What is a Secondary Publication Right (SPR)?

- **Legal right of authors** (or their institutions) to make a work openly available after or in parallel to publication of a formal version
  - usually peer-reviewed Author's Accepted Manuscript (AAM) or final, typeset Version of Record (VoR)
- **Legislative measure** that enables publicly funded research to be made available in open access under certain conditions
- **Found in a range of national laws**
  - e.g. copyright law, law on science and technology, economic law, culture

What does a Secondary Publication Right (SPR) do?

A SPR enables authors (or their institutions) to:

- **manage and enforce their rights** in support of open access with the full backing of the law;
- **ensure that published, publicly funded work is openly available and ideally reusable**, even in the absence of an open access publishing agreement with the publisher;
- **increase the impact of published research** by helping to guarantee wide dissemination and reuse through open access.

Which countries have a Secondary Publication Right in national law?

A growing number of countries e.g.
- **Copyright law:** Austria (2015), Bulgaria (2023), Germany (2014), Netherlands (2015)
- **Science:** France (2016); **Economics**: Belgium (2018); **Culture**: Italy (2013)

European Research Area Policy Agenda
- **2022-2024**: proposed EU legislative and regulatory framework for copyright and data 'fit for research' (undertook to examine SPR provisions enacted by Member States)
- **2025-2027**: endorses identification of measures and initiatives to enable such an EU copyright framwork, better legal conditions for researchers to access and reuse publicly funded research results
    - Endorsed by Competitiveness Council, 23.5.2025
- **2023**: EU Council (heads of govt) welcomed the introduction of SPR by Member States in national copyright laws (Council conclusions on high-quality, open and equitable scholarly publishing)

https://www.eifl.net/page/rights-retention-and-secondary-publication-rights

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