Publication Ethics and Publication Malpractice Statement

(22 October 2021)

Obligations of editors, reviewers, and authors

Obligations of editors and the managing editor

Publication decision

The editors are ultimately responsible for the publication of manuscripts. The editors' decision on the manuscript's acceptance will be based mainly on the manuscript's quality and innovative character, and also on the balance of topics in the ZaöRV/HJIL 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. The decision may under no circumstances be influenced by the author's gender, sexual orientation, race, religious belief, ethnic origin, citizenship or political philosophy.

Confidentiality

Neither the editors nor the editorial staff will disclose any information about a submitted manuscript except to the authors, reviewers, potential reviewers, members of the ZaöRV's/HJIL's academic advisory board or the publisher, C.H. Beck (including any of its subsidiaries).

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

Transparency

The ZaöRV/HJIL 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, she or he will refrain from deciding on the acceptance of that manuscript and will confer the decision to the other members of the editorial board. Conflicts of interest are situations that could be perceived to exert an undue influence on the presentation, review, or publication of a piece of work. These may be financial, non-financial, professional, contractual or personal in nature

Self-citation

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

Obligations of reviewers

Role of reviewers

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

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

Inability

If a reviewer 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

Reviewers evaluate the manuscripts in an objective, non-personal and non-insulting manner in line with academic standards. 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. Reviewers 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 reviewer is in a conflict of interest regarding a manuscript, she or he will refrain from reviewing that manuscript. She or he will indicate any conflict of interest to the editors.

Obligations of authors

Good scientific practice

Authors make their scholarly statements according to their best knowledge. Any knowingly false statement 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. 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 and submissions

The manuscript must not have been already 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 publisher before the editors have refused the manuscript.

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 scholarly 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 authors must cooperate with the editors in order to allow for a rectification, if appropriate.

Procedures to detect and to remedy misconduct

a) Detecting misconduct

Any person may at any time contact the managing editor to report alleged misconduct.

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

b) 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 other editors.

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.

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

- Informing the accused about the misconduct and instructing her or him on ethical behaviour;
- Informing and warning the accused (esp. explaining possible consequences of future misconduct);
- Informing the employer of the accused informally;
- Publishing a notice in the ZaöRV/HJIL detailing the confirmed misconduct;
- Publishing an editorial in the ZaöRV/HJIL detailing the confirmed misconduct;
- Informing the employer 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/HJIL will inform the department of the accused or her or his funding agency as well as any abstracting or indexing service listing the ZaöRV/HJIL about the retraction;
- Reporting the case to a professional organisation or higher authority.

The editors' decision on any of these measures should be taken consensually, failing this by a majority decision.