

Ms Margrethe Vestager  
European Commission  
Rue de la Loi / Waterlooi 200  
1049 Brussels  
Belgium

Brussels, 30 October 2018

**Subject: European universities concerns about the lack of competition in the scholarly publishing business sector**

Dear Commissioner Vestager,

The European University Association (EUA) is deeply concerned about the lack of transparency and competition in the scholarly publishing business sector in Europe. With this letter EUA would like to ask the European Commission to investigate current practices to clarify if European competition rules are appropriate to guarantee fair competition market conditions in the sector.

The EUA Council, composed of 30 National Rectors Conferences in 30 European Countries, adopted the note attached in this letter at its recent Council meeting (Brussels, 26 October), and agreed to its submission as an informal complaint to DG Competition, hence this letter. The note was drafted initially by Universities Denmark, the Danish Rectors' Conference, and subsequently reviewed and validated by all the EUA NRCs.

EUA's concerns stem from a number of reasons, including: i) an increasing concentration of the business sector in a few large companies (RELX Group, Springer, Wiley-Blackwell, Springer Nature, SAGE, Taylor & Francis), ii) strict confidentiality clauses in the contracts leading to a lack of transparency in pricing, iii) a clear asymmetry in negotiating power between research organisations and publishers, only aggravated by vendor lock-in practices in scholarly products. A trend has been observed that digitalisation and technological change have not led to more competition but instead exacerbated the situation. The current state of publishing moreover hinders the development of true open access of scientific publications in Europe – a declared priority of the European Commission and European universities – at the cost of public, and therefore taxpayers', money. It may also inhibit the implementation of 'Plan S' signed by research funding organisations and the European Commission to make publicly-funded scholarly publications openly available starting in 2020.

EUA would like to request DG Competition – possibly in collaboration with DG Research and Innovation and/or other DGs – to undertake an analysis of the competition policies which allow the scholarly publishing sector