

Brazilian Policies for the Free Access to Scientific Information:

- ♦ E-Theses and Dissertations
- ♦ Access to Scientific Books
- ♦ Qualitative Evaluation for Scientists Committed to Free Access
- ♦ Free Access Journals

Deficiencies in Existing Policies:

- ♦ Conflicting Competences
- ♦ Lack of an Institutional Repositories Policy
- ♦ Insufficient Participation in International Fora

Existing Policies for the Free Access to Information:

- ♦ No place in the programs of political parties (left or right)
- ♦ Spontaneous initiatives of local policy makers
- ♦ Lack coherence
- ♦ Conflicting competences
- ♦ Policy gaps

Positive implication:

- ♦ Widespread idea among policy makers

Electronic Theses and Dissertations

CAPES Regulation 13/ 2006:

- ♦ "The public funding of a work, whether through a scholarship or other kind of support obliges the receiver of a master or doctoral degree to present the work to the society who funded it"
- ♦ Every author of a thesis or dissertation in Brazil from March 2006 must publish it in an institutional digital repository, unless it contains an industrial secret or there is an ethical motive for secrecy
- ♦ Postgraduation programs will be evaluated not only through the quantity and quality of their production but also through the accessibility of their theses and dissertations (including the easiness of downloading)

The Brazilian Model for Free Access to Scientific Information - IATUL 2007

Estimated public cost for the production of a typical 4 year doctoral thesis in one of the state universities of São Paulo (responsible for over 50% of Brazilian scientific production) :

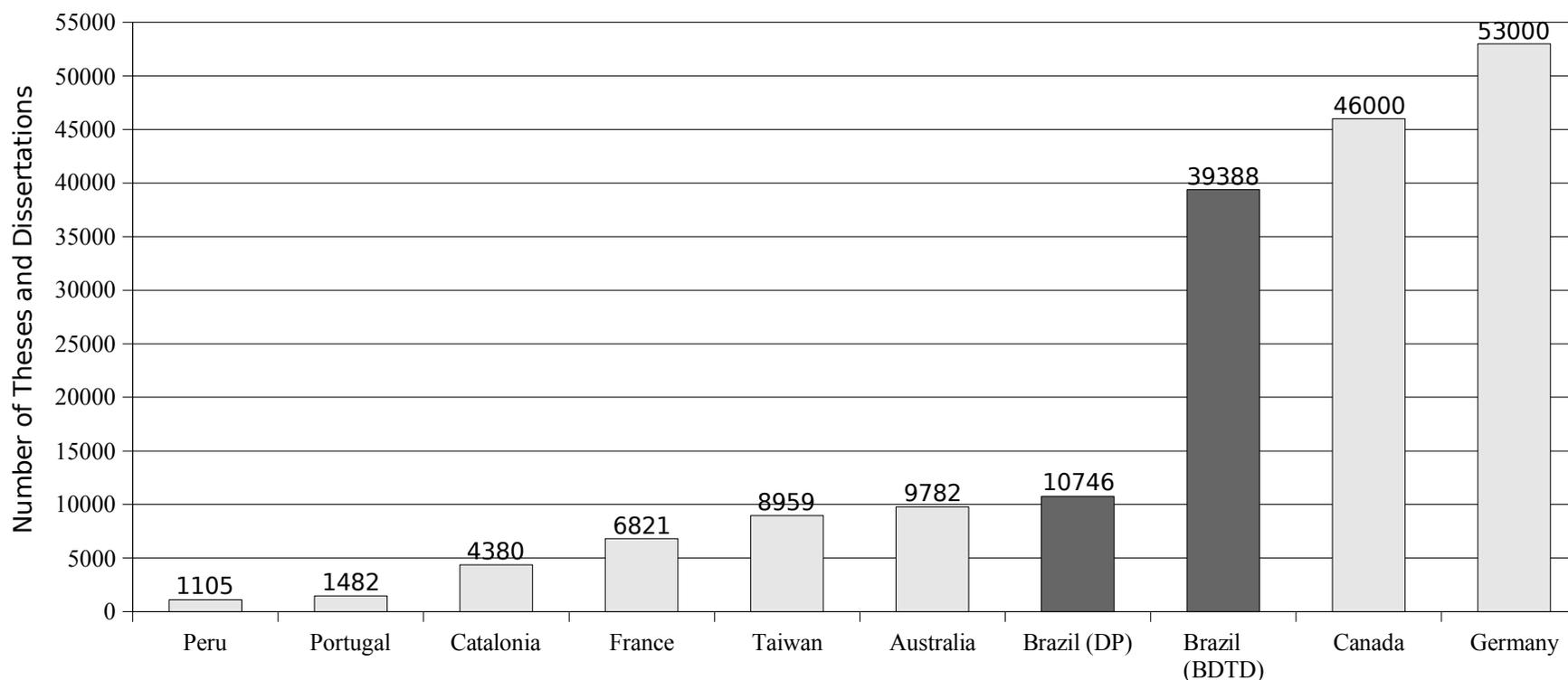
Costs for maintaining a postgraduation student at a São Paulo state university (4 years)	US\$ 37,374
Scholarship provided by state of São Paulo agency FAPESP (3 years)	US\$ 46,989
Total public funding	US\$ 84,363

Estimated cost for publishing a typical doctoral thesis through a private publisher (2,000 copies at US\$ 15.00 retail sale price):

Copyright to author	US\$ 2,121
Publisher's manufacturing and editorial costs *	US\$ 7,576

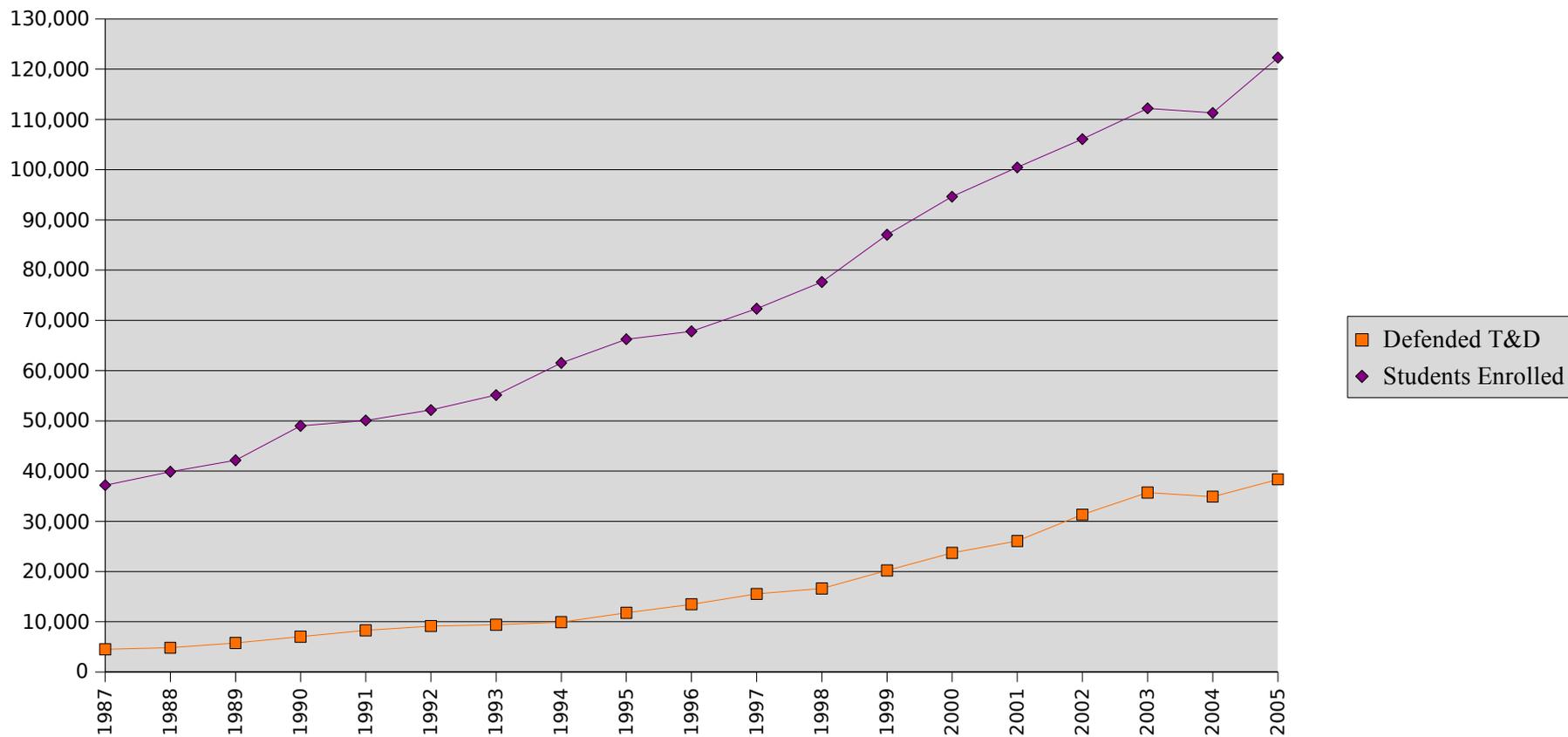
* Based on EARP, F. S.; KORNIS, G. **A economia da cadeia produtiva do livro**. Rio de Janeiro: BNDES, 2005

Selected National/ Regional Scope E-Theses Repositories



* Cybertesis Perú; Portugal's Deposit of Dissertation and Theses; Catalonia's Tesis Doctorals en Xarxa; France's Theses On Line; Taiwan's Electronic Theses and Dissertation System; Australian Digital Theses Program; Brazil's Public Domain; Brazil's Digital Library of Theses and Dissertations; Theses Canada; Germany's National Library. Data from April 2007.

Growth of Postgraduation in Brazil (Theses and Dissertations)



* Prepared by Alcimar Queiroz

Access to Scientific Books

1998 Brazilian Copyright Law:

*Article 46: The following shall not constitute violation of copyright:
(...)*

II. the reproduction in one copy of short extracts from a work for the private use of the copier, provided that it is done by him and without gainful intent

Disputes over Interpretation of Law

- ♦ *How much is a "short extract"?*
- ♦ *Who is the copier who can make private use of a copy without gainful intent? Is it the client of a copy shop asking for a copy or is it someone operating directly a copy machine without "gainful intent"?*

Publishers interpretation of law	Universities interpretation of law
Short extract is a passage not capturing the essence of a work - typically one page	Short extract is about 10% of a book - typically one chapter
Allowed copy by someone operating machine only	Allowed copy by client of copyshop

University of São Paulo resolution 5213/2005:

Article 2: In order to allow the University to achieve its goals, it will be allowed the reproduction of short extracts, such as chapters of books and articles in scientific journals, under individualized solicitation, without gainful intent, for the private use of the solicitor.

Article 3: Libraries should mark with a distinctive sign the following works:

I - Out of print for over 10 years

II - Foreign, unavailable in Brazilian Market

III - On the public domain

IV - Those with express authorization for reproduction

Of works with such distinctive signs full reproduction is allowed

International Intellectual Property Alliance 2007 Special 301 Report:

Among the most disturbing developments in 2006 was the issuance and implementation of Resolution No. 5213/2005, an administrative rule by the State of São Paulo University (USP). This rule allows (1) reprographic copying of portions of books by commercial, for profit copy centers; and (2) copying of foreign works (or perhaps all works not in Portuguese) that are "not available in the Brazilian market" without a license. The latter provision applies even to copying of 100% of a work. This ruling presents several problems under international norms and must be revoked. For-profit entities should not be given carte blanche to copy works outside the normal bounds of international fair use. Furthermore, "not available in the Brazilian market" has not been defined, and industry reports that in practice this provision is being used to copy en masse all foreign works. State and national authorities (including the Ministry of Education) should step in to revoke this rule, or at a minimum revise it to comport with Brazil's international obligations under TRIPs and Berne.

Qualitative Evaluation for Scientists Committed to Free Access

On October 5, 2005 the Deliberative Council of the Brazilian National Research Council (CNPq) published a statement in support of the "Berlin Declaration on the Open Access to Knowledge in the Sciences and Humanities". Furthermore, it stated that CNPq would encourage and support its researchers to publish in free access journals.

- ♦ Granted funds could be used to pay for publishing in free access journals
- ♦ Funds for scientific publications would be preferably directed to free access journals
- ♦ **During evaluations, scientific work should be judged by its intrinsic value regardless of the publication vehicle**

Free Access Journals

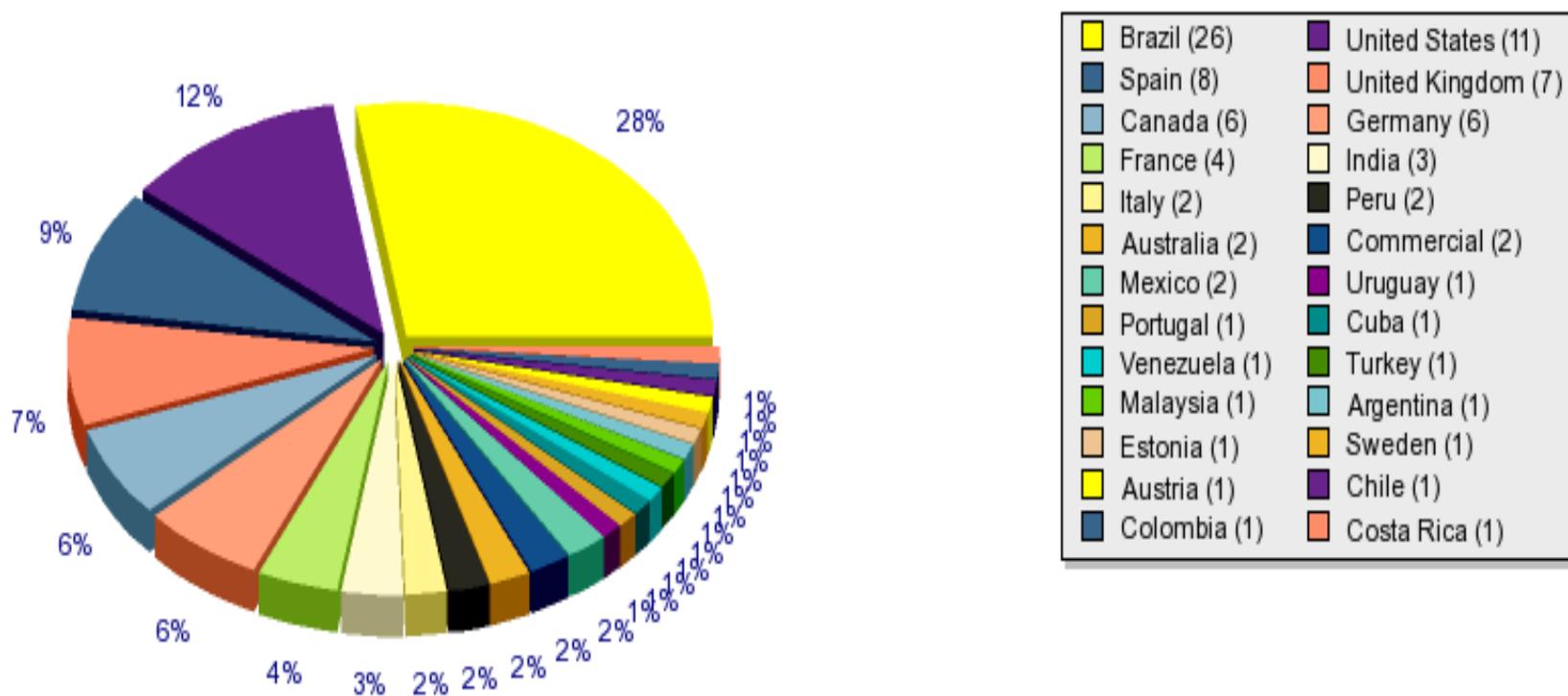
Scientific Library of Science (*Scielo*):

- ♦ Free access to full text
- ♦ All peer-reviewed journals
- ♦ Quality selection of journals through the evaluation of scientific committees

Originally conceived at improving scientific communication in Brazil and projecting Brazilian scientific production worldwide, it grew from 8 journals in 1998 to 176 journals in 2007 expanding its model to Argentina, Chile, Colombia, Cuba, Spain and Venezuela. Today the two largest scientific funding agencies (CNPq and FAPESP) demand that newly funded journals either become available in the *Scielo* website or have its content available elsewhere with free access.

Distribution of Free Access Journals Repositories

Repositories by Geographic Country



Limitations of National Policies for Free Access

- ♦ Quantitative evaluation of scientists demands publishing in the established journals
- ♦ The established journals in most Social Sciences might be national (and so, subject to national policies), but in most Natural Sciences established journals are international and with restrict access

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Science Fields (CAPES/ CNPq)	Brazilian researchers' 'productivity' (annual articles in ISI indexed journals)
Agrarian Sciences	0,18
Biological Sciences	0,31
Health Sciences	0,16
<u>Exact and Earth Sciences</u>	<u>0,5</u>
Human Sciences	0,03
<u>Applied Social Sciences</u>	<u>0,01</u>
Engineering	0,1

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Comparison of costs, productivity and availability of articles produced in two top Brazilian departments in the Social and the Natural Sciences (2005/2006):

	Physical Chemistry	Sociology
Average yearly production of articles per researcher	12,1	2,1
Average yearly production of book chapters per researcher	0,6	2,5
Proportion of articles published in Brazilian journals	<u>15,4%</u>	<u>68,2%</u>
Proportion of articles in free access journals	<u>16,2%</u> (88% in Brazilian journals)	<u>56,1%</u> (78% in Brazilian journals)
Average cost of article/ book chapter *	US\$ 22,789	US\$ 31,053

* Preliminary data. Does not include individual research grants

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