

# RESEARCH COUNCIL OF LITHUANIA

## RESOLUTION REGARDING THE APPROVAL OF THE GUIDELINES ON OPEN ACCESS TO SCIENTIFIC PUBLICATIONS AND DATA

29 February 2016, No. VIII-2  
Vilnius

The Research Council of Lithuania (hereinafter – the Council), acting in accordance with the Commission Recommendation of 17 July 2012 on access to and preservation of scientific information (2012/417/EU), and having regard to the Policy Guidelines for the Development and promotion of Open Access of UNESCO, and the Science Europe Principles on Open Access to Research Publications of 2015, and with a view to implementing the tasks set forth in the Regulations of the Research Council of Lithuania approved by Resolution No. 625 of 22 December 2009 of the Seimas of the Republic of Lithuania *Regarding the approval of the Regulations of the Research Council of Lithuania*, and the provisions of Article 45 of the Law on Higher Education and Studies, and acting as the institution responsible for the coordination of the Open Access policy on the national level,

has resolved as follows:

1. to approve the Guidelines on the Open Access to Scientific Publications and Data (hereinafter – the Guidelines) (attached);
2. apply the provisions of the Guidelines to the projects in the activities supported by the Council the competitions with respect to which are announced after the effective date of the present Guidelines;
3. establish the transitional period for the implementation of the Guidelines by 31 December 2020. In case during the transitional period any infringements of the Guidelines are established apply warnings only;
4. carry out an interim evaluation of the impact of the Guidelines, and the progress achieved by 1 May 2018, and adjust the Guidelines having regard to the experience in and the need for the application of the Guidelines on Open Access to scientific publications and data.

Chairman of the Council

Dainius H. Pauža

## **GUIDELINES ON OPEN ACCESS TO SCIENTIFIC PUBLICATIONS AND DATA**

### **CHAPTER I**

#### **POLITICAL PROVISIONS**

1. The Research Council of Lithuania (hereinafter – the Council) supports the policy of the European Union<sup>[1]</sup> regarding Open Access to the results of research supported by public funds, and the possibilities for the user to access such results not impeded by any financial, organisational, legal or technical barriers.

2. The Council approves the possibility to freely carry out text and data mining in Open Access publications and/or the related data, also approves the possibility to reuse scientific results employing automatic document content analysis tools to the extent that does not infringe any copyrights or the rights of any third parties.

3. The Council takes all the necessary measures to participate in the common Open Access movement active globally and in the European Union, and initiated and supported by UNESCO<sup>[2]</sup>, the European Commission, the European Research Council<sup>[3]</sup>, the Science Europe<sup>[4]</sup>, European University Association<sup>[5]</sup>, other organisations and movements, and contributes to the harmonisation of the requirements for researchers and research results in the European Union.

4. The Council seeks to advocate Open Access among policy makers, scientists and knowledge managers; the Council supports global, national, regional and institutional initiatives fostering Open Access.

5. The Council calls Lithuanian academic institutions, research infrastructures and other related organisation to approve the provisions of their policies on Open Access to research results, and the procedures for management and stewardship of such data.

6. In response to the provisions regarding Open Access of the EU Framework Programme for Research and Innovation Horizon 2020<sup>[6]</sup>, the Council drew up the Guidelines on the Open Access to Scientific Publications and Research Data (hereinafter – the Guidelines).

### **CHAPTER II**

#### **OBJECTIVE, TARGETS AND SCOPE OF THE GUIDELINES**

7. The purpose of the Guidelines is to present to Lithuanian academic institutions and researchers engaged in research and dissemination projects the general principles underlying Open Access to the results of publicly funded research.

8. The purpose of the Guidelines is to:

8.1. ensure dissemination of research results and circulation of scientific knowledge;

8.2. promote broader cooperation between researchers and reduce the amount of potentially identical or uncoordinated research;

8.3. enhance the credibility of research results, transparent obtaining and maintaining of data, and cherish academic ethics;

8.4. facilitate the interaction between business and science, science and policy makers, and social partners;

8.5. secure a better societal and economic return of research results.

9. The Guidelines are applied to the scientific publications of research and dissemination projects funded by the Council (hereinafter – projects); the model types of such publications are perceived as defined by the relevant Order(s) of the Chairman of the Council<sup>[2]</sup>, except the technical documentation, and the data obtained in the course of the implementation of the projects save for the cases referred to in Item 24 of the present Resolution.

### CHAPTER III

#### CONCEPTS

10. The concepts used for the purpose of the present Guidelines:

10.1. **Open Access to scientific publications and data** (hereinafter – the Open Access) – is a free and unrestricted online access to scientific publications, research data and other published or unpublished peer-reviewed research material that is available to any user to freely read, copy or carry out an automated content analysis<sup>[8]</sup> without infringing copyrights.

10.2. **Open Access repository** (hereinafter – the repository) is a technical infrastructure used for storing and opening research publications, and/or related or separately submitted research data, at the same time submitting the metadata. Such repositories may be national, institutional, thematic or specialised, widely recognised by academic community of a specific domain.

10.3. **Open Access journals** – are online scientific journals that publish peer-reviewed articles, openly accessible online without any additional charges for the user. If allowed by the CC-BY licence, on the basis of such articles the user may create derivative works.

10.4. **Data** – results accumulated and/or obtained in the course of research that may be published and opened together with the publications they support, or stored in repositories the access to which is provided by the administrating institution. Data must be provided with an identifier and the metadata.

10.5. **Data management plan** – a document providing information on accumulation, storage and access of project data indicating the measures intended in the course of the project and upon its completion to ensure that the data are archived safely and reliably; it also states how and under what conditions the data will be accessible for re-use, provided there are no conflicting legal, ethical factors or security concerns; how and when the data will be opened for other users; the standard metadata intended to be used for the description of the project data, as well as the procedure for management and updating the data, and what type of data will be provided for the long or short-term storage, in the latter case indicating when and in what manner the data will be destroyed.

10.6. **Identifier** is a unique and permanent digital object identifier used to uniquely identify an information unit in the digital environment.

10.7. **Embargo period** – the period from the publication of research results (most often – publications) until the time when the publisher allows to publish the text in the repository, or otherwise provide Open Access to the text.

10.8. **Hybrid journals** – scientific journals providing Open Access to selected articles, whose authors or the funding institutions have paid the costs of the publication, while the access to the remaining articles is provided only to subscribers for a subscription fee.

10.9. **Metadata** – a structurally defined information that describes and explains the document or an information resource, indicates its location or otherwise facilitates its retrieval, use or management. Metadata include the heading, the author and his affiliation, the funder of research, publication time and place, the title of the publication, etc.

## CHAPTER IV

### OPEN ACCESS TO SCIENTIFIC PUBLICATIONS

11. The Open Access to scientific publications is provided by uploading the publications in repositories, and/or Open Access journals.

12. All project-related scientific publications must be stored in repositories and archived. Digital copies of the publications shall be deposited in a repository immediately after they are accepted for publishing. The repository assigns to the publications an identifier, and immediately opens their metadata. The metadata of the publications must be completely open, accessible for search and machine-readable, even when a scientific publication is subject to an embargo period.

13. After the scientific publications are published, their copies contained in the repository shall provide references to their officially published versions.

14. Unless an embargo period is provided, project-related scientific publications shall be opened immediately after they are deposited in the repository.

15. The Open Access to scientific publications in the areas of biomedicine, physical, technological and agricultural sciences may be subject to an embargo period of 6 months, while the scientific publications in humanities and social sciences may be subject to an embargo period of 12 months.

16. Authors of the publications and/or their institutions are recommended to negotiate with the publishers regarding the implementation of the principles specified above, or select another journal that ensures the compliance with the present Guidelines.

17. Article processing charges (APC), book processing charges (BPC) as well as the expenses incurred in relation to publishing in Open Access journals or publishing Open Access books may be considered eligible expenses of the projects financed by the Council, and included in the budget of the project.

18. The expenses related to the opening of publications in hybrid journals cannot be considered eligible expenses of the projects funded by the Council.

19. All books and articles published in Open Access journals for which the article processing charges and/or book processing charges have been paid, must be published with a *Creative Commons CC-BY licence*<sup>[9]</sup>.

## CHAPTER V

20. The project leader shall ensure the preservation of the data generated in the course of the project implementation in digital form, and the transfer of such data for storage at the institution and/or to the repository upon the end of the project. The data must be preserved for a period no shorter than five years following the completion of the project.

21. The implementers of the project intending to accumulate the relevant data must include in the proposal a data management plan. In the course of the implementation of the project the relevant data management plan may be adjusted.

22. The expenses incurred during the project to implement the data management plan are eligible expenses, and may be included as an item of the estimated total cost of the project.

23. The data underlying the scientific publications referred to in Chapter IV of the Guidelines must be made openly accessible at the same time as the publications. The data must be made accessible in repositories or other ways specified by the publishers, and linked to the relevant publications.

24. Project implementers may be exempted from the provisions of the Guidelines on Open Access to data (or part thereof), upon a reasonable explanation and if:

24.1. the data have been obtained not in the course of the project implementation, or the scientific publication was not based on original data, i.e. the data were not compiled and/or generated during the project;

24.2. the data that have commercial value or can be used for industrial purposes may be exempted from the general principle of Open Access.

24.3. Opening Access to the data would be incompatible with the confidentiality requirements;

24.4. Opening Access to the data would contradict the requirements regarding the protection of personal data;

24.5. Open Access to the data would prevent attaining the objectives of the project;

24.6. there are other legitimate reasons not to open the data.

## **CHAPTER VI**

### **ENFORCEMENT AND OVERSIGHT OF THE GUIDELINES**

25. Chapters IV and V of the Guidelines present the general principles followed by the Council for the Open Access to scientific publications and data. The specific obligations of the implementers of the projects funded by the Council and the institutions are set forth in the project financing contracts.

26. Project implementers shall report on the compliance with the Guidelines and/or any legal or technical barriers preventing the implementation of the Guidelines in the interim and/or final reports of the projects, specifying the location of the scientific publications and/or the data in the repositories, the metadata, the embargo periods (if applied), and other related relevant information.

27. When evaluating the reports the Council shall in all cases consider the compliance with the requirements of the present Guidelines.

28. The Council has a right to require the evidence on the compliance with the provisions of the Guidelines for five years following the completion of the project.

29. The responsibility for the scientific publications and the submission of the data to repositories, as well as the provision of Open Access (where applicable) lies with the project leader. Following the completion of the project, the responsibility for the further storage and maintaining of scientific publications, and/or their submission to a repository lies with the institution implementing the project.

30. Having established any cases of non-compliance with the provisions of the Guidelines, the Council shall issue warnings to the project implementers and institutions. The Council reserves the right to suspend the funding to the project in case the project leader and/or the institution fails to comply with the requirements of the present Guidelines.

31. When allocating funding to the project the Council reserves the right to assess the compliance with the obligations under the Guidelines by the project leader indicated in the proposal in relation to previous projects.

32. The Council shall publish the summaries of the projects funded by it with the references to the results of the project, to the extent that does not contradict the requirements of copyrights and other legal acts.

## CHAPTER VII FINAL PROVISIONS

33. The present Guidelines do not restrict the academic freedom of researchers to choose publishers, however, they are encouraged to opt for Open Access publications.

34. Researchers are recommended to select only the best Open Access journals in their respective domains.

35. Researchers are recommended to use the Creative Commons CC-BY licence also for the scientific publications for which APC have not been paid. All scientific results archived in repositories are recommended to be licensed using the creative commons licence.

---

<sup>[1]</sup> Commission Recommendation of 17 July 2012 on access to and preservation of scientific information (2012/417/EU) -<http://eur-lex.europa.eu/legal-content/LT/TXT/HTML/?uri=CELEX:32012H0417&from=LT>

<sup>[2]</sup> Policy Guidelines for the Development and promotion of Open Access – <http://www.unesco.org/new/en/communication-and-information/resources/publications-and-communication-materials/publications/full-list/policy-guidelines-for-the-development-and-promotion-of-open-access/>

<sup>[3]</sup> Open Access Guidelines for Researchers funded by the ERCA – [https://erc.europa.eu/sites/default/files/document/file/open\\_access\\_policy\\_researchers\\_funded\\_ERC.pdf](https://erc.europa.eu/sites/default/files/document/file/open_access_policy_researchers_funded_ERC.pdf)

<sup>[4]</sup> Science Europe Principles on Open Access to Research Publications – [http://www.scienceurope.org/uploads/PublicDocumentsAndSpeeches/WGs\\_docs/SE\\_POA\\_Pos\\_Statement\\_WEB\\_FINAL\\_20150617.pdf](http://www.scienceurope.org/uploads/PublicDocumentsAndSpeeches/WGs_docs/SE_POA_Pos_Statement_WEB_FINAL_20150617.pdf)

<sup>[5]</sup> European University Association Roadmap on Open Access to Research Publications: <http://www.eua.be/Libraries/publications-homepage-list/eua-roadmap-on-open-access-to-research-publications>

<sup>[6]</sup> Guidelines on Open Access to Scientific Publications and Research Data in Horizon 2020 – [http://ec.europa.eu/research/participants/data/ref/h2020/grants\\_manual/hi/oa\\_pilot/h2020-hi-oa-pilot-guide\\_en.pdf](http://ec.europa.eu/research/participants/data/ref/h2020/grants_manual/hi/oa_pilot/h2020-hi-oa-pilot-guide_en.pdf)

<sup>[7]</sup> Model list of eligible production under research and dissemination projects in the area of humanities and social sciences, approved by Order No. V-218 of 31 October 2014 of the Chairman of the Council;

*Model list of eligible scientific and/or technological production under research and dissemination projects in the area of physical sciences, biomedical, technology and agricultural sciences approved by Order V-217 of 31 October 2014 of the Chairman of the Council.*

[\[8\]](#) More on the automated contents analysis –

[http://www.scienceeurope.org/uploads/PublicDocumentsAndSpeeches/WGs\\_docs/SE\\_Briefing\\_Paper\\_textand\\_Data\\_web.pdf](http://www.scienceeurope.org/uploads/PublicDocumentsAndSpeeches/WGs_docs/SE_Briefing_Paper_textand_Data_web.pdf)

[\[9\]](#) More about the licences – <https://creativecommons.org/licenses/>