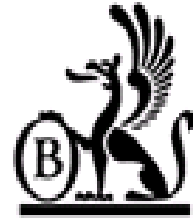




ZaöRV/HJIL

# Publication Ethics and Publication Malpractice Statement



(last update: 19th December 2018)

## 1. Obligations of editors, referees and authors

(last update: 19<sup>th</sup> December 2018)

### *1.1 Obligations of editors*

#### **Publication decision**

The editors are ultimately responsible for the publication of manuscripts. This decision may under no circumstances be influenced by the author's gender, sexual orientation, race, religious belief, ethnic origin, citizenship or political philosophy. The editors' decision on the manuscript's acceptance will be based mainly on the manuscript's quality and innovative character, but also on the balance of topics in the ZaöRV or the prior publication of articles on similar or closely related topics. Therefore, a rejection does not necessarily reflect upon the quality of the piece submitted.

#### **Confidentiality**

Neither the editors nor the editorial staff will disclose any information about a submitted manuscript except to the authors, referees, potential referees, members of the ZaöRV's academic advisory board or the publisher, C.H. Beck.

The manuscript itself as well as any parts of or thought in it are treated as confidential and may only be cited with the author's prior written consent.

#### **Transparency**

The ZaöRV clearly indicates which parts of it are peer reviewed and which are not (e.g. book reviews).

#### **Conflict of interest**

If an editor is in a conflict of interest regarding a manuscript, he will refrain from deciding on the acceptance of that manuscript and will confer the decision to another member of the editorial board.

#### **Self-citation**

The editors do not oblige the authors to cite articles published in the ZaöRV or articles written by them as a condition for accepting the manuscript.

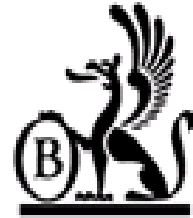
### *1.2 Obligations of referees*

#### **Role of referees**

The referee's role is to assist the editorial decision making and to improve the submitted manuscript. To that end, referees shall make recommendations to the authors regarding the structure of the manuscript but also regarding relevant material that were not covered by the manuscript.



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Referees shall also draw to the editor's attention any parts of the manuscript which are similar or identical to other published works.

### **Inability**

If a referee finds herself or himself unable to review the manuscript in due time (regardless of the reasons, e.g. other obligations or missing qualification in the subject matter), she or he will inform the editors accordingly without delay and withdraw from the review process.

### **Objectivity**

Referees review the manuscripts in an objective, non- personal and non-insulting manner. They are expected to express their views clearly and support them with arguments.

### **Confidentiality**

The manuscript itself as well as any parts of or thought in it are treated as confidential. Reviewer's will not discuss the manuscript with any other expert (except from the editors) or cite from it without the author's prior written consent.

### **Conflict of Interest**

If a referee is in a conflict of interest regarding a manuscript, he will refrain from reviewing that manuscript. He will indicate any conflict of interest to the editors.

### *1.3 Obligations of authors*

#### **Good scientific practice**

Any statement that is false to the authors' knowledge is unethical and therefore, unacceptable.

#### **Authorship and plagiarism**

Authors must only submit original manuscripts. Every use of materials or thoughts from other persons must be marked accordingly by citations or quotations. The authors shall also cite all works which influenced their manuscript.

Only those who made a considerable contribution to the manuscript can be listed as authors. The author(s) acknowledge(s) that any kind of "honorary" or "ghost" authorship is unethical. Especially, a leading position in a research group does not in itself constitute a considerable contribution to the manuscript.

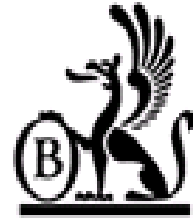
All those who contributed considerably to the manuscript have to agree to the publication of the manuscript.

#### **Multiple, redundant or concurrent publications**

The manuscript has not already been published in the whole or in large parts in any other publication. Any prior publication of (parts of) the manuscript must be revealed to the editors. Additionally, the authors may not submit the manuscript to any other publication before the editors have refused the manuscript.



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### **Disclosure and conflict of interest**

The authors are expected to disclose any source of financial support they received for the manuscript. The authors shall also disclose all circumstances to the editors which might constitute a conflict of interest with regard to the scientific view expressed in the manuscript. A conflict of interest shall be deemed to exist whenever a third person may reasonably doubt the objectivity of the research in light of the circumstances.

### **Errors**

Any errors in the manuscript that the authors become aware of before or after publication must be brought to the editors' attention without delay and cooperate with the editors in order to allow for a rectification, if appropriate.

## **2. Procedures to detect and to remedy misconduct**

### *Detecting misconduct*

Any person may at any time contact the Ombudsperson for good scientific practice at the Max Planck Institute for Comparative Public Law and International Law to report alleged misconduct.

Such a report should, in principle, be supported by further information and evidence.

### *Investigation*

The investigation triggered by the report will be handled in an impartial and confidential manner.

At the beginning, the investigation shall be handled by the managing editor, or in case of a conflict of interest, by the editors-in-chief.

In case the report appears to be plausible and supported by evidence, the person accused of misconduct shall be confronted with the allegation and she or he shall be given the right to respond to it.

### *Possible measures regarding confirmed misconduct*

If the alleged misconduct is confirmed in the investigation, the editors or in case of a conflict of interest regarding one editor the remaining editors – depending on the seriousness of the misconduct – take one or several of the measures indicated below. Before taking any measure, the editors will consult the academic advisory board and – if necessary – external experts. The editors' decision must be taken by a majority.

The measures that may be applied include (in order of increasing severity):

- Informing the accused about the misconduct and instructing him on ethical behavior;
- Informing and warning the accused (esp. explaining possible consequences of future misconduct);
- Informing the employer of the accused;
- Publishing a notice in the ZaöRV detailing the confirmed misconduct;
- Publishing an editorial in the ZaöRV detailing the confirmed misconduct;

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- Informing the department of the accused or her or his funding agency formally about the confirmed misconduct;
- Formal retraction or withdrawal of the article from the journal. The ZaöRV will inform the department of the accused or her or his funding agency as well as any abstracting or indexing service listing the ZaöRV about the confirmed misconduct;
- Reporting the case to a professional organization or higher authority.