

## PRESERVATION OF THE OBJECTIVE RECORD OF SCIENCE An STM Guideline

It is a general principle of scholarly communication that the Editor of a learned journal should be guided in editorial decisions by the scientific merit of a submitted paper and the fit of the submission with the aims and scope of the journal and related editorial principles. While journals are part of the mission or business of the publisher, the independence, integrity and objectivity of editorial decisions must be maintained at the highest possible level.

A corollary to this principle of independent editorial judgment is the importance of the scholarly archive as a permanent, historic record of the “minutes” of scholarship. Articles that have been published should remain extant, exact and unaltered to the maximum extent possible.

On occasion circumstances may arise where an article is published that must later be retracted (by which we mean the publication or posting of an erratum or notice which identifies the relevant errors or ethical concerns) or even removed (by which we mean the actual deletion of an article, which is relatively easy for the electronic form, more difficult for the print format). There are in addition other actions that commonly take place such as the publication of letters exchanged with the journal editor.

STM believes that such actions must not be undertaken lightly and should only occur under exceptional circumstances, such as:

- Infringements of professional ethical codes, such as multiple submission, bogus claims of authorship, plagiarism, fraudulent use of data and the like;
- Legal infringements, defamation or other legal limitations; and
- False or inaccurate data, especially those that if acted upon could pose a serious health risk.

Our views and recommendations do not and should not substitute for legal advice, however.

In order to assure the maintenance of the historical record of scholarly publishing, STM supports the principle of favouring “retraction” (erratum) over “removal” in virtually all cases. To further this principle, STM encourages STM member publishers and other scholarly publishers to not require another publisher to permanently remove infringing or offending articles, with only very rare exceptions.

As an example, the publisher with the earliest publication rights from an author to a particular paper (determined as discussed below) should not require the removal of the same paper that is subsequently published in another publisher’s journal, but should instead accept the publication of an erratum in the second journal noting the

double publication and referring the reader to the first article and journal. Technically, the publisher in such a case could demand as a matter of copyright law the removal of the infringing article (as the first journal has superior rights), but we believe should forego this remedy.

The determination of the earliest publication right should be based on the first or earliest effective date of transfer or license of rights from author to publisher. In a situation where two publishers have dated copyright transfer forms, the transfer form with the earliest execution date will be the earliest publication right. STM notes that publisher practices with respect to the timing and execution of transfer or license agreements vary considerably. Publishers should be reasonable, and not overly demanding, in their interpretation of dates, procedures, and effectiveness of transfers.

STM adopts the following principles for correcting the scientific record:

1. A practice of retraction, with erratum included in an upcoming print journal issue or linked to the electronic version of the infringing or offending article, will be utilised for the following circumstances:
  - a. Double publication, in which event the journal with the earliest publication rights will be deemed the publication of record or the appropriate/ proper publication
  - b. Correction of authorship claims
  - c. Plagiarism, meaning the unauthorised reproduction, in whole or substantial part, of the work (research or writing) of others (which might be identified as copyright infringement)
  - d. Lack of proper attribution or crediting of the works of others where the absence of same has substantive significance in the relevant discipline
  - e. Correction of bibliographic data to ensure the article can be cited without ambiguity
  - f. Errors in data or research results, unintentional or fraudulent
  - g. Lack of compliance with professional or agency codes such as those dealing with conflicts of interest or ethics in testing and experiments.
2. The practice of removal, deletion or obscuring of an article or portion thereof should be limited to circumstances such as:
  - a. An inappropriate violation of the privacy of a research subject
  - b. Errors to which a member of the general public might be exposed that, if followed or adopted, would pose a significant risk to health
  - c. Clearly defamatory comment made about others or about their work.Even in these circumstances, bibliographic information about the “removed” article should be retained for the scientific record, and an explanation given, however brief, about the circumstances of its removal.

Editors and/or publishers will consult with the authors or protagonists involved (the offending and the offended) and will reasonably take into account the views of such individuals and teams, while exercising their independent judgment as to the merits of the views so expressed.

STM accepts that no examples or list can be prescriptive or deal with all circumstances that may arise, but we believe that the examples noted can serve as reasonable guides or a basis for interpretation. As noted, certain issues such as defamation claims may require legal analysis, and these Guidelines are not a substitute for such advice.

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See also the IFLA/IPA Joint Statement on the Removal of Articles from Databases (see <http://www.internationalpublishers.org/images/joint-statements/2006/pr-26-04-06.pdf>).