# THE UNESCO OPEN SCIENCE RECOMMENDATION

Marzia Briel: PhD in Law

Supervisors: James Devenney and Adrian Aronsson-Storrier

Twitter: @TrustOpenAccess

# Adoption: May 2021

File Home Insert Design Layour Refere Mailin Review View Q Tell me Audiovisuel Q Share	C 18 · · · · · · · · · · · · · · · · · ·
<i>Recognizing</i> the importance of the existing international frameworks, in particular on intellectual property, protecting the rights of scientists to their scientific productions,	Reconnaissant l'importance des cadres internationaux existants, en particulier sur la propriété intellectuelle, qui protègent les droits des scientifiques sur leurs productions scientifiques,
Switzerland: Recognizing the importance of the existing international legal framework, in particular on intellectual property, protecting the rights of scientists to their scientific productions, I	Suisse : <i>Reconnaissant</i> l'importance des cadres internationaux juridiques existants, en particulier sur la propriété intellectuelle, qui protègent les droits des scientifiques sur leurs productions scientifiques,
Brazil: and on the rights of scientists Luxembourg and the principle that a public license should be applied to all scientific publications that allows these	Brésil : en particulier sur la propriété intellectuelle, et sur les droits des scientifiques vis-à-vis de leurs productions scientifiques,
papers to be made immediately available open access, <b>revised Paragraph by C<u>ôte</u> d'Ivoire:</b> Recognizing the importance of IP rights, when not appropriately designed, can	Luxembourg et le principe selon lequel une licence publique devrait être appliquée à toutes les publications scientifiques, permettant de rendre ces documents
constitute a barrier to Open Science, and the existing IPR system should consider the use, adaptations or development of additional national, regional or international flexibilities in intellectual property laws, including in times of emergencies,	immédiatement disponibles en accès libre, Paragraphe révisé proposé par la Côte d'ivoire : Reconnaissant l'importance des droits de propriété intellectuelle qui lersqu'ils pa sont pas conque de menière
Singapore: and rights to commercialize their Intellectual Properties or collaborate with other parties industries;	intellectuelle qui, lorsqu'ils ne sont pas conçus de manière appropriée, peuvent constituer un obstacle à la science ouverte, et le système de DPI existant devrait envisager l'utilisation, l'adaptation ou le développement de flexibilités nationales, régionales ou internationales supplémentaires

# Legal Status







have requirements. UKRI will work with stakeholders to further understand practice and identify how to progress the development and adoption of standards.

### Licensing and copyright for long-form outputs

### CC BY preferred but other licences are permitted

In line with our consulted position, CC BY is strongly preferred to maximise opportunity for sharing and reuse, but CC BY-ND is permitted. We have also decided to permit other Creative Commons licences including CC BY-NC. Our requirements are more permissive for long-form outputs in order to support transition to open access and to help mitigate potential risks to related publishing activities. We recognise that the use of open licences in less established for long-form outputs. UKRI also recognises that publishers and university presses have lower sustainability margins and a more significant role in editing and curation for long-form outputs. Our requirements will also align more closely with other funders policies, which permit CC BY-NC.

The first second second second second second second second

## 8 KEY DEVELOPMENTS

### MINCLUDES OPEN DATA AND OPEN LICENCES

MATURAL, SOCIAL SCIENCES AND HUMANITIES

Sequal opportunity and indigenous knowledge protection

- SOLVE COMPLEX INTERCONNECTED PROBLEMS
- > PREVENT THE UNFAIR INEQUITABLE EXTRACTION OF PROFIT FROM PUBLICALLY FUNDED SCIENCE
- ACADEMIC FREEDOM AND AUTONOMY
- TRANSPARENCY AND PUBLIC ACCOUNTABILITY

### MONITORING

Dr Nair-Bedouelle (Assistant Director-General for Natural Sciences)



# *'demonstrating scientific humanism in a troubled world'*

*'soft convening power of science diplomacy ... is converted into the health diplomacy'* 

*'digital technological knowledge divide between nations... right to vaccines and to the health technologies'* 

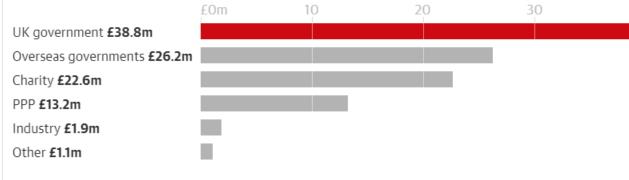
## THE OPEN LICENCE VACCINE PLEDGE

### Oxford/AstraZeneca Covid vaccine research 'was 97% publicly funded'

Analysis rebuts claim by Boris Johnson that jab was developed 'because of greed'

- Coronavirus latest updates
- See all our coronavirus coverage

## Taxpayers and charitable foundations provided the majority of the funding for the Oxford/AstraZeneca vaccine identified by FOIs



Guardian graphic | Source: UAEM Europe. Note: £68,000 was funded by other research institutions

Oxford University initially said any vaccine it developed would be **open** to qualified manufacturers to produce without paying royalties, and priced either at cost or at a small profit. However, by August 2020, <u>reportedly at the urging</u> of the Bill & Melinda Gates Foundation, among others, the university decided to change course. It entered an exclusive licensing agreement with the British-Swedish drugmaker AstraZeneca.

the researchers said

## AstraZeneca sales of Covid vaccine triple to \$1.2bn in first half of 2021

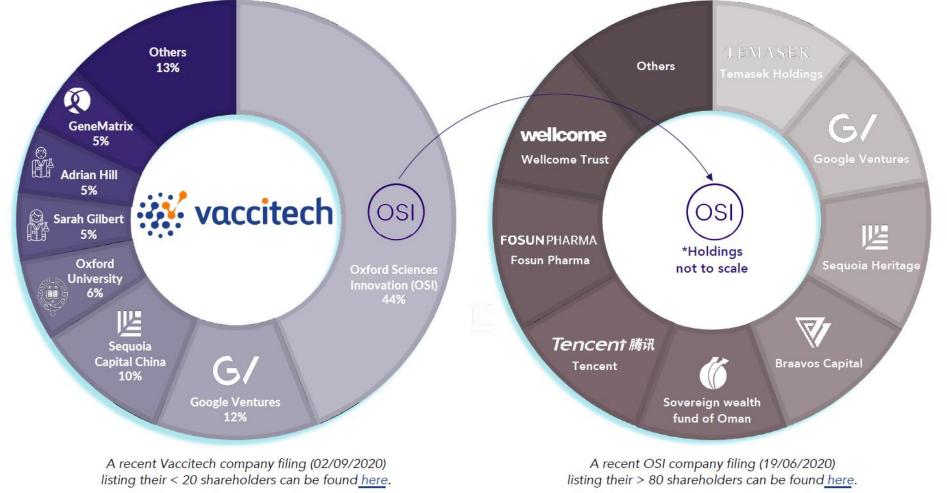
Not-for-profit pledge sees British firm's sales revenue fall significantly short of US rival Pfizer

- Coronavirus latest updates
- See all our coronavirus coverage



▲ AstraZeneca's sales are dwarfed by other manufactures of Covid vaccine. Photograph: Ramzi Boudina/Reuters AstraZeneca's Covid-19 vaccine has brought in \$1.2bn (£900m) in the first half of this year, with sales tripling in the second quarter from the first - but its corriging remained significantly below thece of its US rivel Dfrace

## Research outputs within institutional constructs

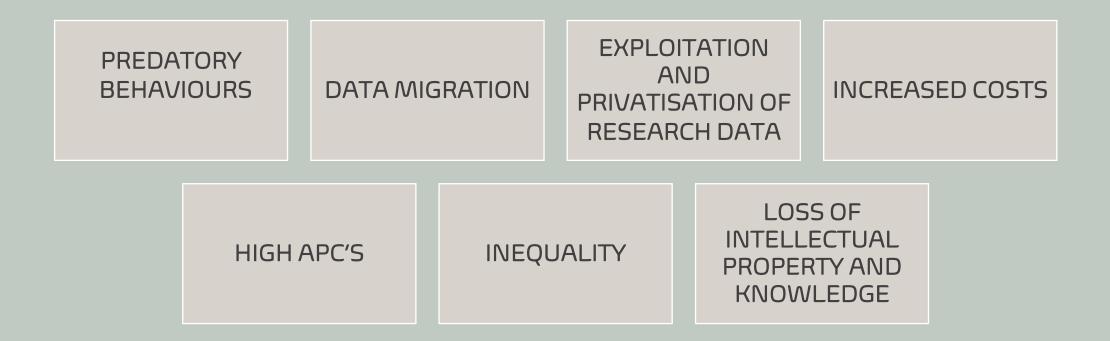




Medicines Law & Policy, www.medicineslawandpolicy.org. Icons made by Flat Icons, www.flaticon.com.

# The unintended consequences

Attention should also be given to preventing and mitigating the unintended negative consequences of Open Science practices, such as:



## Competing interests



PROFESSIONAL CAMPUS IOBS **EVENTS** RANKINGS STUDE

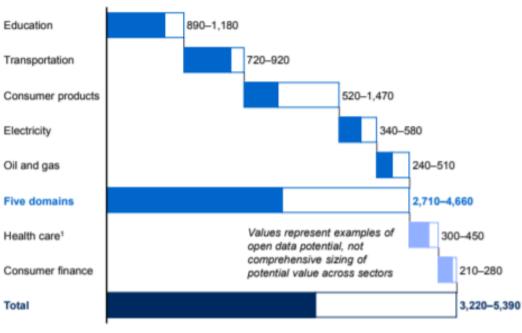
GIT HITCHED

### GitHub users are already fuming about the company's sale to Microsoft

### Exhibit E3

### Open data can help unlock \$3.2 trillion to \$5.4 trillion in economic value per year across seven "domains"

\$ billion



1 Includes US values only.

NOTE: Numbers may not sum due to rounding.

SOURCE: McKinsey Global Institute analysis

in  $\sim$ 

### UK universities 'paid big publishers £1 billion' in past decade

Huge bill for journal access revealed as UK institutions begin strategy talks o Elsevier renewal deal

March 12, 2020

### lack Grove

Get Started

### Twitter: @jgro the

UK negotiators have vowed to strike "costeffective and sustainable" deals with big publishers, as figures reveal that subscriptions to academic journals and other publishing charges are likely to have cost UK universities more than £1 billion over the past decade.

Data obtained using Freedom of Information requests show that UK universities paid some £950.6 million to the world's 10 biggest publishing houses - 2010 For the easter as a whale bewaver the everall hill is likely to

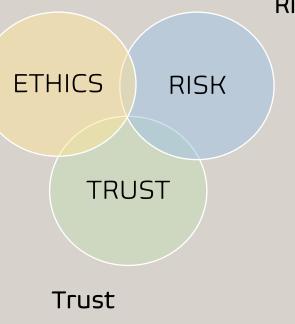


Source: Getty

# My Research

### Ethics

- Unexpected territory
- The spirit of ethics
- The current research culture and research integrity



### Risk-based methodology

- Impact and Probability matrix
- ISO31000:2018 Risk Management
  Standard, utilises a process of risk
  identification, risk analysis, risk
  evaluation and risk response.

- Regulation
- Humanism in technology

## References

- 'Intergovernmental Special Committee Meeting (Category II) Related to the Draft UNESCO Recommendation on Open Science' <a href="https://youtu.be/d0u1F3qu0\_g>">https://youtu.be/d0u1F3qu0\_g></a>.
- 'ADOPTED\_EN Draft Recommendation on Open Science\_11 May 2021.Pdf'.
- Campbell Jones, Martin Parker and René ten Bos, For Business Ethics (Routledge 2005).
- https://blogs.lse.ac.uk/covid19/2020/09/10/could-university-patents-stand-in-the-way-of-universalglobal-access-to-a-covid-19-vaccine/
- 'Mgi\_open\_data\_executive\_summary\_oct\_2013.Pdf'
   <a href="https://www.mckinsey.com/~/media/mckinsey/business%20functions/mckinsey%20digital/our%20insig">https://www.mckinsey.com/~/media/mckinsey/business%20functions/mckinsey%20digital/our%20insig</a>

   <a href="https://www.mckinsey.com/~/media/mckinsey/business%20functions/mckinsey%20digital/our%20insig">https://www.mckinsey.com/~/media/mckinsey/business%20functions/mckinsey%20digital/our%20insig</a>

   <a href="https://www.mckinsey.com/~/media/mckinsey/business%20functions/mckinsey%20digital/our%20insig">https://www.mckinsey.com/~/media/mckinsey/business%20functions/mckinsey%20digital/our%20insig</a>

   <a href="https://www.mckinsey.com/">https://www.mckinsey%20digital/our%20insig</a>

   <a href="https://www.mckinsey.com/">https://www.mckinsey%20digital/our%20insig</a>

   <a href="https://www.mckinsey.com/">https://www.mckinsey.com/~/media/mckinsey/business%20functions/mckinsey%20digital/our%20insig</a>

   <a href="https://www.mckinsey.com/">https://www.mckinsey.com/~/media/mckinsey/business%20functions/mckinsey%20digital/our%20insig</a>

   <a href="https://www.mckinsey.com/">https://www.mckinsey.com/~/media/mckinsey/business%20functions/mckinsey%20digital/our%20insig</a>

   <a href="https://www.mckinsey.com/">https://www.mckinsey.com/~/media/mckinsey/business%20functions/mckinsey%20digital/our%20informatio</a>

   <a href="https://www.mckinsey.com/">https://www.mckinsey.com/~/media/mckinsey/business%20functions/mckinsey%20digital/our%20informatio</a>

   <a href="https://www.mckinsey.com/">https://www.mckinsey.com/</a>

   <a href="https://www.mckinsey.com/">https://www.mckinsey.com/</a>

   <a href="https://www.mckinsey.com/">https://www.mckinsey.com/</a>

   <a href="https://www.mckinsey.com/">https://www.mckinsey.com/</a>

   <a hr
- Christopher Garrison, 'How the "Oxford" Covid-19 Vaccine Became the "AstraZeneca" Covid-19 Vaccine' 18.