

Information & FAQs for the preparation of a no-contract situation with Elsevier in 2024

Version 2.0, updated on 12 December 2023*

This document will be updated when necessary and re-published with a new version number and date.

Background on big deal negotiations

Negotiations with publishers are part of the Swiss national Open Access strategy and are based on the [LIBER principles](#) for Open Access negotiations. The negotiation aims and governance for the negotiations are defined by the Delegation Open Science (DelOS) and approved by the members of swissuniversities. The results and lessons learnt from the negotiations are regularly discussed among the stakeholders involved.

On behalf of swissuniversities, the Consortium of Swiss Academic Libraries (CSAL) negotiates licences for access to digital publications. Almost all Swiss higher education institutions are covered by the consortium licences for the major academic publishing houses. For the consortial licences with Elsevier, Springer Nature, and Wiley, so called 'big deals' are negotiated. By signing the mandate, the mandating institutions committed themselves not to conduct parallel negotiations or prolong bilateral agreements between institutions and publishers for Open Access publications. Mandating institutions also accept the possibility of a time period without agreement if the negotiations prove unsuccessful or require more time to produce the required results (contractless situation).

The negotiations with Elsevier for their journal portfolio started early 2023 and have not yet resulted in a mutually acceptable agreement. As the current agreement ends on 31 Dec 2023, preparations were put in place for a scenario without agreement as of 2024. Meanwhile, the negotiation team continues its effort to find a solution with Elsevier.

Situation Overview and FAQ

For the mandating institutions and their researchers, a contractless scenario will affect both **reading access and publishing in the Elsevier journal portfolios**. The overview below shows the impact on reading and publishing for each of the Elsevier portfolios.

Portfolio	Reading
Science Direct Freedom Collection (including Cell Press and The Lancet)	Publishers usually grant a grace period. Hence, reading access might not be disabled immediately. Once Elsevier disables access, journal content published from 1 January 2024 onwards will not be accessible, except if available open access. Content from 2023 and older may be available through your institution via Post Cancellation Access (PCA) depending on your institution's holdings. See factsheet " How to get the Article " to retrieve articles through alternative channels.

Portfolio	Publishing
Core Hybrid	<p>Researchers can still publish in hybrid journals without charges, but articles will not be made Open Access by the publisher. Articles submitted to Core Hybrid Elsevier journals until 31 December 2023 can still be published Open Access in 2024.</p> <p>Use Green Open Access: After an embargo period of 6–36 months (depending on journal), researchers can make the accepted manuscript of their articles available through institutional repositories; or immediately on acceptance, with no embargo, on their personally maintained website (see “Sharing and hosting policy FAQ” of papers via the subscription route on the publisher’s website).</p> <p>Researchers can also pay Article Processing Charges (APC) to publish Open Access in hybrid journals, but this is strongly discouraged since so-called “costs in the wild” weaken the Swiss negotiation power. It is recommended that institutions do not pay APC for hybrid articles from central funds.</p>
Core Gold OA	<p>Researchers can still publish in fully Open Access journals, if they pay the Article Processing Charges (APC). However, APCs are no longer covered by an agreement. Articles submitted to Core Gold OA Elsevier journals until 31 December 2023 can still be published Open Access in 2024.</p> <p>It is recommended that institutions do not pay for Gold OA articles from central funds.</p>
Cell Press Hybrid	<p>No change to current agreement period: Researchers can still publish in hybrid journals without charges, but articles will not be made Open Access by the publisher.</p> <p>Use Green Open Access: After an embargo period of 12 months, researchers can make the accepted manuscript of their articles available through institutional repositories (see also Open Archive information on the Cell Press website).</p> <p>Researcher can also pay APC to publish Open Access in hybrid journals, but this is strongly discouraged since so-called “costs in the wild” weaken the Swiss negotiation power. It is recommended that institutions do not pay for hybrid articles from central funds.</p>

<p>The Lancet Hybrid</p>	<p>No change to current agreement period: Researchers can still publish in hybrid journals without charges, but articles will not be made Open Access by the publisher.</p> <p>Use Green Open Access: 6 months after publication authors can deposit the final accepted version of their paper in any repository they choose, and the published paper will be made free to access on The Lancet websites (see full policy here).</p> <p>Researcher can also pay an APC to publish Open Access in hybrid journals, but this is strongly discouraged since so-called “costs in the wild” weaken the Swiss negotiation power. It is recommended that institutions do not pay for hybrid articles from their central funds.</p>
<p>Cell Press and The Lancet Gold OA</p>	<p>No change to current agreement period: Researchers can still publish in fully Open Access journals if they pay Article Processing Charges (APC). It is recommended that institutions do not pay for Gold OA articles from their central funds.</p>

Frequently Asked Questions – FAQ

1. Will a contractless situation jeopardise Swiss research and education?

Experience in Switzerland and internationally shows that a contractless situation restricts access to literature but **does not significantly impede research and teaching**. Research articles can be obtained legally through alternative channels (see factsheet “[How to get the Article](#)”).

2. How long does a contractless situation last?

A contractless situation will last as long as there is no acceptable agreement with Elsevier. The negotiation team will continue the negotiations with Elsevier to find a solution.

3. Can institutions or researchers continue to pay APCs for individual articles?

Yes. Institutions cannot stop individual researchers to pay for their own publications. However, it is recommended that institutions do not pay for hybrid and Gold OA articles from central funds.

4. Can the funds from the swissuniversities Action Line Open Access Fund (Track B: Institutional Gold Open Access Funds) be used to cover the cost of such APCs?

No (see [3.2.2. Track B: Institutional Gold OA Funds](#)).

5. Will the Swiss National Science Foundation (SNSF) pay Open Access fees for Gold Open Access journals of Elsevier?

As is recommended in point 3., the SNSF acts in unison and will stop paying OA fees for Gold OA journals of Elsevier.

6. If an agreement can be found later in 2024, will articles in hybrid journals be made Open Access retrospectively?

This will be part of the negotiations.

7. If there is no contract, “costs in the wild” are likely to increase. How will this impact the negotiations?

While “costs in the wild” are likely to increase during a contractless situation, they will not change the Swiss baseline fees used for a potential agreement.

8. Can my institution subscribe to individual journal titles?

Yes, institutions can subscribe to selected journals. However, as in non-contractual situations with other publishers, it is important to keep these subscriptions to a minimum in order not to weaken the Swiss negotiation power.

9. How can authors comply with the Open Access requirement of the Swiss National Science Foundation (SNSF) and other funders? Are they temporarily suspended?

If publishing in hybrid journals, authors can still comply with the SNSF’s OA requirements by applying the “Rights Retention Strategy” and depositing their final manuscripts in a repository (Green OA). In any case, the SNSF monitors compliance to its OA regulations sensibly and will account for a contractless scenario accordingly.