

PUBLICATION ETHICS AND MALPRACTICE STATEMENT

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This Statement is based on the *Committee on Publication Ethics – COPE’s Best Practice Guidelines for Journal Editors*, on the *Publishing Ethics Resource Kit – PERK* and is compliant with Elsevier general recommendations.

MUNUS. Legal Journal of Public Law is strongly committed to ensuring the respect of precise ethical behavior of all parties involved in the act of publishing (points from 1 to 3).

The Editorial Board strongly believe that peer-reviewed articles support and embody the scientific method. Moreover, the Editorial Board is in charge of the prevention of publication malpractice and to ensure that advertising, reprint or other commercial revenue has no impact or influence on editorial decisions.

The Editors will evaluate submitted manuscript on the basis of academic merit, relevance for the research in the field of social sciences, originality of the results, internationalization and the use of comparative methods of analysis.

The Editors will not use unpublished manuscripts of parts of them without the express written consent of the author. All reasonable measure will be adopted in the case of ethical complaints.

Plagiarism, self-plagiarism, fraudulent and knowingly inaccurate statements will be not accepted in any case: authors should present an objective discussion of the significance of research work as well as sufficiently detailed information for the reuse of research results. Authors must also ensure the originality of their works and, if it is not so, they must appropriately acknowledge it.

Any manuscript will be examined by the Editorial Board and evaluated by at least two external reviewers. The reviewers must conduct the assessment objectively and must formulate observations and suggestion.

The Editorial Board will also undergone a specific compliance process with 2011 *COPE Code of Conduct for Journal Editors* and with the 2013 addendum (point 4) and will make sure that best practices will be followed.

Professor Aldo Sandulli – Director of MUNUS
on behalf of the Editorial Board

1. Duties of Authors

a. Originality

The authors should ensure that they have written entirely original works. The work and/or words of others must be appropriately cited or quoted. Plagiarism in all its forms is unacceptable.

b. Multiple, redundant or concurrent publication

In general, an author should not publish manuscripts describing essentially the same research in more than one journal or primary publication. Submitting the same manuscript to more than one journal concurrently constitutes unethical publishing behavior.

Moreover, an author should not submit for consideration in another journal a previously published paper. Publication in more than one way (in proceedings, in a curatorship and so on) could be justifiable, provided certain conditions are met: the authors and editors concerned must agree to the secondary publication, which must reflect the same data and interpretation of the primary document. The primary reference must be cited in the secondary publication.

c. Acknowledgment of sources

Proper acknowledgment of the work of others must always be given. Authors should cite publications that have been influential in determining the nature of the reported work.

d. Authorship

Authorship should be limited to those who have made a significant contribution to the conception, design, execution, or interpretation of the reported study. All those who have made significant contributions should be listed as co-authors. Where there are others who have participated in certain substantive aspects of the research project, they should be acknowledged or listed as contributors.

The corresponding author should ensure that all appropriate co-authors and no inappropriate co-authors are included on the paper, and that all co-authors have seen and approved the final version of the paper and have agreed to its submission. for publication.

e. Disclosure and conflict of interest

All authors should disclose in their manuscript any financial or other substantive conflict of interest that might be construed to influence the results or interpretation of their manuscript. All sources of financial support for the project should be disclosed. Examples of potential conflicts of interest which should be disclosed include employment, consultancies, stock ownership, honoraria, paid expert testimony, patent applications/registrations, and grants or other funding. Potential conflicts of interest should be disclosed at the earliest stage possible.

f. Errors in published essays

When an author discovers a significant error or inaccuracy in his/her own published work, it is the authors obligation to promptly notify the journal editor or publisher and cooperate with the editor to retract or correct the paper. If the editor or the publisher learns from a third party that a published work contains a significant error, it is the obligation of the author to promptly retract or correct the paper or provide evidence to the editor of the correctness of the original paper.

g. Nature of the work

Review and professional publication articles should also be accurate and objective, and editorial opinion works should be clearly identified as such.

2. Duties of the Editorial Board

a. Double-blind review and publication decisions

The Editors in Chief are responsible at promoting adequate forms of double-blind peer review of submitted manuscripts.

The editor of a peer-reviewed journal is responsible for deciding which of the articles submitted to the journal should be published. The validation of the work in question and its importance to researchers and readers must always drive such decisions. The editor may be guided by the policies of the journal's editorial board and constrained by such legal requirements as shall then be in force regarding libel, copyright infringement and plagiarism. The editor may confer with other editors or reviewers in making this decision.

b. Fair-play and fairness

An editor should evaluate manuscripts for their intellectual content without regard to race, gender, sexual orientation, religious belief, ethnic origin, citizenship, or political philosophy of the authors.

c. Confidentiality

The editor and any editorial staff must not disclose any information about a submitted manuscript to anyone other than the corresponding author, reviewers, potential reviewers, other editorial advisers, and the publisher, as appropriate.

d. Disclosure and conflict of interest

Unpublished materials disclosed in a submitted manuscript must not be used in an editor's own research without the express written consent of the author.

Privileged information or ideas obtained through peer review must be kept confidential and not used for personal advantage. Editors should recuse themselves (i.e. should ask a co-editor, associate editor or other member of the editorial board instead to review and consider) from considering manuscripts in which they have conflicts of interest resulting from competitive, collaborative, or other relationships or connections with any of the authors, companies, or (possibly) institutions connected to the papers. Editors should require all contributors to disclose relevant competing interests and publish corrections if competing interests are

revealed after publication. If needed, other appropriate action should be taken, such as the publication of a retraction or expression of concern.

e. Involvement and cooperation

An editor should take reasonably responsive measures when ethical complaints have been presented concerning a submitted manuscript or published paper, in conjunction with the publisher (or society). Such measures will generally include contacting the author of the manuscript or paper and giving due consideration of the respective complaint or claims made, but may also include further communications to the relevant institutions and research bodies, and if the complaint is upheld, the publication of a correction, retraction, expression of concern, or other note, as may be relevant. Every reported act of unethical publishing behavior must be looked into, even if it is discovered years after publication.

3. Duties of Reviewers

a. Contribution to editorial decisions

Peer review assists the editor in making editorial decisions and through the editorial communications with the author may also assist the author in improving the paper. Peer review is an essential component of formal scholarly communication, and lies at the heart of the scientific method.

b. Promptness

Any selected referee who feels unqualified to review the research reported in a manuscript or knows that its prompt review will be impossible should notify the editor and excuse himself from the review process.

c. Confidentiality

Any manuscripts received for review must be treated as confidential documents. They must not be shown to or discussed with others except as authorized by the editor.

d. Standards of objectivity

Reviews should be conducted objectively. Personal criticism of the author is inappropriate. Referees should express their views clearly with supporting arguments.

e. Acknowledgement of sources

Reviewers should identify relevant published work that has not been cited by the authors. Any statement that an observation, derivation, or argument had been previously reported should be accompanied by the relevant citation. A reviewer should also call to the editors attention any substantial similarity or overlap between the manuscript under consideration and any other published paper of which they have personal knowledge.

f. Disclosure and conflict of interest

Unpublished materials disclosed in a submitted manuscript must not be used in a reviewer's own research without the express written consent of the author. Privileged information or ideas obtained through peer review must be kept confidential and not used for personal advantage.

Reviewers should not consider manuscripts in which they have conflicts of interest resulting from competitive, collaborative, or other relationships or connections with any of the authors, companies, or institutions connected to the papers.

4. Compliance with COPE Code of Conduct for Journal Editors

a. General duties and responsibilities of editors

Editors are accountable for everything published the journal, should strive to meet the needs of readers and authors and to constantly improve the journal.

Editors should assure the quality of the material they publish; champion freedom of expression; maintain the integrity of the academic record; preclude business needs from compromising intellectual and ethical standards; always be willing to publish corrections, clarifications, retractions and apologies when needed.

b. Relations with readers

Readers will be informed about who has funded research or other scholarly work and whether the funders had any role in the research and its publication and, if so, what this was.

c. Relations with authors

Editors' decisions to accept or reject a paper for publication are based on the paper's importance, originality and clarity, and the study's validity and its relevance to the remit of the journal.

Editors should not reverse decisions to accept submissions unless serious problems are identified with the submission. New editors should not overturn decisions to publish submissions made by the previous editor unless serious problems are identified. A description of peer review processes will be published, and editors should be ready to justify any important deviation from the described processes.

d. Relations with reviewers

Editors will provide guidance to reviewers on everything that is expected of them including the need to handle submitted material in confidence. This guidance should be regularly updated and should refer or link to this code.

Editors should require reviewers to disclose any potential competing interests before agreeing to review a submission.

Peer reviewers' identities are protected and never disclosed.

e. Relations with editorial board members

Editors will provide new editorial board members with guidelines on everything that is expected of them and should keep existing members updated on new policies and developments.

f. Relations with journal owners and publishers

The relationship of editors to publishers and owners is based firmly on the principle of editorial independence.

Editors should make decisions on which articles to publish based on quality and suitability for the journal and without interference from the journal owner/publisher.

g. Editorial and peer review processes

Editors will ensure that peer review at their journal is fair, unbiased and timely and will ensure that material submitted to their journal remains confidential while under review.

h. Quality assurance

Editors should take all reasonable steps to ensure the quality of the material they publish, recognising that journals and sections within journals will have different aims and standards.

i. Protecting individual data

Editors must obey laws on confidentiality in their own jurisdiction. Regardless of local statutes, however, they should always protect the confidentiality of individual information obtained in the course of research or professional interactions.

j. Ethical research

Editors should endeavour to ensure that research they publish was carried out according to the relevant internationally accepted guidelines.

Editors should seek assurances that all research has been approved by an appropriate body where one exists. However, editors should recognise that such approval does not guarantee that the research is ethical.

k. Dealing with possible misconduct

Editors have a duty to act if they suspect misconduct or if an allegation of misconduct is brought to them. This duty extends to both published and unpublished papers.

Editors should not simply reject papers that raise concerns about possible misconduct. They are ethically obliged to pursue alleged cases. Editors should follow the COPE flowcharts where applicable.

Editors should first seek a response from those suspected of misconduct. If they are not satisfied with the response, they should ask the relevant employers, or institution, or some appropriate body (perhaps a regulatory body or national research integrity organization) to investigate.

Editors should make all reasonable efforts to ensure that a proper investigation into alleged misconduct is conducted; if this does not happen, editors should make all reasonable attempts to persist in obtaining a resolution to the problem.

l. Ensuring the integrity of the academic record

Errors, inaccurate or misleading statements must be corrected promptly and with due prominence. Editors should follow the COPE guidelines on retractions.

m. Intellectual property

Editors should be alert to intellectual property issues and work with their publisher to handle potential breaches of intellectual property laws and conventions.

n. Encouraging debate

Editors should encourage and be willing to consider cogent criticisms of work published in their journal. Authors of criticised material should be given the opportunity to respond. Studies reporting negative results should not be excluded.

o. Complaints

Editors should respond promptly to complaints and should ensure there is a way for dissatisfied complainants to take complaints further. This mechanism should be made clear in the journal and should include information on how to refer unresolved matters to COPE.

Editors should follow the procedure set out in the COPE flowchart on complaints.

p. Commercial considerations

Commercial considerations will not affect editorial decisions.

Editors should have declared policies on advertising in relation to the content of the journal and on processes for publishing sponsored supplements.

Reprints should be published as they appear in the journal unless a correction needs to be included in which case it should be clearly identified.

q. Conflicts of interest

Editors should have systems for managing their own conflicts of interest as well as those of their staff, authors, reviewers and editorial board members.

Journals should have a declared process for handling submissions from the editors, employees or members of the editorial board to ensure unbiased review

r. Editorial decision

Editorial decisions will not be affected by the origins of the manuscript, including the nationality, ethnicity, political beliefs, race, or religion of the authors. Decisions to edit and publish should not be determined by the policies of governments or other agencies outside of the journal itself.