Q&A supporting news item 'Dutch research institutions and Elsevier reach framework agreement

19 December 2019

1. **Who are the participating organisations in this framework agreement?**
   The framework applies for all institutional members of VSNU, VH, NFU, NWO and KNAW. We are exploring the possibilities to extend the partnership with other pubic research organisations.

2. **What is included in the transition period lasting through Jan 1 – May 1 2020?**
   What the organisations are working towards is a completely new kind of agreement that has not been reached in any other country thus far. It is not a conventional contract about licensing scholarly content. It is centred around the provision of a set of services to support the (open) science ambitions of the Dutch research community. Four kinds of services are distinguished:

   1. Open Knowledge Base Service
   2. Services for Research Intelligence and Workflow
   3. Open access publishing services
   4. Reading Services

   A final contract, to be developed in the first 4 months of 2020, will cover all four services. A transition period will begin January 1 – May 1, 2020. Services 3 and 4 will be available immediately January 1 and onwards. The services 1 and 2 are provided under embargo until May 1st 2020. This period will be used to work out the legal terms but also the detailed terms and conditions, principles and rules of engagement that apply to services 1 and 2.

3. **Why is it called a framework agreement, also with a transition period?**
   We are working on a completely new kind of agreement including the development of new services and tools for research intelligence and workflow. This is new ground for all partners involved. We need additional time to work out the finer details. A working group will be established to elaborate on the preliminary set of principles that we already agreed on (see Q16). The working group will be asked to deliver its work before May 1st. In the meantime, the legal details of the contract will be worked out. Elsevier is prepared to already provide access to the services 3 and 4 as from January 1, 2020 onwards.

4. **Does that mean a final agreement can still fail?**
   In principle yes. Important details have to be worked out, especially when it comes to what can and cannot be done with the (meta) data that feed in and are produced by the services and tools to be developed. But organisations are working in good faith and have the confidence they will come to an agreement. Our intentions are laid out in a Memorandum of Understanding.

5. **Is Elsevier indeed providing 100% open access publishing for all Dutch articles?**
   Our new agreement includes four service components, two of which – reading and publishing service – will be implemented from 1st January onwards. This means that from 1st January onwards Dutch corresponding authors can publish an unlimited number of articles in Open Access: there is no cap on that number. Authors have a choice of OA licenses to publish under, including CC-BY. This will contribute significantly to the Netherlands ambition to reach 100% immediate open access.

6. **How about reading? How many journals are member institutions given reading access to?**
   Full access to all (subscription) content as published by Elsevier, including titles not previously subscribed to by Dutch institutions.

7. **Will the final agreement be made public?**
   Yes. The final agreement will be published in the ESAC registry when it has been signed.

8. **Is this agreement in accordance with Plan S?**
   Yes. NWO believes this agreement is in accordance with Plan S because it supports the following important points:
   i. it moves subscription money over to OA,
   ii. it makes significant progress towards 100% OA,
   iii. it enables authors to retain copyright when publishing OA,
   iv. It offers a CCBY license when publishing OA and
   v. is transparent through our commitment to publish the contract in ESAC.

9. **Will the agreement give Elsevier an unfair advantage over other providers of research analytics?**
   That is explicitly not the intention. Interoperability and no vendor locking are important principles already agreed upon. The pilots will be open for other providers to co-develop services and tools based on the common infrastructure, with further details on how this will work in practice to be iterated over the next four months. There will be no exclusive relationship between NL stakeholders and Elsevier.

10. **Can (and how can) third parties (public and private) use the foreseen open knowledge base infrastructure to develop new products?**
    Services developed as a result of this agreement will be vendor-neutral and fully interoperable with systems and services of other providers. We anticipate third parties being invited to join this partnership, but further details will be worked through by partners in the coming months. In addition, partners will work on an open knowledge base such that the development of new services is open to all public and private organisations.

11. **How does the open knowledge base guarantee the diversity of approaches by different companies and as such stimulate diverse approaches and innovation in data analytics?**
The foreseen agreement does stimulate diverse approaches and innovation in data analytics by creating a level playing field enabling others to develop products based on Dutch scientific output. The partnership will also create developer services (APIs) in a so-called open knowledge base. A working group of experts from member institutions will specify the rules of engagement.

12. **Is an institution obliged to participate in these services and/or to purchase software?**
No. Every university will be free to develop software / services itself, to purchase from other providers and all will be able to feed into the codeveloped infrastructure. One of our guiding principles in developing the infrastructure is that whatever we jointly design it should be interoperable and vendor neutral (see Q16).

13. **Which Elsevier products and services are included in the agreement?**
Commencing 1st January 2020 we will implement the reading and publishing components and Scopus will be available for member institutions. Additional products and services will be discussed and added over the coming months.

15 **Are institution obligated to start using Scopus, or any of the other services, now it will become part of the deal?**
No. Institutions are free to use Scopus if they chose to do so; they are equally free to use non-Elsevier products as they like

16 **What are the leading rules of engagement / principles for the new services to be developed?**
A set of principles / rules of engagement to guide the execution of these pilots and the final implementation of these new services will be worked out in more detail by the working groups over the coming months. An initial set of key principles is agreed. These are:

- Interoperable: No vendor lock in, researchers and institutions can also use their own tools
- Future proof: system should be flexible to different setups and different agreements
- Vendor/publisher neutral -system development not limited to any specific vendor
- Researchers and/or institutions own their own research data (not Elsevier)

17 **Why are the partner organizations working towards a multiyear contract period? Why so long?**
A period of 5 years is deemed necessary by partner organizations to allow for the thorough execution of pilots and successive implementations of the services.

18 **Why is a transition period, needed?** Not all principles can be operationalised before a legal agreement is finalized. New services will be developed over time with possible implications not thought about (i.e., implications for the kind of data generated, connecting existing and new services, etc.). In this respect a governance structure is needed. Not only to monitor and steer on the principles agreed on, but also to decide collectively which data can be used for which new services by whom. During the contract period a steering committee will supervise the development of these new services for Dutch researchers and public research

institutions and decide which services will be developed under this agreement.

19 **Are research institutions selling their data to private companies like Elsevier?**
No. The ownership of universities' data will always remain with the institutions/academics. Institutions/researchers will always decide what third parties such as Elsevier can and cannot do with this (meta)data.

20 **I read on social media that "the agreement may effectively transfer crucial means to influence Dutch science policy to private enterprises."**

This agreement is about partnership and collaboration. Along the key principles we have already defined (see Q16), we are further developing rules of engagement that would underlie the services we co-develop. We are open to hearing what principles would be desirable to give researchers, institutions and other key stakeholders the necessary comfort. A working group will work on these issues until May 2020.

21 **Discussions were initially about open access publication in Elsevier journals? Where does this whole open science story come from?**

Open Science stands for the transition to a new, more open and participatory way of conducting, publishing and evaluating scholarly research. Central to this concept is the goal of increasing cooperation and transparency in all research stages. Open science includes open access and gives a clear positioning of making research output openly available. Open science is not limited to OA however. In addition, services and systems need to be developed to help make science more transparent, efficient, inclusive and collaborative, allowing for broadest possible audiences to have the opportunity to participate, to make use of and to contribute to the scientific process.

On a coordinated national level partners included in the agreement will carry out a number of pilots and implementations to develop new services and tools that:

- Increase the discoverability of Dutch research outputs (publications and data)
- Foster the sharing of research data according to FAIR principles
- Improve insights into the performance and impact of Dutch research output
- Support new ways of recognising and rewarding researchers contributing to the open science ambitions of the Netherlands, including citizen science