

cOAlition S provides feedback on the Canadian Tri-Agency Open Access Policy

Consultation: draft, revised Tri-Agency Open Access policy on publications

*The Canadian Institutes of Health Research (CIHR), the Natural Sciences and Engineering Research Council of Canada (NSERC), and the Social Sciences and Humanities Research Council of Canada (SSHRC) ("the Agencies") are seeking feedback from the research community on the **draft, revised Tri-Agency Open Access (OA) Policy on Publications** ("OA Policy").*

*The draft, revised OA Policy was developed by the Agencies based on consultations with a wide range of partners via an **online survey**, thematic engagement sessions, and meetings. Engagement findings were published in a **What We Heard Report**, released on August 7, 2024.*

The objective of the revised OA Policy is to ensure that any article resulting from tri-agency funded research is freely and immediately available online. Through this policy, the Agencies also aim to further advance the dissemination and impact of agency-funded research and ensure the sustainability and equity of research publishing.

*Source: **Consultation: Draft Revised Tri-Agency Open Access Policy on Publications***

Strasbourg, 24th March 2025

This response is from cOAlition S, an alliance of organisations and institutions that fund and/or perform research activities, and that have publicly expressed their intention to work together to deliver full and immediate Open Access via Plan S.

We welcome the Tri-agency's draft Open Access (OA) policy which will ensure that all agency-funded peer-reviewed research articles are made OA immediately without any embargo. This approach aligns with the overarching ambition of Plan S.

The draft policy also recognizes the value of preprints, making it clear that the sharing of such outputs is one way a researcher can comply with this policy. This approach aligns with the policies of cOAlition S funders such as Wellcome and the Bill and Melinda Gates Foundation.

However, we believe that both the preprint guidance ("*Preprints should be marked as "unrefereed version"*") and its definition (*a 'version... before it has been peer reviewed'*) are misleading. Many scientists incorporate feedback from peer reviewers *before* they post a manuscript as a preprint. Preprints may therefore be peer reviewed, but typically not by a journal. A better way to capture this nuance would be to request that researchers add a note to their preprints to indicate that "*this preprint has not undergone journal peer review*".

We are also pleased that the policy requires research articles to be made available under an open licence.

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We are concerned however, that the provided definition of an open licence (*“An open license allows a manuscript to be used and shared freely. Different types of open licenses, from more to less restrictive, exist.”*) is too vague and may result in articles being licensed with highly restrictive licences such as the Creative Commons, non-commercial, no derivatives (CC BY-NC-ND) licence.

We believe that such licences will undermine the stated ambition that *“public, private and not-for-profit sectors, as well as the general public, [can] use and build upon these findings”*. For example, if a work is subject to a non-commercial licence, then *any* commercial activities (such as a pharmaceutical company data mining the literature to identify new drug targets etc.) will require the company to negotiate a separate licence with all rightsholders, which will inevitably add time and cost and negatively impact on the ambition to maximize the impact of research investments.

To ensure that funded research can be fully re-used and built upon, we encourage the Agencies to modify their definition of an “open licence” such that it is limited to the Creative Commons, Attribution (CC BY) or the Creative Commons, Attribution, Share-alike (CC BY-SA) licences.

The draft policy also makes clear that the Agencies have implemented a Rights Retention (RR) strategy, a policy aspect that cOAlition S has been championing for a number of years.

Again, however, we are concerned that the policy guidance – which outlines a scenario where *“authors are prohibited by the journal and/or publisher from depositing the VoR or AAM in a repository at the time of publication”* – undermines the Agencies’ intended commitment to rights retention.

To address this, we suggest that the Agencies’ work closely with institutions hosting funded researchers to encourage them to develop institutional rights retention policies (IRRPs), that mirror these requirements.

Such IRRP’s should make clear that any action taken by a publisher that infringes on a researchers’ ability to honour their open access obligations, will be challenged by the institution and specifically the institution will accept responsibility and liability for any claims brought against itself or a funded researcher following the application of this policy. This aligns with the approach a number of UK universities have adopted (e.g. University of Birmingham – see [Section 8](#))

We note that the policy is silent on whether underlying research data should be made available. We recommend that the policy be edited to make clear that all Agency-funded work that is published in a peer reviewed journal should include a data availability statement, indicating where the data can be found, along with any access conditions. In doing this, the Agencies would ensure that there is a link between this updated OA policy and the [Statement of Principles on Digital Data Management](#).

Finally, mindful that this policy applies only to peer-reviewed research articles, we would encourage the Agencies to develop a similar policy for long form works, that is in line with e.g. the PALOMERA recommendations on Open Access books (<https://zenodo.org/records/14049032>).