

AJEE PUBLICATION ETHICS AND MALPRACTICE STATEMENT

The Publication Ethics and Malpractice Statement of the Access to Justice in Eastern Europe (PEMS AJEE) was created in a brief version and full version. The brief version is placed on this page <http://ajee-journal.com/ajee-publication-ethics-and-malpractice-statement>

This is a full version of PEMS AJEE, recommended for authors and reviewers and is executed by the AJEE Editorial team and Board members, which may be found in the Attachments on this page <http://ajee-journal.com/submissions>

The best practices of international publishing community were used for PEMS AJEE: The Committee on Publication Ethics (COPE) <https://publicationethics.org/resources/guidelines-new/principles-transparency-and-best-practice-scholarly-publishing> and Publishing Ethics Resource Kit for editors by Elsevier <https://www.elsevier.com/editors/perk>

All the necessary materials consisting of the requirements for publication in the Journal, in particular, the AJEE Authors Guide, the AJEE Reviewers Guide and AJEE Ethical and Legal Conditions, were sufficiently revised and updated according to this PEMS (updated and revised version on March 16, 2020) and are currently available on the web-site of the Journal <http://ajee-journal.com/submissions> see Attachments, please.

Part 1. AJEE Publication Ethics.

AJEE is proud of the high-quality content selected and published by us. We support the principles of academic publishing, in particular, honesty of authorship, excellence and thoroughness in research, transparency in publishing, respect to all participants of the publishing process. This requirement reflects these abovementioned principles and is strictly recommended for applying for publication.

All the necessary agreements of its confirmation are signed by authors and reviewers. If anyone has proper grounds for doubts or any concerns, that these rules have been carried out, please, let us know via e-mail editor@ajee-journal.com While investigation in a particular case will be provided, the Committee in Publishing Ethics (COPE) guidelines will be widely used.

1.1. Editorial Process. Conflicts of Interest.

The Editorial Team and editors of AJEE are committed to their independence from any conflicts of interest, corporate, personal or any other influence, which may lead to a violation of the principles, specified here, or any widely used principles of publishing in the scholarly community.

The Editor-in-Chief is responsible for the selection of materials for publication on the grounds of two external reviewers' assessments. The final decision about publication is made by the Editorial Board while regarding the Advisory Board recommendations.

All the Editorial Board and Advisory Board members share these principles and widely use practices of best publishing.

We try to ensure that any of our publication is free from influence, in particular, due to corporate or commercial benefits, as well as free from any form of conflicts of interest. Author(s) while submitting a manuscript should declare any potential conflicts of interest with any member of the editorial team, other staff of the Editorial Board or publisher, who could interfere with the objectivity of its assessment.

By conflicts of interest we mean an influence on the submission, editing, reviewing and/or publication of a manuscript, the lack of which could lead to the refusal of the publication. By competing interest, we mean anything that could reasonably influence the full, objective and free opinion of the author, reviewer or editor, including the Editor-in-Chief concerning the publication of the particular article.

In the event of any allegations of an undisclosed conflict of interest, please, contact the Editor-in-Chief for investigation and decision-making of a publication retraction.

We support the freedom of expression as an integral part of academic research, unless any research misconduct is discovered. Also, we do not support any harmful or subjective statements, racist or any other form of discriminating points of view and any announcements, which may be considered as a human rights' violation.

All the appeals concerning the violation of the decision-making process should be directed to Editor-in-Chief editor@ajee-journal.com

1.2. Peer Review

Peer review is a crucial point of high-quality content, published in AJEE.

All of AJEE content is subjected to double blind peer-review with the aim of obtaining advice on individual manuscripts from reviewers and the recommendation about the publication of the article and/or improving the study. The only exception from peer review is an Introduction of the Editor-in-Chief, which appears in each of the Journal's issues.

The process of peer review used by our Editorial Team is clearly described in AJEE Reviewers Guide, you may find on this page <http://ajee-journal.com/submissions> . In addition, we recommended to familiarize with the COPE guidelines <https://publicationethics.org/resources/guidelines-new/cope-ethical-guidelines-peer-reviewers> and Elsevier best practices of peer review and widely apply it within the peer review.

AJEE reviewers are external experts, who are well-known specialists in a particular area of legal research, related to the manuscript, chosen by editors to provide written opinions, who have no conflict of interest with author(s).

We support any warnings of reviewers and oversee the peer review for avoiding any fraudulent or manipulated acts, on the side of authors, as well as on the side of the reviewers.

We put in efforts that all judgments and findings, which have been given in the peer-review process, are objective, if not, a responsible editor has to change reviewers and conduct an additional review.

Reviewers should assess the manuscript in general and give their competent advice concerning the possible publication the manuscript in regular issue of AJEE or in special issue. The special issue of AJEE has an additional guest-editor for quality checking and control.

All reviewed articles are treated confidentially prior to their publication, in any case avoiding copying, transferring to third parties, publicly discussing its content, as well as using any data, ideas or arguments of the manuscript. The responsibility for these lies upon the reviewers and the editors jointly. All our reviewers strongly support and execute PEMS AJEE, which is confirmed before a responsible editor.

1.3. Authorship and Authors' Responsibility

Authorship of the particular manuscript, submitted for publication, is a very important point for publication process to begin and be successfully finished. We believe and recognize the authorship of a person, mentioned in the submission, while the opposite was not discovered within the proper investigation according to the rules and guidelines of COPE <https://publicationethics.org/files/u7141/1999pdf13.pdf> and Elsevier <https://www.elsevier.com/editors/perk> In particular, author(s) should take responsibility for the content of their manuscript, the ideas and opinions, given in their research result, as well as proper sources citation and methodology of studying, in any case avoiding of research misconduct.

Co-authorship is acceptable in AJEE and carried out with the following. We believe, that all co-authors have significantly contributed to the particular research, submitted for publication, and should confirm their responsibility for a whole manuscript or a particular section of the study. One particular author should act on behalf of all the co-authors communicating with us. Despite this, any of co-authors should direct their allegations to Editorial team in the event of any concerns via e-mail editor@ajee-journal.com

Our authors are obliged to participate in a double-blind peer review process in line with well-known practices and our requirements, please, see more in AJEE Authors Guide and AJEE Reviewers Guide on page <http://ajee-journal.com/submissions>

The author(s) are obliged to provide retractions or corrections of mistakes upon request of reviewers or editors. The author(s) should provide a list of references in accordance with the Journal requirements.

The author(s) should mention any financial support of their publication, in particular, concerning funding of projects within which a particular research has been conducted.

All our author(s) confirm their strong support and execute PEMS AJEE, which is reflected in their signature of the Transfer of the Author's Rights Agreement.

1.4. Research Misconduct. Plagiarism Prevention.

Publication of the original and high-quality materials of authors for the world-wide scholar community is an important part of our work.

By **research misconduct** we assess the plagiarism, fabrication and falsification, as well as fraudulent research in all forms. We put our efforts to discover the above mentioned at all stages of the publishing process, and welcome in post publication. In the event that any research misconduct happens and is discovered within a proper investigation, it will lead to the retraction of the article with the necessary acknowledgement.

For the plagiarism prevention a fair and recognized definition what plagiarism means exists. We use both of the following documents for defining plagiarism with regard to the international publishing standards and to the practice of the Taras Shevchenko University of Kyiv.

Here you may find the 'Legal guide for editors concerning ethics issues' with particular recommendations about plagiarism detection, which we carried out work <https://www.elsevier.com/editors/perk/legal-guide-for-editors>

Here is the “Regulations on the detection and prevention of academic plagiarism at Taras Shevchenko National University of Kyiv”, available here (in Ukrainian) <http://senate.univ.kiev.ua/wp-content/uploads/2020/03/Положення-про-систему-виявлення-та-запобігання-академічному-плагіату-у-КНУ.pdf>

In particular, we assess as plagiarism the following acts:

1) **Plagiarism** - when using other identified person’s words, data, or other material produced by them and published without a proper acknowledgement while submitting an article for publication partly or as a whole. Discovering this at any stage of the publishing process leads to the additional investigation of the allegation by the Editor-in-Chief editor@ajee-journal.com and the editorial team with the obvious participation of the author or the person, who perpetrates the misconduct;

2) **Self-plagiarism** - when using their own words, data or other material produced and published already as a whole or partly submitted for publication elsewhere, without a proper acknowledgement. We do not consider as self-plagiarism the pre-conference and post-conference publications of reports, which were substantively revised and updated, or the author(s) recognize and develop their own ideas, reflected in their own previous publications while continuing research and publishing interim results of the particular research conducted.

In addition, we assess as a form of plagiarism any forms of **contract cheating**, when contracting a third party to provide work (in particular, write), which is then used as part of a authors own work, submitted for publication. Discovering this at any stage of the publishing process or post-publication obviously lead to the additional investigation by the Editor-in-Chief editor@ajee-journal.com with a retraction of this particular article.

Having these in regard, we take reasonable steps to identify and prevent the publication of papers where plagiarism or any research misconduct has occurred without exception. For this, we use specific online tools, which help prevent the plagiarism, please, see more at <http://ajee-journal.com/plagiarism-policy>

Our founder, the East European Law Research Center is a CrossRef member and has joined the Similarity Check, from CrossRef <https://www.crossref.org/services/similarity-check/>, where Turnitin’s iThenticate tool helps us to check the originality of the submitted manuscript.

Nevertheless, we strongly believe, that good faith, responsibility and the competence of our reviewers and editors should help us substantively. One of the main questions to answer before accepting the article is the quality and the originality of the article’s content, reflecting the skill and judgment of the particular author. The additional information about the author(s) study during the editing and peer reviewing

is welcome (in particular, information about the author, available in ORCID, Publons, Academy.edu and other public sources).

Submissions containing suspected plagiarism, in whole or part, will be rejected. If plagiarism is discovered post publication, we will follow our guidance outlined.

By the fabrication or the falsification of research results we mean the manipulation of research materials, changing data and non-objective approach for assessment of the particular issue, supporting only specific opinion.

Any fraudulent research will be substantively investigated in the event of reasonable concerns raising and will lead to retraction of publication with necessary acknowledge.

Guides with the full information about submission, approval, reviewing and refusing of the article, in particular, concerning its retracting or correcting when needed, are available for authors and reviewers as well on page <http://ajee-journal.com/submissions> We are always willing to publish any corrections, clarifications, retractions and/or apologies, if the allegations are justified.

If any allegation of research misconduct is discovered, we will deal with it appropriately, applying a well-known and widely-used practice, in particular, mentioned at <https://www.elsevier.com/editors/perk> Please, do not hesitate to contact the Editor-in-Chief editor@ajee-journal.com if you suspect any violation of publication ethics, in particular, plagiarism, self-plagiarism or contract cheating with a proven or reasonable doubt.

1.5. Duplicate Publication and Duplicate Submission. Duplicate Publication in Different Languages.

Redundant publication in the meaning of COPE, when two or more papers, without full cross reference, share the same hypothesis, data, discussion points, or conclusions, is strictly prohibited in AJEE.

For avoiding redundant publication, duplicate submission for publication of a work, consisting of previously published part(s) or a whole text of work, is allowed, only if this may facilitate an academic discussion, which was made with the permission and acknowledgement of the original source.

In the event, the duplicate publication is under consideration, the control of the permission for the publication lies on the Editor-in-Chief, who may request such a

permission and check it, while addressing the publisher or editor of previous publication.

Submission and publication of materials, published originally in other sources, may be allowed due to the following reasons upon the well motivated decision of the Editorial and Advisory Boards of AJEE:

1) lack of an original publication in English, which is substantial in weight, important and recognized, in particular, historical essays, related to the particular research of legal issues with the original sources in Ukrainian, Old Slavic language;

2) the value and meaning of the original publication for the particular area of legal science development, for instance, with the new definition or vision, which were later implemented in national or international levels, realized in strategies, legislation or soft law after publications.

The Editorial team is free to express their decision concerning the duplicate publication in well-motivated and reasonable grounds, which, as usual, appears in the Introduction to the issue, where the publication is placed.

If any allegation of improper or incorrect duplicate publication is discovered, please, do not hesitate to contact the Editor-in-Chief editor@ajee-journal.com

1.6. Fees, Funding and Advertising Policy of AJEE

AJEE publishes in full Open Access under a [CC BY NC ND 4.0 license](https://creativecommons.org/licenses/by-nc-nd/4.0/) which permits to copy and distribute the material in any medium or format in unadapted form only, for noncommercial purposes only, and only so as long as attribution is given to the creator.

Authors pay a one-time Article Processing Charge (APC) to cover the costs of peer review administration and management, professional production of articles in PDF and other formats, and dissemination of published papers in various venues, in addition to other publishing functions. There are no charges for rejected articles, no submission charges, and no surcharges based on for the length of an article, figures or supplementary data. The only exception is the articles, written by co-authors. In this case, the APC will include an additional payment for each of co-authors. Some items (Editorial Notes, Corrections, Retractions, Comments, Book Reviews, Conference Announcements etc.) are published free of charge.

AJEE waives 20% of its content every issue. We are committed to supporting the transition of all research to full open access, so offer APC waivers or discounts to some authors. We display an APC in order to demonstrate to authors that there is a cost to publication.

Members of association founded and affiliated to an AJEE journal benefit from a discount as well as authors affiliated to institutions participating in our Partners Program.

Waivers may be granted on a case-by-case basis upon request. Applications submitted before article submission are assessed by the Managing Editor based on the quality of the research article and the authors' ability to pay.

If the article is cited by other authors more than 10 times in the next two years after its publication in journals listed in the Web of Science Core Collection, the Editorial Board reserves the right to pay compensation to its author in the amount of payment for its publication.

Nevertheless, the decision on publishing depends only on the scope of the publication and its quality, confirmed by independent and professional peer-reviewers.

The main revenue source of AJEE is the organizational support by its founder, the East European Law Research Center, which is the voluntary association of legal professionals. It helps us to keep our independence in publishing due to the lack of any financial influence in editorial decision making.

AJEE allows advertising, if it is directly linked to content of the Journal, reader behavior (online only) or is displayed at random on the website of the Journal. The decisions regarding accepting adverts and whether they are linked to content or reader behavior (online only) or are displayed at random are made only by the Editorial team, in particular, the Editor-in-Chief is responsible for that. Advertisements are not related in any way to editorial decision making and are kept separate from the published content. In the event of failing this policy, please, do not hesitate to contact the Editor-in-Chief editor@ajee-journal.com

We hereby confirm, that any direct marketing activities, including solicitation of manuscripts in particular special issues, inviting leading experts to cooperate with AJEE, that are conducted on behalf of the Journal, are appropriate, well targeted, and unobtrusive. Information provided about the AJEE, our publisher or any information about our activities, placed on our web-site and within the print versions of the issues, is truthful and not misleading for readers or authors.

Part 2. Malpractice Statement

Hereby, on behalf of the Editorial team and Editorial and Advisory Boards of AJEE we confirm our strong support of publication ethics and its wide application in our publishing activities. In the event of any concerns raised, an appeal may be directed to the Editor-in-Chief. They will be properly qualified, objectively investigated and, if the concerns are proven, the results will be acknowledged, in particular, publicly available and the publication will be retracted.

We support the idea of exchanging the information about proven research misconduct, in particular, plagiarism, between editors according to COPE Guidelines 'Sharing of Information Among Editors-in-Chief Regarding Possible Misconduct'

<https://publicationethics.org/resources/guidelines-new/sharing-information-among-editors-chief-regarding-possible-misconduct> and will be carried out.

In the event of malpractice caused by professional negligence or incompetence of the part of author(s), reviewer(s), editor(s), claims can be brought before the Editor-in-Chief.

Among the grounds for allegations of malpractice may be the following:

- failing to exercise the skills and abilities that a similar situated professional in the same circumstances without reasonable cause;
- failing to meet professional standards, rules and practices, widely used in publishing, in particular, mentioned in COPE guidelines and/or Elsevier recommendations;
- failing to render services or keep an appropriate communication that a professional would apply under similar circumstances (in particular, within an investigation process).

In the event of failing the publication ethics or malpractice, we recommend checking through the case practice of COPE, which may be found here <https://publicationethics.org/guidance/Case>