

For the sake of European Research —

5 reasons why the new copyright directive must not include scientific publications in Article 11

Who we are

SPARC Europe represents a large group of European academic, library, education, research and digital rights communities. We are writing to express our alarm over the current draft Directive on Copyright in the Digital Single Market. Our group includes CESAER, COAR, The Commons Network, Communia Association, Creative Commons, C4C, EBLIDA, EIFL, EUA, Free Knowledge Advocacy Group EU, IFLA, LIBER, RLUK, Science Europe and SPARC Europe.

The Issue

Art 11 of the current Proposal for a Directive on copyright in the Digital Single Market is likely to include academic publications. [1] As academic research and the reporting of findings involves references - and often many - to previous works, this inclusion is highly troubling. It would mean that anyone including even short quotations from a research paper, or links to it, in a new published research article could be charged new fees by the publisher - even if the publication being cited is Open Access. While Recital 33 currently includes academic publications, to be legally binding, this intent must be included in the text of the Directive itself.

The inclusion of academic publications in article 11 would provide academic publishers additional legal tools to restrict access to Europe's research, while also driving up their revenues. As a result, researchers or info providers could well be more wary about including references to European academic publications were they to face having to pay new additional costs. Impeding access to scientific knowledge is certain to result in reduced visibility and fewer citations of Europe's research, which in turn hampers the spread of knowledge, negatively affecting Europe's profile as a strong innovator.

Help prevent the inclusion of academic publications in Art. 11

1. To *support* research practice and not hamper it through more copyright restrictions
2. To help ensure Europe's research can be found, easily accessed and cited at no new and additional costs; something the new link tax jeopardizes
3. To maintain — and not compromise — Europe's standing as a global leader in research and innovation.
4. To ensure that Europe's Member States are able to realise their national Open Science goals
5. To abide by the Berne Convention for the Protection of Literary and Artistic Works

What you can do

We appeal to you to speak out against the inclusion of academic publications in Article 11 of the directive for the sake of European research. We appeal to you to emphasise the importance of ensuring that the exclusion of academic publications is included in the main body of the proposal, and not just in the recital. While you may choose to further discuss this issue in your national parliament, above all, we urge you to do so at the European Council level. Please act quickly as a vote on the copyright reform is imminent.

For more information, see www.sparceurope.org/copyrightreform or contact Ms Ásta Helgadóttir: ahelgadottir@sparceurope.org

[1] <https://ec.europa.eu/digital-single-market/en/news/proposal-directive-european-parliament-and-council-copyright-digital-single-market>