

# Estudios de Deusto

Revista de Derecho Público

## ETHICAL GUIDELINES

09/02/2022

### SUMMARY

#### **1.- Scope of action and objectives of the Journal**

1.1.- Scope of the Journal

1.2.- Support

#### **2.- Organization of the Journal**

2.1.- Editorial Team

2.2. - General duties of the Management of the Journal

2.3.- Confidentiality and conflicts of interest of Editorial Team

#### **3.- Intellectual Property and Data Processing**

#### **4. - Relation with authors**

4.1. - Promotion of ethical conducts

4.2. - Guidelines for authors

4.3.- Peer Review and Decisions regarding the publication

4.4.- Duties of the authors

*4.4.1.- Originality and plagiarism*

*4.4.2.- Authorship*

*4.4.3.- Conflicts of interest of the authors*

09/02/2022

4.4.4.- *Multiple, redundant or concurrent publication*

4.4.5.-*Acknowledgement of sources*

4.4.6.- *Citation Manipulation*

4.4.7.- *Mistakes in published papers*

## **5.- Relation with reviewers**

5.1.- Duties of reviewers

5.2.- Conflicts of interest of reviewers

5.3.- Rights of reviewers

## **6.- Complaints and sanctions**

# **ETHICAL GUIDELINES**

These Guidelines are based on existing Elsevier policies and COPE`s Best Practices Guidelines for Journal Editors.

## **1.- Scope of action and objectives of the Journal**

### 1.1.- Scope of the Journal

*Estudios de Deusto. Revista de Derecho Público* is a scientific journal with a long history in the field of Law that publishes two issues annually and is open access. It publishes works written in Spanish or English that are the result of original research in the different branches of public law, as well as reviews of scientific publications in the field of Public Law.

### 1.2.- Support

*Estudios de Deusto. Revista de Derecho Público* is a specialized scientific journal edited by the University's Faculty of Law and that only has the financial support of the University's Faculty of Law.

## **2.- Organization of the Journal**

## 2.1.- Editorial Team

The magazine has an editorial team made up of a Editor, a Managing Editor, an Editorial Board and an Scientific Advisory Board.

The Management of the Journal is made up of the Editor and the Managing Editor. They are appointed by the highest authority of Law School of University of Deusto (Dean) from among its Faculty. And in the same way, the Dean decide to dismiss them and replace them with other people.

The Editorial Board is made up of professors and experts specialized in the field of Law. At the request of the Management of the Journal, they can help and advise on the publication of the manuscripts received. Likewise, they are consulted before a change in the focus and scope of the Journal.

The Advisory and Evaluation Council is made up of professors and experts specialized in the field of Law. At the request of the Journal's Management, they can help and advise on the publication of the manuscripts received, as well as they can evaluate manuscripts received by the Journal and propose evaluators for said manuscripts based on the subject they address.

The Editorial Board, like the Scientific Advisory Board, is appointed at the proposal of the Journal Management by the highest authority of the Law School of the University of Deusto (Dean) among professors and/or renowned professionals. And in the same way, the Dean may decide to dismiss it at the proposal of the Journal's Management.

## 2.2. - General duties of the Management of the Journal

The Management of the Journal should:

- a) Constantly improve the Journal;
- b) Ensure the quality of the articles published;
- c) Maintain the integrity of the academic record;
- d) Defend freedom of expression;
- e) Always be willing to publish corrections, and to do so if mistakes are detected, and to publish clarifications, retractions, and apologies when needed. In this regard, it will observe the Guidelines for retracting articles published by COPE.
- f) Preserve anonymity of the reviewers in each case.
- g) Preclude business or personal needs from compromising intellectual and ethical standards.
- h) Review and ensure the compliance of the publication ethics and malpractice statement together with the Editorial Board.

## 2.3.- Confidentiality and conflicts of interest of Editorial Team

The Editor, the Managing Editor, the Editorial Board and the Scientific Advisory Board of the Journal must not disclose any information about a submitted manuscript to anyone other than the corresponding author, reviewers and potential reviewers.

Unpublished articles may not be used under any circumstances in research by the members of the Journal's Management, the Editorial Board, the Scientific Advisory Board or any other person who may have access to it, unless it is counted with the express consent of the author. The information or ideas obtained through peer review by the reviewers must also be kept confidential and must not be used under any circumstances for personal benefit.

The members of the Management of the Journal, the Editorial Board or the Scientific Advisory Board must refrain from reviewing manuscripts with respect to which they may find themselves in a situation of conflict of interest as a result of the existence of close relationships or connections with the authors or with their affiliated institutions.

### **3.- Intellectual Property and Data Processing**

Authors warrant that their work is original; has not been previously copyrighted or published in any form; is not under consideration for publication elsewhere; its submission and publication do not violate the Ethical Guidelines of Estudios Deusto. *Revista de Derecho Público* and any codes (of conduct), laws or any rights of any third party; and no publication payment by the Publisher (University of Deusto) is required.

Authors grant to the Publisher (University of Deusto) the worldwide, sub-licensable, and royalty-free right to exploit the work in all forms and media of expression, now known or developed in the future, for educational and scholarly purposes.

However, authors retain the right to present, display, distribute, develop, and republish their work to progress their scientific career provided the original publication source (*Estudios Deusto. Revista de Derecho Público*) is properly acknowledged and in a way that does not suggest the Publisher endorses them or their use of the work.

*Estudios de Deusto. Revista de Derecho Público* is an Open Access publication. Its content is free for full and immediate access, reading, search, download, distribution and reuse in any medium or format only for non-commercial purposes and in compliance with any applicable copyright legislation, without prior permission from the Publisher or the author(s). In any case, proper acknowledgement of the original publication source must be made and any changes to the original work must be indicated clearly and in a manner that does not suggest the author's and or Publisher's endorsement whatsoever.

The Journal is essentially published online through the '*Open Journal Systems (OJS)*' system that integrates the OAI (*Open Archive Initiative*) protocol for greater dissemination and transmission of its contents on the Internet, as well as for greater accessibility and reuse of its contents by the scientific community and society in general.

## **4. - Relation with authors**

### 4.1. - Promotion of ethical conducts

The Management of the Journal should ensure to take appropriate measures to ensure the quality of articles published. Furthermore, the Management should avoid the publication of plagiarisms or unoriginal works.

### 4.2. - Guidelines for authors

The process of publication in the Journal shall be published and maintained properly updated so that the authors can have all the information you need about this, and only for duly justified and explained reasons may be altered. In particular, the peer review process shall be published.

### 4.3.- Peer Review and Decisions regarding the publication

The peer review process is subject to strict conditions of confidentiality. The authors will not know the identity of the reviewers, thus avoiding conflicts of interest that could arise. In this regard, the Management of the Journal will have a strict duty of confidentiality.

Decisions regarding acceptance or rejection of an article for publication should be based solely on the quality of the article, concretely, in its clarity, originality, significance and its relevance to the objectives and scope of the Journal. The Editor of the Journal is responsible for deciding which of the articles submitted to the Journal should be published.

Articles are never rejected because of their critical viewpoints of majority and/or the expressed views by members of the Editorial Team of the Journal (Editor and/or Managing Editor and/or Editorial Board and/or Scientific Advisory Board), provided that such articles are of adequate quality and justify their positions without denigrating other authors or researchers.

Moreover, the decision of acceptance or of rejection is always communicated to the author in the time indicated on publication standards, and it must be justified, especially in case of rejection. This decision should not be changed later, unless there have been serious problems in the publication process that must be justified properly.

Any change in the scope or aims of the Journal does not affect previous decisions regarding the acceptance or rejection of articles submitted for publication.

### 4.4.- Duties of the authors

#### *4.4.1.- Originality and plagiarism*

The submitted manuscripts for publication must contain the data necessary to allow to be quoted by other authors.

Authors should ensure that they have written entirely original papers, and if the authors have used the paper and/or words of others that this has been appropriately cited or quoted. Plagiarism takes many forms, from passing off another`s paper as the author`s own paper, to copying or paraphrasing substantial parts of another`s paper (without attribution). Plagiarism in all its forms constitutes unethical conduct and is unacceptable. The Editor of the Journal should take reasonable measures when ethical complaints have been presented concerning a submitted manuscript or a published article. Such measures will include contacting the author of the manuscript and giving due consideration of the respective complaint made, but may also include further communications to the relevant institutions or research bodies. And if the complaint is upheld, the publication of a correction, retraction or other type of note, as may be relevant, even if it is discovered years after publication the manuscript.

The Management of the Journal will verify the originality of the submitted manuscripts by using the TURNITIN application before being anonymously evaluated by external and independent expert reviewers for possible publication in the Journal.

#### *4.4.2.-Authorship*

Authorship should be limited to those who have made a significant contribution to the conception, design, or execution of the reported manuscript. 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 properly.

The corresponding author should ensure that all appropriate co-authors and no inappropriate co-authors are included on the manuscript.

All co-authors have seen and approved the final version of the article and have agreed to its submission for publication in the Journal.

#### *4.4.3.- Conflicts of interest of the authors*

All authors should disclose in their manuscript any financial or other substantive conflict of interest that might be perceived to influence the results or interpretation of their manuscript. All sources of financial support for the project should be disclosed.

In the event that some of them have not been revealed before publication, the Journal's Management must publish the corresponding corrections.

#### *4.4.4.- Multiple, redundant or concurrent publication*

An author should not in general publish manuscripts describing essentially the same research in more than one journal or publication. Submitting the same manuscript to more than one journal concurrently constitutes unethical publishing behaviour and it is unacceptable. In general, an author should not submit for consideration in another journal a previously published paper. Publication of one article in more than one journal is justified only in exceptional cases. In any case, the primary reference must be cited in the secondary publication.

#### *4.4.5.-Acknowledgement of sources*

Proper acknowledgment of the papers of others must always be given. Authors should cite publications that have been influential in his/her own manuscript. Information obtained privately must not be used or reported without explicit and written permission from the author.

#### *4.4.6.- Citation Manipulation*

Citation manipulation is considered unethical. Manipulation may include adding citations not contributing to a manuscript's content or solely aiming at increasing an author's or a journal's citations.

#### *4.4.7.- Mistakes in published papers*

When an author discovers a significant error or an inaccuracy in his/her own published paper, it is the author's duty to promptly notify the Management of the Journal and cooperate with the Journal to retract or correct the paper. If the Management of the Journal becomes aware of a relevant error in a paper published through a third person, the author of the affected paper will be immediately notified of this fact so that he can allege what he deems appropriate, in particular so that he can send the corresponding retraction or correction or accredit the veracity and correctness of their paper. The Management of the Journal will analyze the situation and adopt a final decision in this regard, which will be communicated to the author.

### **5.- Relation with reviewers**

#### **5.1.- Duties of reviewers**

The review process is subject to strict conditions of confidentiality. Neither the reviewers nor the authors will know their identities in order to avoid possible conflicts of interest. In this connection, the Management of the Journal will have a strict duty of confidentiality.

Also, any manuscripts received for review must be treated as confidential documents. They must not be shown to or discussed with others except as prior authorized expressly by the Management of the Journal.

Reviewers should be conducted objectively, and should make judgments and assessments clear and precise, well-supported and objective enough.

In particular, reviewers should identify relevant published papers that has not been cited by the authors. A reviewer should also call to the Editor's attention any substantial similarity or overlap between the manuscript under consideration and any other published paper of which they have personal knowledge.

Any selected reviewer who feels unqualified to review the research reported in a manuscript or knows that its prompt review will be impossible should notify immediately to the Management of the Journal.

#### 5.2.- Conflicts of interest of reviewers

Unpublished manuscripts may not be used under any circumstances in research by the reviewers, without the express consent of the author. The information or ideas obtained through peer review by the reviewers must be kept confidential and must not be used under any circumstances for personal benefit.

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

Before carrying out the review, reviewers will inform the Journal's Management of any conflict of interest in which they may find themselves, whether personal, academic, or commercial.

#### 5.3.- Rights of reviewers

The reviewers assist the Management of the Journal in the decisions about the publication of the articles and thus contribute to the improvement of the Journal. Likewise, they have the right to request the help they need from the Journal's Management.

Reviewers have the right to ask the Management of the Journal for accreditation of their collaboration with the Journal reviewing manuscripts.



## **6.- Complaints and sanctions**

If there are well-founded suspicions about non-compliance with these Ethical Guidelines, the Journal's Management will proceed to immediately investigate the matter. For this purpose, the Management of the Journal can consult with the Editorial Board, as well as request advice from the Scientific Advisory Board.

If the Editor of the Journal finally considers that an author or authors have violated the Ethical Guidelines of the Journal, he/she reserves the right to impose sanctions such as the non-acceptance of further manuscripts that the author or authors may present, the rejection of the publication of manuscripts by the author or authors in the peer review process, as well as the withdrawal or correction of the paper published by the author or authors in the Journal.

The Management of the Journal, with the eventual advice of the Editorial Board and the Scientific Advisory Board, will decide whether it is necessary to withdraw the paper from the Journal or if it is sufficient to correct it.

In addition, if well-founded suspicions about non-compliance with the Ethical Guidelines fall on any member of the Editorial Board or Scientific Advisory Board, the Journal's Management will proceed to immediately investigate the matter and can count on the advice of the Editorial Board and the Scientific Advisory Board, without the participation of the affected member or members of such bodies. If the Editor of the Journal finally considers that a member or members of the Editorial Board or the Scientific Advisory Board have violated these Ethical Guidelines, he/she will propose to the highest authority of the Law School of the University of Deusto (Dean) the adoption of any sanction, among which may be their immediate removal. The final decision will be made by Dean.

Similarly, if the person affected by well-founded suspicions about non-compliance with the Ethical Guidelines fall on the Journal Management itself, the highest authority of the Law School of the University of Deusto (Dean) will order the investigation and finally decide whether or not any sanction should be adopted, among which may be his immediate removal.

Approval date: 09/02/2022