

OPEN LETTER FROM THE TRANSCIENCE ASSOCIATION'S STEERING COMMITTEE

February 3, 2025

To the attention of:

Jean-Noël Fiessinger, President of the National Academy of Medicine

Francis Michot, Vice-President of the National Academy of Medicine

Christian Boitard, Permanent Secretary of the National Academy of Medicine

Pierre-Antoine Bonnet, President of the National Academy of Pharmacy

Michel Arock, Vice-President of the National Academy of Pharmacy

Frédéric Bassi, Permanent Secretary of the National Academy of Pharmacy

Françoise Combes, President of the Academy of Sciences

Alain Fischer, outgoing President of the Academy of Sciences

Antoine Triller, Permanent Secretary of the Academy of Sciences, 2nd Division

Didier Boussarie, President of the French Veterinary Academy

Jean Derégnaucourt, Vice-President of the French Veterinary Academy

In a press release dated January 14, 2025, four academies (medicine, pharmacy, science, veterinary) expressed concern about the communication of requests for authorization of projects (DAP) using animals for scientific purposes to certain associations which have made a request to the Ministry of Higher Education and Research (MESR).

Representing the Transcience association, which requested the communication of 18 DAPs and obtained a favorable judgment from the Paris Administrative Court (TA) on January 24, 2024 (after a favorable opinion from the Commission for Access to Administrative Documents issued on December 15, 2022), we wish to provide certain clarifications and rectify the inaccuracies appearing in this press release.

Let us first clarify that the Paris Administrative Court confirmed the "communicability" of these administrative documents *"subject to the concealment or severance of information relating to private and business confidentiality."* **This addresses the main concerns raised by the academies in their press release.**

The content of this press release is all the more surprising given that in 2021 the same academies supported the "Transparency Charter on the use of animals for scientific and regulatory purposes."

How then can we explain that today they are mobilizing to challenge the legislation concerning access to administrative documents when said documents concern the use of animals for scientific and regulatory purposes? We can therefore question their understanding of the word "transparency."

The academies mention three "risks" which would justify the need for special measures to be applied with regard to the communication of DAPs.

Firstly, the transmission of project authorization applications to the "public" would allow, through various cross-checks, the identification of the teams and the experimental sites - despite the anonymizations - and *de facto* harm to people or establishments concerned by the projects, in particular through "violent actions". These are serious accusations, all the more unfounded since if individuals wanted to commit such acts, it would be very easy for them to access the names and addresses of the laboratories via the researchers' publications. Furthermore, no act of this type has been reported in France and these allegations are therefore not based on any concrete facts.

Secondly, the academies argue that access to the contents of project application files *"would make original information on working hypotheses and innovative methodologies available to the public and to competing teams."* However, working hypotheses already appear in the non-technical project summaries (published on the website of the European Alures platform) and if the application contained "innovative methodologies," these would be hidden in accordance with the judgments rendered by the Paris Administrative Court.

The Transcience association has no objective of revealing elements protected by private or business secrecy, which it has no use for. On the other hand, it wants to be able to ensure that the regulations are strictly applied on a certain number of points: the assessment of pain and suffering and their management, the determination and application of humane endpoints, the methods and conditions of killing, the application of the regulatory principle of the 3Rs (replacement, reduction, refinement). Because the indications contained in the non-technical project summaries are very insufficient.

If we doubt the rigorous application of the regulations relating to the protection of animals used for scientific purposes, it is not without reason. In recent years, Transcience has observed numerous dysfunctions, even illegalities: lack of approval of ethics committees for animal experimentation until 2022 when they should have been approved in 2013, over-representation of actors in animal experimentation within committees (to the detriment of the other skills required by the regulations), training projects authorized until 2019 on non-human primates when such use is prohibited by the regulations, failure to carry out annual audits of the committees by the MESR even though they are required by the regulations.

We develop the issues related to the application of the regulations in an article published in the Biannual Review of Animal Law of July 2023 ¹.

Furthermore, the refusal of transparency on the part of the public authorities (widely documented in a note from the Public Ethics Observatory of September 2022 ²) resulted in the almost total concealment of the contents of the DAPs which were sent to us, including the sections relating to the means of anesthesia or analgesia, the application of endpoints, the justification for taking into account the 3R principle, the methods of killing, the justification for the number of animals or the species used.

Thirdly, the academies fear that the disclosure of DAPs could harm project developers when applying for a patent (priority of discovery). This argument is difficult to understand since no results are yet available during the application phase.

It appears to us that the objective - not stated - of this press release is rather to maintain opacity in the way animals are treated in the context of the procedures than to protect business secrets and/or intellectual property.

To avoid the spread of misinformation regarding both the intentions of associations and the meaning of decisions by administrative courts – which can only increase mutual misunderstanding – we invite academies to consult the associations concerned in the future before any public communication.

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President of Transcience

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Copy recipients:

- Mr. Philippe Baptiste, Minister responsible for Higher Education and Research.
- Parliamentarians who are members of OPECST

¹Roland Cash, Nicolas Marty, Muriel Obriet , Do regulations on animal experimentation really protect animals? Biannual Review of Animal Law, 1/2023, 449-485: [\(PDF\) Do regulations on animal experimentation really protect animals? \(Biannual Review of Animal Law, 1/2023\)](#)

²Pauline Turk, *For greater transparency in animal experimentation* , Observatory of Public Ethics, note no. 28, September 2022: [For greater transparency in animal experimentation · Observatory of Public Ethics](#)