

# **OPEN ACCESS TO RESEARCH INFRASTRUCTURE POLICY**

---

*Developed by: Nermin Oruč, Amela Kurta*

---

*Date: September, 2020.*

---

*Version: 1*

---

This Policy was prepared through the Technical Assistance provided by the Regional Cooperation Council in June-October 2020 under the Open Access Research Infrastructure in the Western Balkans Support Programme.

## CONTENT

1	INTRODUCTION .....	3
2	GENERAL PROVISIONS AND DEFINITIONS .....	4
3	RESEARCH INFRASTRUCTURE MANAGEMENT .....	6
4	USERS OF RESEARCH INFRASTRUCTURE .....	8
5	ACCESS TO RESEARCH INFRASTRUCTURE .....	9
6	FORMING OF PRICING FOR RESEARCH INFRASTRUCTURE SERVICES.....	10
7	COLLECTION AND USE THE FUNDS RECEIVED FOR PROVISION OF THE RESEARCH INFRASTRUCTURE SERVICES.....	11
8	OBLIGATIONS RELATED TO CONFIDENTIALITY AND PROTECTING OF INTELLECTUAL PROPERTY	12
9	DISPUTE SETTLEMENT .....	13
10	FINAL PROVISIONS.....	14

## **1 INTRODUCTION**

Centre for Development Evaluation and Social Science Research - CREDI introduce Open Access Research Infrastructure Policy to allow broader research community in the field of social sciences to use its infrastructure. Principles of open access are already included to different degrees in other policies developed at the level of CREDI departments. This policy is expanding it to all resources and services developed under CREDI. In the moment this policy is drafted, CREDI was in the process of establishing two national research networks, one related to DASS-BiH (Data Archive for Social Sciences in Bosnia and Herzegovina) and the second one related to ESS-BiH (European Social Sciences in Bosnia and Herzegovina). Members of both networks are universities from the country and the policy aims to enhance this cooperation. It will be used for promotion of openness towards members but also to other stakeholders.

In addition to national networks, CREDI is also member of following regional research networks: Western Balkan Migration Network WB-MIGNET (coordinating role), Western Balkan Regional Initiative Future of the Welfare State (member) and Research Network on Labour Market Research in Western Balkans (member). As member of these networks, CREDI is included in development of research proposals, implementation of different projects, advocacy activities and research collaboration in terms of internship and fellowship organisation. We are also members of two ERICs (European Research Infrastructure Consortium), namely CESSDA (Consortium of Social Science Data Archives) and ESS (European Social Survey), as well as member of Eastern European Social Policy Network (EESPN) and OpenAIRE. Through membership in these European networks we are promoting open access to members of these networks, but also enable our researchers and members of our national networks to use services offered by other members.

The objective of this policy is to help CREDI communicates its openness towards different stakeholders including CREDI internal staff, interns and fellows, our partners in abovementioned networks at national, regional and European level, but also to current and potential donors. We aim also to use this policy to advocate for national legislation towards open data access for research purposes.

## **2 GENERAL PROVISIONS AND DEFINITIONS**

1. The Centre for Development Evaluation and Social Science Research (CREDI) is an independent, non-profit and non-partisan think tank aimed at strengthening the evidence-based culture in BiH and the Western Balkans region. We do it by producing high-quality program and policy evaluations, as well as research in social sciences, using the state-of-the-art methodological approaches. We expect that our work will contribute to improving the efficiency of a wide range of projects, programs, policies and organizations. We are also committed to building evaluation capacity in the country through a series of training programs that we offer to evaluators and policymakers.
2. This Policy is applied to all Open Access Research Infrastructures for research and development (R&D) (technical, social and cultural) (hereafter – Research Infrastructure or RI) of CREDI and guide the relations between CREDI and the Recipients of its Open Access Services.
3. This Policy can form an integral part of any Open Access Services agreement concluded between CREDI and the Recipients of Open Access Services.
4. The objective of this Policy is to define the nature of Research Infrastructure(s), its technical specification, services provided by this Research Infrastructure, provisions for use of resources, time ratio, formation of pricing, confidentiality obligations and dispute settlement procedure.
5. The following definitions are used in the Policy:
  - Open Access principles – the conditions under which CREDI creates access to its Research Infrastructure for use by different groups of Users inside and outside the organisation;
  - Research Infrastructure (RI) (infrastructure for carrying out research) – physical structure (science institutes, laboratories, etc.), equipment, tools, and other material and virtual resources and related services required for the performance of modern fundamental and applied scientific research;
  - Resources – research infrastructure, scientists and other researchers working with the infrastructure, staff providing services to the infrastructure, conducting the operation of the infrastructure, working, maintenance and development time of the infrastructure;
  - Services – Open Access services approved by CREDI director or a person authorized by director;
  - Recipient of Open Access Services – a user (internal or external) who applied for and was granted access to the Research Infrastructure;
  - User – a natural or legal person ordering services from the research infrastructure or requesting access to this research infrastructure to perform research;
  - Research Infrastructure Operating time – the total operating time of the Research Infrastructure;

- Experimental time – the period of time within which the Research Infrastructure can be used to carry out scientific research and development works;
- Technical time – the period of time within which the Research Infrastructure is being technically maintained and the users cannot use the Research Infrastructure to carry out scientific research and development works;
- Off time – the period of time which the Research Infrastructure cannot be used. This time is reserves for maintenance and repairs;
- Open Access time – the period of time within which the Research Infrastructure is made accessible to the users either for free or a for a fee;
- Guaranteed Time – the period of time reserved for external users who are members of the DASS-BiH and ESS-BiH research network, as defined by their membership status;
- Commercial Time – the period of time within which the Research Infrastructure is made accessible for remuneration.

### **3 RESEARCH INFRASTRUCTURE MANAGEMENT**

6. Management of specified Research Infrastructure is ensured by CREDI director, under supervision of CREDI Governing Board, CREDI Academic Advisory Board and CREDI Research Ethics Committee. Others that are involved in provision of open access services are: Head of Research Incubator, Head of DASS-BiH and Head of Survey Unit.
7. CREDI director is responsible for managing RI according to all applicable national and sub-national legislation, statute and adopted strategic plan. Director is directly responsible to the CREDI Governing Board. In managing RI, director is consulting members of CREDI Academic Advisory Board. Director also consults CREDI Research Ethics Committee for the approval of procedures that requires its approval and is not allowed to act against decisions of the committee. Director approves all requests for use of open RI resources and is allowed to authorise other persons to maintain regular and uninterrupted functioning of access to RI. Director is representing RI in public, communicates with all stakeholders and monitors usage of all of its resources.
8. CREDI Governing Board is according to CREDI Statute responsible for management of RI in terms of selection and dismissal of the director, deciding on asset management, deciding on amendments of the Statute, deciding on the initiation of the disputes when needed, as well as deciding on the establishment of the legal entity for economic or other activity in accordance with the applicable legal provisions.
9. CREDI Academic Advisory Board is composed of renowned academics and professionals in the field of social sciences who are external to the CREDI, meaning that they cannot at the same time be employed by the CREDI. Membership is a mix of academics and non-academic representatives. Responsibilities of members of the CREDI Academic Advisory Board include: advising on general strategy for CREDI in order for it to achieve its overall objectives; acting as a critical friend in relation to the overall shape, academic direction and policy relevance of the research programme; advising on potential sources of funding and opportunities for research; advising on publications and other outputs; acting as ambassadors on behalf of CREDI, attending key events where possible and networking with key players/audiences on its behalf; supporting the CREDI in its impact generating activities – offering advice on the development of the communication plans; supporting CREDI in the dissemination of its research outputs to key audiences and potential users of the research;

10. CREDI Research Ethics Committee is responsible to assess alignment of all research conducted in CREDI with legal but also applicable ethical principles. The committee is especially tasked to track all procedures in DASS-BiH and Survey Unit. For example, a member of Research Ethics Committee which is tasked to oversee procedures in DASS-BiH is a person with legal background and have at least 5 years of experience in the social science research. The inspection of the compliance with legal and ethical norms is done prior to the acceptance of the study. When needed, an opinion of the Ethics Committee is asked, and the study cannot be accepted if the opinion about the legal and ethical norms is not positive.
11. Head of Research Incubator is tasked to manage all activities related to Research Incubator, which is designed to simultaneously promote original research production by early-career researchers from both academia and the civil service (public institutions) through numerous activities that both educate young researchers and reduce the costs of pro-active original research, as well as contribute to an improved knowledge basis for policymakers and their advisors by having a significant focus on applying the „research-into-use“ paradigm. He/she is directly responsible to CREDI Director.
12. Head of DASS-BiH is directly responsible to the Director, but also to the DASS-BiH Scientific Board which supervises activities of the data archive. Beside the Director and the DASS-BiH Scientific Board, the work of the DASS-BiH is evaluated in the scope of activities connected to the Academic Advisory Board of CREDI, as well as CREDI Research Ethics Committee. The DASS-BiH Scientific Board members are mainly representatives of respective universities, ministry of education and science on national and entity level, economic institute, statistical office of BiH and both FBiH and RS, independent researchers.
13. Head of Survey Unit is tasked to plan, organise and manage all activities related to primary data collection for all surveys conducted within CREDI research projects, but also when CREDI is involved in data collection for external users. He/she is directly responsible to the Director. In addition, his/her work must be in line with the Research Ethics Committee approval for data collection/research concerning its approval.

## **4 USERS OF RESEARCH INFRASTRUCTURE**

14. Services of CREDI are provided to both, internal and external users.
15. Internal User is person contracted by CREDI in a form of in/definite employment contract; authors' agreement; internship or fellowship agreement; consultancy agreement for research purposes defined under agreement.
16. External User is person which is not directly connected to CREDI through contractual form and asks for CREDI services. He/she may be connected with both public and private organisations, as well as with civil society organisations. External User with preferential treatment is a member of partnering institutions under approved request for joining networks coordinated by CREDI or signed memorandum of understanding with CREDI.
17. Internal User, who wants to use CREDI equipment or services is directly entitled by signing the contract which describes relations between internal user and CREDI. The equipment and services are available to internal users in open access time. The usage should be announced via e-mail to CREDI director who is responsible to manage the schedule.
18. External Users, who wants to use or be entitled to use CREDI equipment or services can apply by sending an e-mail to CREDI director, who approves the request and directs users to the specific procedures in place for different services. For DASS-BiH services, the access is separately defined in Terms and References of DASS-BiH Use.
19. After receipt of the external User's request CREDI director approves the request and prepares an agreement for access to the Research Infrastructure.
20. The agreement is concluded in writing. Negotiations on the agreement may take place by email, but it enters into force when both parties exchange the originals.



## **5 ACCESS TO RESEARCH INFRASTRUCTURE**

21. Research Infrastructure is accessible to the Users in compliance with procedures defined by the Time of Access to the Research Infrastructure.
22. The Research Infrastructure Operating Time is divided into Experimental Time, Technical Time and Off Time.
23. The Experimental Time is divided into Open Access Time, Guaranteed Time and Commercial Time.
24. CREDI director approves the Research Infrastructure Operating Time schedule, including the allocation of time units to its types, under the assumption that the objective is to maximise the Experimental Time.
25. CREDI director guarantees the provision of at least 50% of Experimental Time for usage of physical resources (e.g. equipment) and up to 20% of Operating Time of staff dedicated to provide services to the external Users, if needed. The remaining working time is provided to Internal Users and meeting of internal needs, including organisation of the process of the maintenance of equipment.
26. Research Infrastructure services are provided to internal Users as a priority in case demand exceeds the quota of Research Infrastructure Resources and related services provided to external Users.
27. Priority is applied to members of ESS-BiH and DASS-BiH research network under Guaranteed Time for their access to RI resources.
28. To encourage institutions to request for joining the ESS-BiH and DASS-BiH research network, CREDI Director can apply preferential treatment. To be entitled for preferential treatment, institutions have to apply for membership in one of the networks and be approved as members in at least one network.
29. Research Infrastructure services, provided under preferential treatment, cannot violate national legal provisions regarding state assistance and the rules for use of public funding from different sources.

## **6 FORMING OF PRICING FOR RESEARCH INFRASTRUCTURE SERVICES**

30. Pricing of the Research Infrastructure services is made under the principle of covering costs of equipment maintenance and time spent in service provision.
31. The price of the Research Infrastructure services is determined according to the User's type – internal vs. external user / commercial vs non-commercial, assessing the duration of the work of equipment and human resources, consumables and other materials required for performance of the work, and other possible expenses.
32. After External User's application is received and decision to grant access is made, the CREDI Director prepares a commercial offer of service provision.
33. The CREDI Director, who receives an application of Internal User, automatically complies with request and reserves equipment, if the following provisions are met:
  - Internal User is trained and has a permit to use the reserved equipment;
  - The schedule for using the equipment doesn't interrupt usage by external user.
34. Provision of services and usage of equipment is free of charge for internal users.
35. Prices of the Research Infrastructure services to external users aren't announced publicly. Interested external users may ask for commercial offer describing their needs and will be informed via e-mail about different pricing options. Prices are reviewed taking into consideration changes in economic conditions, costs of the maintenance, administration and other costs related to the Research Infrastructure activities.

## **7 COLLECTION AND USE THE FUNDS RECEIVED FOR PROVISION OF THE RESEARCH INFRASTRUCTURE SERVICES**

36. Income received from the provision of the Research Infrastructure services have to be used for the up-keep, improvement and renovation of the RI. Other purposes might include acquisition of materials and tools required for the Research Infrastructure activities, improvement of qualification of the staff conducting maintenance, salaries, promotional activities and other expenses directly related to the Research Infrastructure activities.
37. The income received is spend in the amount up to 20% for utility and maintenance expenses, while all remaining funds are reinvested into the improvement and renovation of the RI, including depreciation funds.
38. Accounting of these funds is conducted by the contracted accountant company.
39. Utility expenses are collected and used to pay for the expenses for premises' rent, electricity, water and heating expenses, telephone and internet costs.
40. Expenses for materials required for research and consumables are collected in the CREDI depreciation fund, which is used for buying of consumables for equipment and materials required for research and for payment for small repairs of equipment.
41. Depreciation deductions are deducted from the received income and collected at the CREDI level in the common depreciation fund. The purpose of this fund – to collect enough funds that can be used for: major repairs of equipment, replacement of equipment when it is worn or co-financing of acquisition of expensive consumables.
42. Costs of human resources are collected at the CREDI and used to cover the costs of salary of the employees who are providing services.
43. Sales and marketing are deducted from the received funds and collected at the CREDI. These funds can be used for the following:
  - Presentation and promotion of the Research Infrastructure equipment and services at the exhibitions, events, conferences, companies nationally and internationally for attraction of potential users, including preparation of distributed material;
  - To cover the expenses related to the sales of services and use of equipment;
  - To cover the expenses of provided services, preparation and update of the lists of equipment and information.
44. Added value tax is a state tax, calculated as 17% of the price of provided services, transferred to the BiH Indirect Taxation Authority.

## **8 OBLIGATIONS RELATED TO CONFIDENTIALITY AND PROTECTING OF INTELLECTUAL PROPERTY**

45. The CREDI Director must ensure the confidentiality of the results of every scientific research and/or experiment performed using the Research Infrastructure Resources and/or services. Exceptions can be specified under the written agreement between the Research Infrastructure and External User.
46. Ownership and management of intellectual property created at the CREDI and confidentiality obligations are regulated by Law on Copyright and Related Rights (BiH Official Gazette 63/10). In addition, CREDI Research Ethics Committee oversees all research conducted in CREDI, and is consulted when External User requests access.
47. In the case of research performed by External Users, all intellectual property produced by the external User within the Open Access Time shall be the intellectual property of the external Users unless otherwise specified.
48. In the case of research performed by external Users as part of the Guaranteed or Commercial Access Time, all intellectual property questions will be specified in separate contract.
49. In case of the research performed by internal Users, a discussion may need to be held about making the results available Open Access, adhering to the Open Science principles.

## **9 DISPUTE SETTLEMENT**

50. The procedure for dispute settlement, including non-disclosure clause, is part of the access agreement signed between CREDI and Internal/External User.
51. CREDI may ask the external User to pay an amount equal to part of the remuneration as a collateral before starting to use the Research Infrastructure.
52. If the Research Infrastructure or one of its elements is damaged or destroyed, CREDI has the right to request remuneration for this damage or deduct it from the collateral (described in point 51).
53. When the User has finished using the Research Infrastructure without damaging or destroying the Research Infrastructure, CREDI shall credit the amount referred to in point 51 towards the remuneration or return it to the User, if collateral is collected prior the use of RI resources.
54. In case of disputes regarding the use of the Research Infrastructure resources or service provision, violations of protection of intellectual property or other basis directly related to the Research Infrastructure, interested persons can submit a written claim or complaint to CREDI Director, CREDI Governing Board or CREDI Research Ethics Committee.
55. After receipt of a written claim or complaint CREDI Director transfers it for the consideration of the responsible departments the claim or complaint is related to, or if needed to CREDI Governing Board or CREDI Research Ethics Committee. Any claim or complaint must be considered and examined in 8 calendar days from its receipt. Responsible department prepares an answer and sends it to the applicant by e-mail in 3 working days.
56. In case a dispute is not settled, interested persons can protect their rights under procedure established by the national legal acts of Civil Procedures Code (FBiH Official Gazette 53/2003, 73/2005, 19/2006 and 98/2015). If arbitration is specified in access agreement the applicable provisions are Rules on Organisation and Operation of the Court of Arbitration (June, 2003). In a case of litigation, the competent court is Sarajevo Cantonal Court, while in the case of arbitration the competent body is the Court of Arbitration of the Foreign Trade Chamber of Bosnia and Herzegovina.

## **10 FINAL PROVISIONS**

57. Legal acts (laws, bylaws, guidelines) at national, entity, cantonal or municipality level in Bosnia and Herzegovina relevant to RI establishment and operations are applicable, if provisions of this policy are different from provisions prescribed by these acts.

58. The policy will be evaluated at least every four years. The provisions could only be changed based on Governing Board decision.