprehensive and transparent overview of costs from research and funding organisations. As long as the scientific communities continue to allow large profit-oriented publishers to dominate scholarly publishing, the economic advantages of Open Access will be undermined by high publication prices – no longer for licences, but for OA publication fees."<sup>10</sup>

Based on this formulation in the OA Strategy, swissuniversities decided in concertation with stakeholders in 2021 not to provide a too restrictive definition of cost neutrality for the Big Deals negotiations mandate, leaving the negotiation team for the second round with a certain bandwidth to negotiate. It is important to situate the ambiguity surrounding the term cost neutrality in the context of high expectations in the ERI sector and the need of institutions

10 swissuniversities, SNSF (2017). Swiss National Strategy on Open Access, p. 3. <u>https://www.swissuniversi-</u> ties.ch/fileadmin/swissuniversities/Dokumente/Hochschulpolitik/Open Access/Open Access strategy final e.pdf

for as much planning certainty as possible. Moreover, the increasing publication volumes observed in the academic landscape result in higher and opaque costs. Due to these conflicting priorities given by the context, as well as the challenge of prioritising negotiation objectives, the negotiation team and stakeholders must continuously adapt and align their understanding of the negotiation strategy under changing circumstances.

It is paramount to include stakeholders and to incorporate their interests and needs when setting up and negotiating Big Deal agreements. Timely communication and preparation are essential for minimising and mitigating negative consequences, as is the coordination of responsibilities and resources.

# SWISSUNIVERSITIES Critical views of Big Deal negotiations have become more prevalent and take different forms in libraries, Higher Education Institutions (hereinafter HEI) leadership, and political contexts. Moreover, balancing pragmatic solutions to guarantee access to scientific information with long-term service delivery as set out in the strategic goals has proved challenging. Never-theless, the Big Deal negotiations and transformative agreements have facilitated the OA transformation and a shift towards a "pay-to-publish" model, which is made possible through close interinstitutional collaboration at the national level – and therefore were and are a crucial element of the transformation towards OA in Switzerland.

#### International and European context

Negotiation teams and library practitioners exchange experiences in European networks such as the <u>ESAC</u> community.<sup>11</sup> Through these discussions, the Swiss negotiation team benefit from lessons learned and achievements made in other countries with similar open access strategies. ESAC also provides a <u>reference guide</u> for concluding transformative agreements on the basis of the most recent benchmarks, and it maintains a <u>registry</u> of more than 800 transformative agreements.

Globally speaking, however, European and international practices in open access publishing have evolved at different paces and in different directions. Like Switzerland, many European countries have followed the Gold OA Road via negotiations with publishers, while Asian and North American countries generally pursue other strategies when publishing research outputs, mainly due to their different research cultures. This impacts how much room for manoeuvre European and Swiss institutions have to further promote open access. A related concern is that the read & publish agreements concluded in the past few years have not yet led to the anticipated equal participation in the scholarly publication system. To be sure, greater equality has been attained through making publications open to readers, but the model has also led to certain imbalances, because transformative agreements tend to include hybrid models based partly on APCs and partly on licences for reading access.

#### **Opportunities and risks**

A positive outcome of negotiations with publishers, including Big Deal agreements, is that they have promoted open access publishing and improved workflows. Additionally, the cost increase curve has flattened compared to before the transformative agreements were in place. Regarding the Big Deal negotiations, it is an advantage that CSAL has the necessary negotiation leverage – due to its considerable size and number of participating institutions – to achieve the negotiation aims.

However, cost structures persist and are difficult to monitor, which impacts negotiations not only with large publishers but also with small and medium-sized publishers. Another risk lies in the increasing percentages of hybrid journals that are not being transformed to OA. Costly multi-year agreements give publishers time to reinforce their business model around "pay to

11 ESAC is an open community of information professionals dedicated to putting the vision of open access to research into practice. <u>https://esac-initiative.org/</u>

publish", which could foster discontent among stakeholders and research communities, and hence lead to a dwindling acceptance of read & publish agreements.

Despite these difficulties, joint negotiations foster the targeted transformation. Furthermore, they aid to closely monitor the implementation of (transformative) agreements with large publishers. In addition, standards and solutions for negotiations with smaller publishers can be created through the negotiations. Lastly, the mandate to negotiate is an effective instrument that can be adjusted according to current developments in the OA landscape.

#### 2.2.2. Alternative forms of publishing

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Key message: Diamond OA makes up a small percentage of overall scholarly publishing in Switzerland, although the model is established in small-scale contexts that address specific needs and is thus well-positioned to further its capacities. At present, however, the European and national Diamond OA ecosystem is emergent and is deemed nonviable as an alternative to for-profit publishers. To strengthen and scale up its impact on the OA transformation, Diamond OA requires further professionalisation and pooling/networking of institutional infrastructures and services both nationally and internationally.

The dimension of alternative forms of publishing focuses on Diamond OA, which is understood as journals or platforms that charge no fees, neither to authors nor readers. The Swiss OA Strategy and Action Plan contain an action item on alternative forms of publishing that was implemented through bottom-up calls for projects. A total of nine projects with overall financing of CHF 1,925,344 (federal funding only, the matching-funds principle applies) were funded through the Federal project contributions PgB Open Science I Phase A – OA programme within this action line. Two core perspectives of Diamond OA can be identified: (1) the Swiss Diamond OA ecosystem focuses on small-scale contexts and specific communities, and (2) the challenge concerning how to scale up and network Diamond OA capacities on a European level with the aim of providing a viable alternative that reduces systemic dependencies on large publishers.

#### Diamond OA landscape in Switzerland

The <u>PLATO study</u> conducted in 2022 on the Swiss Diamond OA publishing ecosystem revealed that the landscape is characterised by diversity regarding types of publishing organisations as well as disciplines and publishing languages. The majority of publishing organisations are university libraries, and most Diamond OA journals publish less than 25 articles per year. Institutional and funder policies have spurred the development of Diamond OA journals in Switzerland in the past several years, with 40 percent of the journals under investigation having been "flipped" or founded in 2015 or later. In addition, the study found a rather high level of standardisation in the hosting services used as well as standardised quality assurance procedures.

#### Challenges in Diamond OA

Two main challenges in Diamond OA concern (1) institutional publishing infrastructure and services, and (2) professionalisation of Diamond OA journals. Firstly, infrastructure and services to support journals (e.g. indexation, long-term archiving) in the publishing process are needed to facilitate the operation of academic journals. These infrastructures and services are in part pooled, and further developed networks will improve the use of synergies between institutions. Secondly, professionalisation standards in Diamond OA journals are as yet insufficient, a condition that also ties into the available publishing infrastructure and services. Much editorial work is unpaid and performed by members of the academic community. The professionalisation of Diamond OA journals, notably through institutional infrastructures and services and services, would ultimately lead to their greater acceptance in the academic community. Specialised consulting services in legal, governance, funding, and administrative

matters would support "flipping" academic journals to Diamond OA – an effective way of fostering the alternative publishing system while also retaining a journal's academic standing.

#### Financial sustainability

The two main challenges surrounding Diamond OA publications are closely related to funding these journals. The financial sustainability of Diamond OA journals is of concern, as a considerable percentage of journals report financial losses (see Fig. 7).



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*Fig.* 7: *Financial situation of Swiss Diamond OA journals (editors' survey; n= 31); Source: Hahn, D. et al. (2022).* <u>Mapping the Swiss Landscape of Diamond Open Access Journals.</u> <u>The PLATO Study on Scholar-Led Publishing</u>, p. 40.

The PLATO report has indicated that the HEIs offer financial support through direct funding or through paid salaries. In 2021, the median annual costs of Swiss Diamond OA journals were CHF 15,000 (CHF 433 per published article on average), with substantial differences discernible between disciplines. The main cost drivers are salaries for editorial managers and assistants, and IT-related tasks, with Open Journal Systems (OJS) being used by 42 percent of editors.

Exploring the potential trade-off between funding Diamond OA or Gold OA is currently of high importance. The observed increase in APCs makes it challenging to allocate direct funding for the promotion of Diamond OA.

#### International and European context

In the international, and specifically European context, momentum for the advancement of Diamond OA publishing can be observed, in particular in terms of its potential to be a viable alternative in scholarly publishing with the potential to reduce systemic dependencies on large publishers in the long-term and transfer the control over scholarly publishing to the academic community. The momentum for Diamond OA is exemplified by the Council of the European Union's <u>Conclusions on high-quality</u>, transparent, open, trustworthy and equitable scholarly publishing from May 2023. In addition, the European Commission is piloting a funder-owned open access publishing platform, <u>Open Research Europe (ORE)</u> that aims to promote fast publication of research results as well as open peer reviews following the initial publication. The pilot of ORE is still in an early phase and the platform's visibility remains low.

In 2022, Science Europe collaborated with <u>cOAlition S</u>, the <u>OPERAS</u> project (Open Scholarly Communication in the European Research Area for Social sciences and humanities) and <u>ANR</u> (l'Agence national de la recherche) to publish the <u>Action Plan for Diamond Open</u> <u>Access</u>, which proposes the following priority actions to promote this community-led and owned publishing model: (1) increasing efficiency of Diamond OA publishing by sharing common resources; (2) raising and flexibly aligning the quality profile of the ecosystem; (3) building capacity in terms of editorial and management skills; and (4) ensuring sustainability of Diamond OA journals and platforms regarding governance, revenue streams, and legal status. The Action Plan was signed by the European Universities Association (EUA).

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Parts of the Action Plan were further developed and implemented by the project Developing Institutional Open Access Publishing Models to Advance Scholarly Communication (<u>DIA-MAS</u>), which is funded by Horizon Europe. The project pursues the following aims: mapping the current landscape of Institutional Publishing Service Providers (IPSPs) in the European Research Area (ERA); developing an Extensible Quality Standard for Institutional Publishing (EQSIP) for the purpose of professionalising and strengthening institutional publishing; and formulating recommendations for advancing institutional scholarly publishing that are directed towards ERA policymakers and institutional leaders.

In sum, the will to federate and develop the Diamond OA ecosystem is strong at the European level. The goal is providing viable alternatives both at the political (through the Council Conclusions) and the implementation level (through DIAMAS and OPERAS) in order to reduce systemic dependencies on large publishers.

#### **Opportunities and risks**

Alternative forms of publishing have potential to foster a diverse publication landscape, as they build on established service providers in Switzerland and maintain connectivity within Europe. However, the fragmentation of the ecosystem and existing difficulties in implementing sustainable business models may hinder larger scale alternatives – that would require professionalisation and networking/pooling of resources. If the momentum for Diamond OA in Switzerland and Europe remains strong, investments into Diamond OA could have a multiplicative effect. The local community-building effect of these publishing forms, as well as their connection to international initiatives, would make it possible to address questions regarding research culture, notably to ensure academic quality of publications. Recognition by research communities and long-term funding would foster continuing broad support from the relevant actors, and thus maintain the momentum.

#### 2.2.3. Services and infrastructure

Key message: Important initiatives to develop OA-related services and infrastructures have been taken within Swiss HEIs. These existing services and infrastructures could be enhanced by further developing a robust, coordinated, and networked ecosystem of largescale alternatives with sustainable business models on a national and international level.

Centralised platforms, tools, and resources that support researchers, institutions, and other stakeholders in their efforts to publish, disseminate, and access research are key requirements for advancing the OA transformation in Switzerland – all measures that are closely connected to the Diamond and Green OA Roads. Accordingly, the Swiss OA Strategy and Action Plan contain an action line on promoting shared services and infrastructures. Implemented through bottom-up calls for projects, a total amount of CHF 1,001,475 (federal funding only, the matching-funds principle applies) was allocated to six projects in the last three years. Information on the projects is available on the <u>swissuniversities website</u>.

#### Current landscape

Undertakings of Swiss HEIs and of national institutions, especially projects in the relevant action lines<sup>12</sup> as defined in the Swiss Open Access Strategy, have fostered the development of robust repository solutions and shared services that enable researchers to access and disseminate their research findings. The activities proved particularly useful when projects were able to draw on existing infrastructure, to which, ideally, an institutional connection already existed. However, challenges arose in efforts to find suitable and competitive external service providers in Switzerland and Europe that did not create dependencies on specific providers. An additional challenge for infrastructures and services is securing long-term funding for established projects.

## swissuniversities Potential for

Potential for development

Despite the various endeavours taken thus far to implement the OA Strategy, there is potential for the establishment of robust alternatives for OA in Switzerland. One major issue is strengthening inter-institutional collaboration on the national and international level, in particular linking services and infrastructure for Diamond OA. Another area to be supported concerns Swiss efforts to provide the services and infrastructures necessary to join international, in particular European projects. Realising a more networked national and international infrastructure and service ecosystem, also enables a more cost-effective OA transformation.

#### Institutional repositories

To enable the implementation of the Green OA Road on an institutional level, repositories are of crucial importance. Currently, almost all HEIs have an institutional repository that is either hosted on an independent platform or at Zenodo. All HEIs with an institutional repository successfully meet the minimal requirement of the National Open Access Policy Guide-lines in that they ask their members to deposit all scholarly publications on the repository. Most HEIs additionally specify the kind of scholarly publications to be deposited (e.g. articles, book chapters, dissertations) and the version thereof (either Author Accepted Manuscript AAM or Version of Record VoR).

#### International and European context

Several European initiatives are of great interest to Switzerland. For example, the European Open Science Cloud (EOSC), a pan-European project of interest that provides a virtual environment to connect Open Science infrastructure and services, which is also relevant to OA. In addition, the <u>OPERAS</u> project offers new opportunities in the light of the interlinking of infrastructures and services in the social sciences and humanities (SSH), that could still be expanded. OPERAS is a research infrastructure supporting open scholarly communication in the SSH in the European Research Area. Its mission is to coordinate and federate resources in Europe in order to efficiently address the scholarly communication needs of European SSH researchers. Lastly, the <u>SCOSS</u> network (Global Sustainability Coalition for Open Science Services) is an international initiative that holds potential for Swiss infrastructure and service providers. With its pragmatic and sustainable approach, it enables stakeholder institutions and the broader open science community to participate in the direct and immediate funding of non-commercial open infrastructures and services.

The large-scale European initiatives aiming at federating existing infrastructure and services emphasise the high demand and recent efforts to interlink and consolidate infrastructures and services across borders. The connectivity of Swiss infrastructure and services to these initiatives is of utmost importance for driving the OA transformation forward.

<sup>12</sup> In particular, the two action lines "Alternative forms of publications" and "Participation in international initiatives" have contributed significantly to the development of relevant infrastructure and services in Switzerland.

#### **Opportunities and risks**

Several key projects have begun paving the way towards establishing robust repository solutions and shared services within HEIs, in addition to promoting national collaborative projects and developing connections with European infrastructures. On the whole, this represents a significant underpinning of current OA services and infrastructures. Although much focus has been placed on the sustainability of ongoing programmes, one potential future challenge pertains to the long-term funding of established services and infrastructures. Another risk relates to dependence on specific providers, which could result in lock-in effects. Collaboration with national and international services and infrastructures could be further sought in the interest of fostering a balanced and federated ecosystem of OA services and infrastructures with sustainable business models.

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#### 2.2.4. Communicating and raising awareness

Key message: The academic community is knowledgeable about OA policies as a general rule. However, it is of interest to further develop a common understanding of what the OA transformation could entail and its potential benefits to research culture.

The Swiss National OA Strategy and Action Plan contain an action item for promoting OA communication and awareness-raising among researchers. For this purpose <u>a communica-tion campaign</u> was organised in 2021 and funded via the 2021–2024 PgB Open Science I programme. swissuniversities provided informational material that the HEIs adapted to their specific needs. The main objectives were to inform the academic community about OA, enhance the image of OA, and foster a cultural shift towards OA publishing. The PgB programme budgeted CHF 200,000 (federal funding only, the matching-funds principle applies) for this action item.

While the measure successfully raised general awareness about OA, it is difficult to assess whether a far-reaching change in attitude towards OA publishing has taken place in the Swiss research community. There may still be a need to supporting researchers' publicationrelated decisions, draw attention to the benefit of repositories, link OA policies to current issues in research culture, or take other such steps.

Moreover, the perception of how the OA transformation has advanced is characterized by diverging views. For this reason, building knowledge about current OA trends, fostering the OA community in Switzerland, and providing space for exchange on the transformation represent potential areas for future communication measures.

#### **Opportunities and risks**

In general, OA – as an idea and a publication mode – is well-established in academic communities and institutions. HEIs have been closely involved in awareness raising efforts as well as in establishing resources for OA advisory and guidance services. The diverging viewpoints on the OA transformation (e.g. what it should entail, how it should be achieved, how it should benefit the research culture) might represent a rising challenge for future awareness raising. Relatedly, a potential risk could pertain to the fact that the added value of OA might be compromised, especially if OA publishing is viewed as less prestigious than "traditional" publishing options. A key opportunity for future awareness-raising measures is that they can build on the previous OA campaign and continue to involve HEIs. Awarenessraising initiatives for OA could be linked with Open Research Data (ORD) and other aspects of Open Science, which are less known and established.

#### 2.2.5. Supportive regulatory framework

Key message: Adequate regulatory framework conditions are necessary for advancing open access to scholarly publications. Accelerating the transformation through the rights retention strategy can offer adequate regulatory framework conditions on the institutional level. Introducing a secondary publication right for publicly funded scholarly publications under Swiss law can do so on the national level; its feasibility is to be assessed.

The Swiss OA Strategy and Action Plan contain an action item on the necessary regulatory framework for fostering OA practices and reusing OA publications. For instance, author rights retention could accelerate the transformation by enabling the Green OA model. A secondary publication right would enable authors to comply with open access requirements by publishing after an embargo period. However, this right is not anchored in Swiss law; when Swiss Copyright law was reformed in 2017/2018, the introduction of a secondary publication right failed to find a consensus in this specific political context and timeframe. A secondary publication right would simplify author rights retention, as authors and institutions would not need to navigate different publisher policies.

#### **Rights retention**

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A more pragmatic approach in this area is for authors to retain publishing rights when concluding contracts with publishers. The so-called Plan S includes a rights retention strategy in which authors do not concede exclusive publication rights to publishers and instead retain the right to make their publication publicly available, for instance as an author accepted manuscript (AAM) publicly available under a creative commons (CC) licence. The SNSF has required rights retention since 1 April 2018 and, after the SNSF joined cOAlition S in June 2022, researchers have had a tool to implement Plan S since 1 January 2023. Because this instrument is still in an early implementation phase, investments in awareness raising and advisory services for the research community are necessary.

#### Secondary publication right

The PgB Open Science I programme implemented the action item of the Swiss National OA Strategy by issuing a call for tenders for a legal analysis that focuses on medium- to long-term aspects of a secondary publication right in Swiss Law. <u>One project</u> with total financing of CHF 177,976 (federal funding only, the matching-funds principle applies) was approved. The project was led by the Center for Information Technology, Society, and Law (ITSL) at the University of Zurich, in collaboration with six partner institutions located in Switzerland. The project results were made available in October 2023 in the report <u>"Regulatory Frame-work: Zweitveröffentlichungsrecht und Open Access als regulatorische Herausforderung"</u>. The legal analysis has two central axes:

	Axis 1	Axis 2
Task	Develop potential approaches for	Identify the most important legal
	a mandatory secondary publica-	challenges of Open Access
	tion right	
Implementa-	The section on secondary publica-	The project identifies and explains
tion	tion rights covers the following as-	the most important legal chal-
	pects:	lenges of open access from the
	- Comparative law analysis	following perspectives:
	- Potential approach for Swit-	- Constitutional law
	zerland	- Employment law
	- International private law is-	- Data protection law
	sues	- Regulations on the transport
	- Assistance for researchers	of goods and freight
		- Procurement and competition
		law
Details	The first part is based on a com-	The constitutional foundations and
	parative analysis of existing solu-	the relevant fundamental rights
	tions in different jurisdictions,	(e.g. freedom of research) will be
	such as Germany, France, and	taken into account throughout the
	the Netherlands, and weighs the	analysis. The relevant challenges
	advantages and disadvantages of	of data protection law are speci-
	these approaches. Based on	fied and potential issues in labour
	these findings, options for the de-	law are identified. Specific issues
	sign of a secondary publication	of regulations on transport of
	right in Switzerland will be devel-	goods and merchandise, as well
	oped.	as procurement and antitrust
		problems that may arise in the
		context of OA, are also examined.
		Should it become apparent that
		legislative changes would be nec-
		essary or desirable in a particular
		area of law, solutions for this will
		also be identified.
Results	From the current perspective, the	From today's perspective, none of
	introduction of a mandatory provi-	the legal areas examined seems
	sion on the right of secondary	to lead to major problems for
	publication in the law on publish-	Open Access under today's condi-
	ing contracts (Art. 381 ff. CO)	tions
	seems to be the most appropriate	
	solution.	

The report suggests that from a juristic perspective, a secondary publication right could be introduced under Swiss law. Because this would require new legislation, its feasibility would have to be assessed in detail. This transition may prove delicate, as observed in the European context where the introduction of a secondary publication right was subject to debate among the relevant public and private sector actors.

#### International and European context:

Priority area 2 of the 2022–2024 <u>ERA Policy Agenda</u> aims to propose a legislative and regulatory framework in the EU for issues surrounding research copyrights and data. This framework should regulate aspects such as access to, and reuse of, publicly funded research and innovation results, including open access to scholarly publications. The European Commission commissioned a <u>Study on EU copyright and related rights and access to and reuse of scientific publications, including open access</u>.

Five EU member states have introduced a secondary publication right to national law (Germany in 2013, the Netherlands in 2015, Austria in 2015, France in 2016, and Belgium in 2018). The five laws differ in their specific conditions for secondary publication right, but all guarantee that an author's secondary publication right are unwaivable, thus enabling authors to comply with OA requirements through the Green Road without risking legal uncertainty.

#### Opportunities and risks

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The rights retention strategy is still in an early implementation phase and, in order to implement it more broadly, investments into supporting researchers are necessary. In a positive development, the SNSF already implements Plan S and thus the retention rights strategy. Nevertheless, support for this rights retention strategy should be further developed.

The advantages of a secondary publication right lie in the simplicity they represent for authors, who are freed from navigating different publisher policies and running the associated legal risks. Ensuring a secondary publication right will be an effective solution for creating a supportive regulatory framework on the national level. This would require new legislation, although there is an opportunity to draft a provision on a mandatory secondary publication right that can be implemented in Swiss Law. In this context, it is useful to observe similar developments surrounding secondary publication rights at the European level, as these processes provide information on how this will impact scholarly publishing.

#### 2.2.6. National monitoring

Key message: Switzerland has a national system for monitoring the percentage of open access publications, but further improvements regarding metadata are needed. Non-centrally paid APCs make the national cost monitoring procedure currently being developed increasingly necessary. Because monitoring in the OA transition is crucial, further development of the related tools is essential for supporting evidence-based decision-making.

The Swiss OA Strategy and Action Plan contain an action item on the nationwide monitoring of open access publications to steer the OA transformation. The PgB Open Science I programme allocated CHF 100,000 (federal funding only, the matching-funds principle applies) to the National Open Access Monitoring (NOAM) project for developing the <u>Swiss Open Access Monitor</u>; the Consortium of Swiss Academic Libraries led the project. The Monitor collects and visualises data on the percentage of scholarly articles by authors affiliated to a Swiss institution that were published in open access. Managing the data sources is challenging, as the international datasets used could create disciplinary- and language-related biases. Moreover, institutional-level data is challenging, as the quality of aggregated data is subject to bias caused by different institutional practices in data collection and maintenance.

#### New development: cost monitoring

Recent years have seen a rise in the number of article processing charges paid directly by authors rather than via central budgets. A <u>study</u> of the evolution of APC costs in France estimated that APC costs tripled between 2013 and 2020, and similar findings were made at Swiss institutions. To address these issues in particular, the Delegation Open Science tasked the CSAL with preparatory steps to realize a cost-monitoring instrument in the period 2025–28.

#### International and European context

Other countries are also endeavouring to monitor the OA transformation at the national level (examples include the <u>French Open Science Monitor</u>, <u>German Open Access Monitor</u>, <u>Study</u> for monitoring OA publications in the Netherlands, and Jisc's <u>Monitor UK</u>).

#### **Opportunities and risks**

Monitoring the percentages of open access publications in journals and repositories is wellestablished and is currently being further developed regarding costs. This is a strength, as publication monitoring is an essential instrument for the promotion of OA. However, it should be noted that embargo periods in the case of Green OA can cause gaps in publication monitoring and thus potentially cause difficulties in monitoring long-form publications, as fewer indicators are available. In addition, current procedures for costs monitoring are challenging due to the persistence of so-called "costs in the wild", specifically: APCs paid directly by authors and the resulting lack of transparency concerning APC costs. For this reason, developing and strengthening existing costs monitoring procedures represents an important way to better cater to the informational needs of decision-makers.

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#### 2.2.7. Research assessment

Key message: There is a need to broaden research assessment practices to encompass aspects related to open access and to ensure comprehensive assessments that address issues such as societal impact, in accordance with the institutional and community discourses. In this context, the focus is placed on interfaces between OA to publications and research assessment rather than the broader discourse on research assessment. It is crucial to maintain robust and recognised quality assurance processes in scholarly publishing that are in line with the specific needs of the individual research communities.

The Swiss National OA Strategy and Action Plan contain an action item on research assessment that was implemented by swissuniversities through the PgB Open Science I programme via bottom-up calls. CHF 649,960 (federal funding only, the matching-funds principle applies) was allocated to four projects. At present, more attention is being given to research assessment practices that could be broadened to include open access aspects and also consider societal impact. Although academic excellence is evaluated differently in the individual research communities and institutions, the introduction of assessment practices congruent with OA is progressively being considered, especially on account of its potential to contribute to the OA transformation. The following addresses important issues in research assessment in the context of OA; it should be noted, however, that research assessment entails much broader challenges to research culture and touches on crucial issues such as diversity and inclusion, which are not addressed in this report.

#### Inflation of publication volume

Evaluation processes and reputational factors often determine how and where researchers publish their findings. The prevalence of the "publish or perish culture" places pressure on researchers, especially early career researchers. As mentioned in section 2.1, a consequence is an inflation of the overall volume of publications. This trend is further fuelled by some for-profit publishers who introduce special issues, leading to a higher number of publications but also more revenue through APCs<sup>13</sup>. The extent to which the trend towards more publications is due to increased research activity or to distortions in the publication system is currently open to debate. Regardless of the cause, however, responsible use of publication-based evaluation criteria is believed to be essential for transforming the "publish or perish culture" into a system that functions have been addressed at the international level, by initiatives such as the <u>San Francisco Declaration on Research Assessment</u> (DORA) and the <u>Agreement on Reforming Research Assessment</u> (see also below).

<sup>13</sup> See Crosetto, P. et al (2022). Is MDPI a predatory publisher? <u>https://paolocrosetto.wordpress.com/2021/04/12/is-mdpi-a-predatory-publisher/</u>

#### Quality assurance in scholarly publishing

These dynamics are not only important for driving the OA transformation forward, but also for guaranteeing academic quality in publications and peer review processes. The quality of OA journals is sometimes questioned, mainly due to conflicts of interests between different stakeholders in the publishing process (e.g. authors, editors, reviewers, and publishers). The <u>EQUAP</u><sup>2</sup> study evaluated the quality assurance process in scholarly publishing, with the participation of Swiss institutions. The results suggest that short review times are valued by authors, in line with their need to publish. Commercial publishers tend to guarantee such short turnarounds, which also increases the number of articles published. By contrast, editors and reviewers see fast (but also long) review times as a bad sign for a journal's quality. While a tendency towards conflicting perceptions and interests regarding the quality assurance process in academic publishing was observed in the study, it also became apparent that expectations towards peer review processes vary greatly between disciplines. A future avenue would be to consider new forms of peer review, for instance open peer reviews that make quality assurance processes more collaborative and that mitigate the above-mentioned conflicts of interests among stakeholders.

#### International and European context

Internationally, the importance of reforming the research assessment system has been underlined by various initiatives such as the Declaration on Research Assessment (DORA) and, more recently, for Europe by the Coalition for Advancing Research Assessment (CoARA). These international developments are crucial for the community and institutional discourses on research assessment in Switzerland. However, it should be noted that they address broader concerns in research assessment that, while related to OA, are nevertheless outside the scope of the Swiss National OA Strategy.

#### **Opportunities and risks**

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A shift towards more responsible use of publication-based criteria in research assessment has been observed and new approaches are currently under development. Opportunities lie in recent European initiatives aiming at reforming research assessment as well as in new forms of quality assurance processes in scholarly publishing, including open peer review. However, changes in research assessment take time and must respect how academic excellence is defined in different research communities and institutions. A potential difficulty pertains to the fact that OA must not be considered a quality indicator in research assessment. Indeed, it is important that discussions on OA remain separate from the broader discourse on research assessment.

#### 2.2.8. Anchoring the OA Strategy at institutions

Key message: Institutional OA policies at Swiss HEIs have been successfully implemented. In comparison with 2015, the percentage of Swiss HEIs with OA policies increased markedly (from 49 percent to 86 percent), approaching European rates (91 percent). OA policies could further incentivise rights retention and explicitly encourage Green and Diamond OA.

The Swiss National OA Strategy and Action Plan contain an action item aimed at encouraging Swiss HEIs to adopt and align OA policies for establishing and harmonising OA practices throughout Switzerland. The Delegation Open Science formulated the minimal requirements for OA policies in the <u>National Open Access Policy Guidelines</u>. For the purpose of this report, a review of all OA policies publicly available on HEI websites was conducted in the summer of 2023. The policies were analysed in reference to the recommendations formulated in the National Open Access Policy Guidelines.

#### <u>Overview</u>

The OA policies of 33 HEIs are publicly available at the institution's OA or repository webpage. This represents 100 percent of universities, 87 percent of universities of teacher

education, and 73 percent of universities of applied sciences and arts.<sup>14</sup> The Swiss HEIs with no publicly available OA policy nonetheless have webpages with information on open access. In addition, OA services have been implemented at almost all HEIs, either as an independent service or affiliated with existing services such as a library/media unit or a research and development department. In general, these services also are responsible for the institutional repositories that almost all HEIs have introduced (see section 2.2.3). These developments highlight the significant effort that has been put into implementing OA policies, developing OA services within existing institutional structures, and providing repositories. As such, it represents a solid basis for Swiss HEIs to institutionally strengthen their OA policies and to meet future challenges in the OA landscape.

## swissuniversities <u>Recommended OA Roads and embargoes</u>

All policies recommend at least the minimal requirement set out in the National Open Access Policy Guidelines, namely that the results of any academic work conducted by HEI members are to be published in OA, regardless of the chosen model.

Two thirds of the policies also stipulate that "the Green road is recommended, while the Gold road is strongly encouraged," thus stating that Gold OA should be favoured over Green OA when possible. In most policies, embargo periods for Green OA were specified, with one third following the SNSF model, one third accepting longer embargo periods, and one third formulating no recommendation on embargoes. Moreover, one third of the policies caution against Hybrid OA unless read & publish agreements have been concluded.

Taken as a whole, these policies indicate that the OA transformation has indeed been implemented at Swiss HEIs, with a preference for OA publications regulated by read & publish agreements. This strategy reflects the HEIs involvement in Big Deal negotiations and aided in significantly increasing OA publishing at Swiss HEIs. Due to the emerging challenges regarding OA negotiations with publishers (see section 2.2.1), alternative forms of publishing remain an option, including Diamond OA (see section 2.2.2), which at present has little support in policies.

#### Rights retention and copyrights

Rights retention and copyright issues are addressed in most policies, which advise authors to avoid the transfer of rights. Some policies include recommendations on choosing the least restrictive creative commons (CC) licence. Although the rights retention strategy is still in an early implementation phase, Swiss HEIs have taken initial steps to raise awareness and include these issues in their policies, thus laying the groundwork for developing policies to implement rights retention (see section 2.2.5). A critical aspect of further developing policies to address right retentions is that it requires the HEIs to make investments in services such as advising researchers in applying the required rights retention.

#### Researcher perspective on OA

OA implementation is highly dependent on researchers, as their decision on where to publish is what drives the OA transition forward.<sup>15</sup> In this context, three Swiss HEIs (HES-SO, ETH Zurich, and UNIL)<sup>16</sup> conducted surveys to assess researchers' OA perceptions and practices within their respective scientific communities. The following key conclusions were

- 15 See, e.g., Greussing, E., et al. (2020). Drivers and Obstacles of Open Access Publishing. A Qualitative Investigation of Individual and Institutional Factors. *Frontiers in Communication 5*. <u>https://doi.org/10.3389/fcomm.2020.587465</u>; Heaton, R., et al. (2019). Altruism or self-interest? Exploring the motivations of open access authors. *College & Research Libraries 80* (4). <u>https://doi.org/10.5860/crl.80.4.485</u>
- 16 See ETHZ Eidgenössische Technische Hochschule Zürich (2017). Befragung zu Open Access an der ETH Zürich -Gesamtbericht. <u>https://doi.org/10.3929/ethz-b-000177012</u>; Crespo-Quesada, M., & Bussy, F. (2018). L'Open Access à l'UNIL, Sondage Open Access UNIL 2017 - Rapport et Vision. <u>https://serval.unil.ch/resource/serval:BIB\_6CF16A34F7E0.P001/REF.pdf</u>; HES-SO Haute Ecole Spécialisée de Suisse occidentale (2020). Enquête 2020 Open Access HES-SO : Valeurs et pratiques. <u>https://www.hes-so.ch/en/actualites/detail-actualites/enqueteopen-access-hes-so-valeurs-pratiques-16674</u>

<sup>14</sup> As a comparison, in 2015 the percentages of HEIs with OA policies were the following: 75 percent of universities, 33 percent of universities of teacher education, and 40 percent of universities of applied sciences and arts (see <u>Stratégie nationale suisse sur l'Open Access: Plan d'action</u>, swissuniversities).

made: (1) researchers resort to institutional repositories as much as to academic social networks to publish in OA; (2) most researchers (in average 80 percent) consider a journal's impact factor when choosing where to submit, while around 40 percent say OA is a key factor when choosing a journal/editor; and (3) researchers generally agree (in average 68 percent) that they should retain their rights, although a substantial percentage (around 40 percent) overlooks rights retention at the submission stage or worries about possible backlash. Together with OA awareness raising activities (see section 2.2.4), these surveys show that Swiss HEIs are actively involved in communicating about open access publishing and its reception within the academic community.

#### swissuniversities International and European context The 2021 EUA Open Science Surve

The 2021 <u>EUA Open Science Survey</u> revealed that 54 percent of the 272 surveyed European institutions had an Open Science policy, while 37 percent were in the process of developing such a policy. According to the 2023 <u>Leiden Ranking</u>, Swiss universities publishes roughly 75 percent of all research outputs in open access (irrespective of the OA Road chosen),<sup>17</sup> while the worldwide leader (UK) publishes more than 80 percent of its research outputs in open access. When viewing Gold OA publications, the highest percentage worldwide is around 60 percent; in Switzerland, Gold OA makes up roughly 30 percent.

#### **Opportunities and risks**

Over the last seven years, all HEIs have attained high implementation levels regarding the establishment of OA policies, infrastructures, and services. This progress has contributed greatly towards anchoring the strategy, and it forms the foundation for future developments, for instance specifying institutional policies and further pooling and networking existing HEI knowledge, infrastructures, and services. Nevertheless, it is important to note there are differences from institution to institution regarding OA expertise, knowledge, and resources; these gaps could hinder establishing the strategy throughout Switzerland.

#### 2.3. Further dimensions observed

The following two dimensions are not directly addressed in the current OA strategy. However, because they are being observed in the current OA landscape, they deserve due consideration.

#### 2.3.1. Discussions on global equality

Key message: The perspective of OA on global equality is being discussed more thoroughly at the international and European levels, as the "pay to publish" model creates an unequal playing field in international research. Switzerland is active through the funding of open infrastructures and further participation in the discussions is crucial to enable a global equality in the system for scholarly publishing.

The discussions at the international and European level suggest that a move away from read & publish agreements is desired, as the practice has resulted in less equal access to publishing. In particular, it can be argued that read & publish agreements with the major publishers have caused inequalities, as APC costs may exceed available financial budgets. Indeed, it is increasingly unrealistic for institutions and authors in the Global South to finance APCs, leading to greater reliance on Diamond or Green OA publishing models. This tendency is exemplified by the large Diamond OA platform for the Spanish- and Portuguese-speaking world, <u>Redalyc</u>.

In the scope of the action item on alternative forms of publishing, the Delegation Open Science allocated CHF 150,000 (federal funding only, the matching-funds principle applies) to

17 Please note that Leiden rankings only include universities and do not include data from universities of teacher education or universities of applied sciences and arts. the GLOBEQUITY project, which addresses the dimension of global equality in the field of public health.

#### **Opportunities and risks**

Scholarly publishing is a global enterprise: OA policies can have an impact on an international level, hence possibly on global inequalities. For this reason, a greater involvement of Switzerland in European and international initiatives relating to global inequalities in the area of scientific information is considered as an opportunity.

#### 2.3.2. Long-form publications

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Key message: OA to long-form publications is still under development within the highly diverse and specialised ecosystem of high-quality service providers in Switzerland. This welldeveloped ecosystem holds promise for the OA transformation and for developing collaborative solutions for long-form scholarly publishing.

Long-form scholarly publications (e.g. monographs, book chapters) play an important role in scholarly communication, especially in the social sciences, law, and humanities. The OA transformation in the area of long-form publications has advanced at a different pace than for scholarly articles in peer-reviewed journals: according to the Repository Monitor a yearly average of 24 percent of long-form publications between 2019 and 2022 were open access.<sup>18</sup> The Swiss National OA Action Plan views long-form publications as within its scope, without being in the main focus of its activities. The SNSF includes peer-reviewed monographs in its OA policy.

#### The Swiss long-form publication landscape

The slower transformation in the case of long-form publications is believed to be due to the higher publishing costs, specificities in business models, and the importance of long-form print versions for the academic community. In Switzerland, multilingualism is a major advantage in the publishing landscape, especially for long-form publications. Indeed, the cultural, and especially linguistic, conditions mean that the Swiss market for monographs is subject to more regional specificities and thus achieves a greater bibliodiversity. This is valuable to the academic community, as it results in better service quality on the part of providers. At the same time, these conditions represent a potential challenge in developing collaborative approaches to advance the OA transformation at a national level. The OAPEN-CH study on monographs suggests that OA monographs benefit from increased visibility, better international reach, and increased use of monographs, and there are no indications that they cause a significant drop in a publisher's sales figures. The OA transformation in longform publications is of particular concern to small and medium-sized publishers, as OA practices necessitate a change in their business models, which are under pressure due to digitalization. If the Gold OA model is chosen, Book Processing Charges (BPCs) must be paid, which can help publishers finance their services for digitising monographs and make the publication open access. Nevertheless, collective solutions in the academic community are needed to prevent expensive BPCs from building barriers to long-form publications in open access. Moreover, the scope of long-form publications is to be defined, as special cases such as trade books and textbooks are still to be defined. In addition, many long-form publications like monographs in visual arts have highly specialised features (e.g. clarification of image rights) and thus require niche editing services. If the Green OA model is adopted, questions regarding licences and embargoes must be addressed. A common practice amongst cOAlition S signatories is requiring or advising grantees to use creative commons (CC) licences and 12-month embargoes for long-form publications.

18 See Swiss Open Access Monitor, Repository Monitor: <u>https://oamonitor.ch/de/diagramme-und-daten/repository-moni-</u> tor/ (last accessed 14 December 2023)

#### International and European context

At the international level, the Directory for Open Access Books (DOAB) – a communitydriven service that indexes and provides access to academic, peer-reviewed OA books and publishers – is an essential infrastructure for supporting the OA transition. In Europe, the project <u>OAPEN</u> supports the transition by providing open infrastructure services to various actors in scholarly publishing. In addition, the project Policy Alignment of Open Access Monographs in the European Research Area (PALOMERA) investigates the current situation regarding monographs in the ERA and makes knowledge on this situation available to policymakers, with the overarching aim of speeding up the OA transition for monographs.

#### Opportunities and risks

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The Swiss landscape for long-form publications is characterised by its multilingualism, diversity, and high-quality services, which as a whole constitute major strengths. Nevertheless, there are also challenging aspects in the promotion of OA for long-form publications, especially the fact that policy activities have not yet focused on this topic and that adapting existing business models is potentially difficult. To promote OA for long-form publications, collaboration between national stakeholders could be further developed, and connectivity to European initiatives enhanced. Another advantage to long-form publications is that they are less prone to systemic distortions and dependencies, and a well-established ecosystem of longform publishers and service providers can be relied upon.

#### 2.4. Summary of OA Roads

This Background Report highlights several key aspects regarding OA Roads that are summarised below. Among the main positive impacts of the read & publish agreements is a decline in closed access publications, with the number of closed access articles decreasing in the last few years compared to open access publications. Overall during the 2019–2022 period, the percentage of closed access articles lowered to 34 percent in Switzerland. Nevertheless, while the percentage of open access articles increased, most long-form publications remain in closed access (76 percent are closed access). The main pathway to open access for long-form publications is the Gold Road, which involves BPCs.

Between 2019 and 2022, an increase in the number of scholarly articles published in hybrid journals was observed. This development is linked to a perceived tendency that publishers transform their closed access journals into hybrid journals. Moreover, because publication models on a global level are not uniform (e.g. North America and Asia frequently employ subscription models), large publishers are incentivized to keep closed access journals in their portfolios. Indeed, large publishers are perceived to segment the international market by offering both subscription and open access products. Overall, the number of hybrid journals has increased, an aspect that raises critical questions as to the extent to which Hybrid OA can be considered as a long-term contribution to the OA transformation.

The Gold OA Road has been the main driver in the OA transformation, generally increasing the proportion of articles published in open access and transforming the scholarly publishing system from a pay-to-read towards a pay-to-publish model. Nevertheless, systemic distortions arise due to market strategies pursued by publishers. Three challenges are associated with the Gold OA model: APCs, publication volume, and quality assurance. Firstly, the "publish or perish culture" inflates the number of publications, a development that is fuelled by some Gold OA publishers and that ultimately leads to higher APC costs. The increase in APC price levels poses a growing problem, as it not only impacts read & publish agreements, but also fosters global inequalities in scholarly publishing. Secondly, Gold OA publication costs tend to lack transparency and vary greatly from publisher to publisher. Continually higher rates for APCs is not viable in the long term, as this not only places a financial burden on institutions, but also exacerbates inequalities in scholarly publishing.

To accommodate the academic community's need to publish, commercial publishers propose quick review times, which further increases publication volume while also impacting quality assurance. This in turn gives rise to the danger that reviewers are asked to evaluate work that potentially falls outside their area of expertise. Some commercial (Gold) OA publishers use such strategies to increase profits, disregarding the high-standard quality assurance processes recognised by the research community concerned. Consequently, the quality of the peer review process is called into question. It is important to note, however, that these dynamics are neither valid for all publishers nor for all disciplines, and that open forms of peer review processes for improving quality assurance and evaluation transparency exist. In summary, the Gold Road has enabled a fast OA transformation, with a significant increase of the percentage of open access articles published. However, issues regarding APCs, publication volume, and quality assurance pose problems for the long-term viability of Gold OA pathways.

The Diamond OA Road represents an important alternative form of publishing. Although Diamond OA publishing is still at an early stage of development, it offers opportunities to pursue OA transformation in the long-term as an alternative to for-profit publishers. A major argument in favour of Diamond OA is that it can return control over scholarly publishing to the hands of the academic community and thus reduce dependencies on commercial publishers. In the endeavour to develop the Diamond Road as a recognised form of OA publishing, two considerations are of key importance. The first concerns financial sustainability and the need for investments to guarantee efficient Diamond OA publishing services and infrastructures. The second relates to the need to further professionalise Diamond OA journals by developing internationally and nationally networked infrastructures and services. In sum, Diamond OA offers interesting opportunities: it could help reduce systemic dependencies through bibliodiversity, while also contributing to greater financial sustainability and cost efficiency.

Lastly, the Green OA Road remains a viable option for promoting the OA transformation. Substantial efforts have been made to develop repository infrastructures at HEIs, and there is potential to further network these infrastructures. At the same time, solutions must be found regarding rights retention strategy and a secondary publication right. It should be noted that implementing the rights retention strategy also requires strong institutional support, and that while a secondary publication right is feasible under Swiss law, such a measure would necessitate legislative changes. In this context, it is advisable to look at similar developments or questions raised regarding secondary publication rights at the European level to learn more about its effects on scholarly publishing.

In summary, an increase in open access publications (mainly driven by Gold and Green OA) and a shift towards a "pay-to-publish" model has been observed in the last few years, reflecting the national endeavours undertaken to achieve the OA transformation.

#### 3. Conclusion and key issues

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The key issues identified in this report are listed below; the order does not reflect an issue's priority. Each point is briefly summarised, with associated policy recommendations (indicated with " $\rightarrow$ ") made for the review process. The Delegation Open Science takes these key issues into consideration as it continues its work on a revised Swiss National OA Strategy:

- Key issue 1 Added value for society, the environment, and the economy: Through its dissemination of publicly funded research outputs, OA provides added value for society, the environment, and the economy. Sharing knowledge through academic publications has the potential to address global and Swiss societal challenges and to promote solutions in the areas of sustainability, digitalization as well as equal opportunity, diversity, and inclusion. → The OA Strategy Review retains this principle of OA.
  - Key issue 2 Definition of the OA transformation: There are diverging notions on how to define the OA transformation among stakeholders.
     → The Strategy Review clarifies and defines the OA transformation, while also respecting the principle that the Swiss OA landscape is comprised of a mix of OA Roads.

Key issue 3 Scope of OA publications: The scope of publications that fall under OA is unclear, making it difficult to adequately consider specificities related to research disciplines and communities.
 → The scope of OA publications must be defined and delineated to the necessary extent. This means that long-form publications and further publication formats should be considered, where adequate, as different to scholarly articles, as different instruments to implement OA may be

#### Key issue 4 Instruments for implementation: → The review process should identify instruments that advance the imple-

needed.

mentation of the OA transformation in a cost-effective and sustainable manner (e.g. mandate for negotiations with publishers, rights retention and/or secondary publication right, alternative forms of publishing).

Key issue 5 International and European connectivity: At the European level, there is a will to transform the scholarly publication system, and in particular to assess the possibilities Diamond OA could offer. In North America and Asia, the subscription model dominates; for example, in North America the transformation is conducted via the Green OA Road. The Global South, in particular Latin America, is increasingly placing the emphasis on the Diamond OA Road, as APCs have become too costly.

→ The OA Strategy Review considers and defines how the efforts in Switzerland should connect internationally and how Swiss initiatives collaborate with the rest of the world.

Key issue 6 Defining key performance indicators: Connected to the definition and objective of the OA transformation is also the challenge of how to measure its impact and success.
 → The OA Strategy Review considers a monitoring and evaluation model

that informs decision makers and allows for the implementation to be adapted as changes arise.

	Key issue 7	<ul> <li>Impact of (Gold) OA on scholarly publishing: An inflation in the number of publications due to the increasing research output, pressure to publish, and some market strategies of publishers has been observed.</li> <li>→ The consequences of the OA transformation on the scholarly publishing system must be given due consideration.</li> </ul>
swissuniversities	Key issue 8	Quality assurance in scholarly publishing: The inflation in publication volume leads to concerns regarding quality assurance processes (peer review) in scholarly publishing. → The OA Strategy Review considers how to ensure that academic quality assurance processes are upheld in scholarly publishing.
	Key issue 9	<ul> <li>Financial sustainability: The financial sustainability of scholarly publishing is critical, especially in light of the financial situation of the public sector.</li> <li>→ The financial sustainability of scholarly publishing must be ensured. This encompasses sustainable business models and effective cost sharing mechanisms for pooled/networked infrastructure and services, notably for alternative forms of publishing.</li> </ul>
	Key issue 10	Serving a heterogeneous landscape: The Swiss higher education land- scape and Swiss research communities are heterogeneous and decentral- ised. If this feature is not taken into account, there is a risk that the strate- gic objectives will fail to reflect specific needs and that individual, parallel solutions will develop. Such a situation would hamper achieving strategic objectives and financial sustainability. → The different parties must be adequately considered in the Strategy Re- view. Furthermore, the Strategy Review must account for bibliodiversity and multilingualism.
	Key issue 11	Interfaces with other research policies → The OA Strategy Review considers how OA policy interacts with other policies, such as open science or research culture, in the interest of ade- quately coordinating these interfaces. In this context, the interconnection with, and the separation from, discussions on research assessment is to be considered.
	Key issue 12	Adequate inclusion of parallel processes: Related processes are taking place in similar timeframes: the ERI Dispatch 2025–2028; the Horizon Dispatch (which expires at the end of 2027); the 2025–2028 PgB Open Science II programme; the 2025–2028 PgB Open Education programme; developments within HEIs; and other European and North American developments in the area of OA. → The Strategy Review adequately includes these parallel processes and approaches them in a coordinated manner.

#### 4. Annex: List of key documents

#### Key documents published by swissuniversities

In the area of Open Access to scholarly publications, swissuniversities has published the following key documents to date:

- Chapter 7 on Open Science of swissuniversities' strategic planning 2025–2028
- <u>Swiss National Strategy on Open Access</u>, adopted by the SNSF and swissuniversities in 2017
- <u>Action plan</u> to the Swiss National Open Access Strategy, adopted by the SNSF and swissuniversities in 2018
- Implementation plan of the PgB Open Science I Phase A Open Access pro-

# gramme, through which the Open Science delegation advances the implementation of the national strategy

- Big Deals Negotiations, governance and aims for the years 2018, 2022 and 2023

Furthermore, swissuniversities is also active in the area of open research data (more information <u>here</u>), although it is explicitly not part of the OA Strategy Review.

Key documents on Big Deal Negotiations and Transformative Agreements

- Boutsiouci, P., & Felder, F. (September 2019). Open-Access-Verträge in der Schweiz – ein Werkstattbericht aus dem Konsortium der Schweizer Hochschulbibliotheken. ABI Technik, 39(3), p. 190–93. <u>https://doi.org/10.1515/abitech-2019-3002</u>.
- Fazackerley, A. (May 2023). 'Too Greedy': Mass Walkout at Global Science Journal over 'Unethical' Fees. *The Observer*, 7. <u>https://www.theguardian.com/science/2023/may/07/too-greedy-mass-walkout-at-global-science-journal-over-unethical-fees.
  </u>
- Siversten, G. & Zhang, L. (August 2022). Article Processing Charges (APCs) and the New Enclosure of Research, *The London School of Economics and Political Science Impact Blog*. <u>https://blogs.lse.ac.uk/impactofsocialsciences/2022/08/11/ar-</u> ticle-processing-charges-apcs-and-the-new-enclosure-of-research/.
- LIBER Europe (April 2022). Four Urgent Recommendations for Open Access Negotiations with Publishers. *LIBER*. <u>https://libereurope.eu/article/four-urgent-recom-</u> <u>mendations-for-open-access-negotiations-with-publishers/</u>.
- Olsson, L., Francke, H., Hertil Lindelöw, C. & Willén, N. (July 2020). The First Swedish Read & Publish Agreement: An Evaluation of the Springer Compact Pilot. *LI-BER Quarterly: The Journal of the Association of European Research Libraries* 30(1), p. 1–33. <u>https://doi.org/10.18352/lq.10309</u>.

#### Key documents on Plan S

Else, H. (April 2021). A Guide to Plan S: The Open-Access Initiative Shaking up Science Publishing. *Nature*. <u>https://doi.org/10.1038/d41586-021-00883-6</u>.

Documents Regulatory Framework

- European Commission, Directorate-General for Research and Innovation (2021). European Research Area Policy Agenda – Overview of actions for the period 2022-2024. *Publications Office of the European Union*. <u>https://research-and-innova-</u> <u>tion.ec.europa.eu/system/files/2021-11/ec\_rtd\_era-policy-agenda-2021.pdf</u>
- European Commission, Directorate-General for Research and Innovation, Angelopoulos, C. (2022). Study on EU copyright and related rights and access to and reuse of scientific publications, including open access: Exceptions and limitations, rights retention strategies and the secondary publication right. *Publications Office* of the European Union. <u>https://data.europa.eu/doi/10.2777/891665</u>

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	- Rooryck, J., & Mounier, P. (August 2023). D.1.3 Towards an Enhanced and Aligned			
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	- Sanderson, K. (June 2023). EU Council's 'No Pay' Publishing Model Draws Mixed			
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	- HES-SO Haute Ecole Spécialisée de Suisse occidentale, Lucas, I. (2020). Enquête			
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