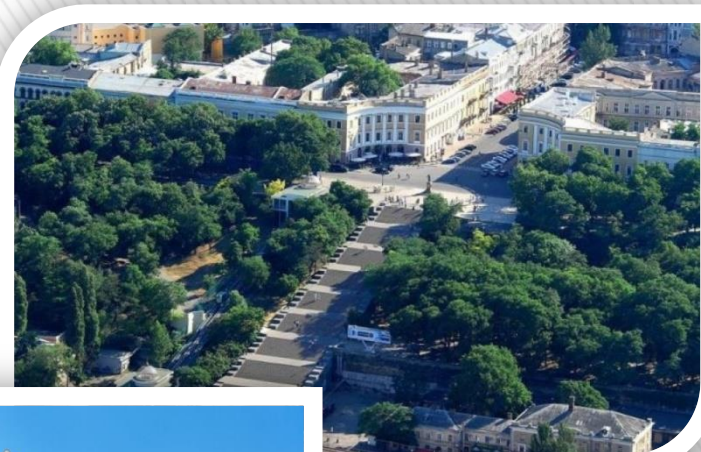
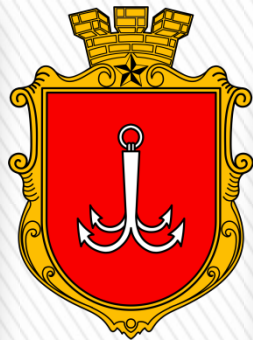




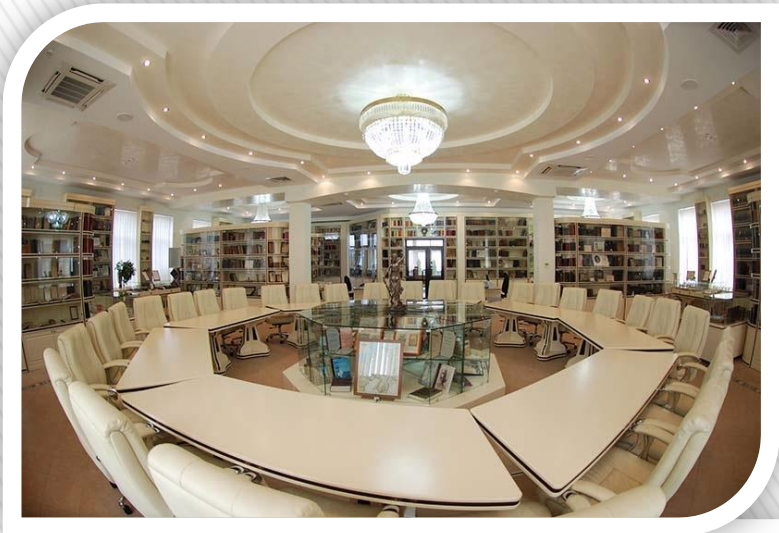
**TO BE OR NOT TO BE – THAT IS THE QUESTION:
FRAUDULENT PRACTICES IN SCIENTIFIC PUBLISHING**

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НАКАЗ

14.01.2016 № 13

Зареєстровано в Міністерстві
юстиції України
03 лютого 2016 р.
за № 183/28313

**Про затвердження Порядку присвоєння вчених звань
науковим і науково-педагогічним працівникам**

(Із змінами, внесеними згідно з [Наказом Міністерства освіти і науки № 174 від 06.02.2017](#))

Відповідно до [пункту 3](#) постанови Кабінету Міністрів України від 19 серпня 2015 року № 656 «Деякі питання реалізації статті 54 Закону України «Про вищу освіту» НАКАЗУЮ»:

1. Затвердити [Порядок присвоєння вчених звань науковим і науково-педагогічним працівникам](#), що додається.
2. Визнати таким, що втратив чинність, [наказ Міністерства освіти України від 13 листопада 1997 року № 406](#) «Про Порядок розгляду атестаційних справ про присвоєння вчених звань професора і доцента», зареєстрований у Міністерстві юстиції України 22 грудня 1997 року за № 616/2420.



- » to give an information on practices of predatory publishers
- » to give a legal characteristic to such activity
- » to make a comparative analysis on awareness of Ukrainian scholars and scholars from other countries about the fraudulent practices of predatory publishers

GOALS

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Research

Academic integrity

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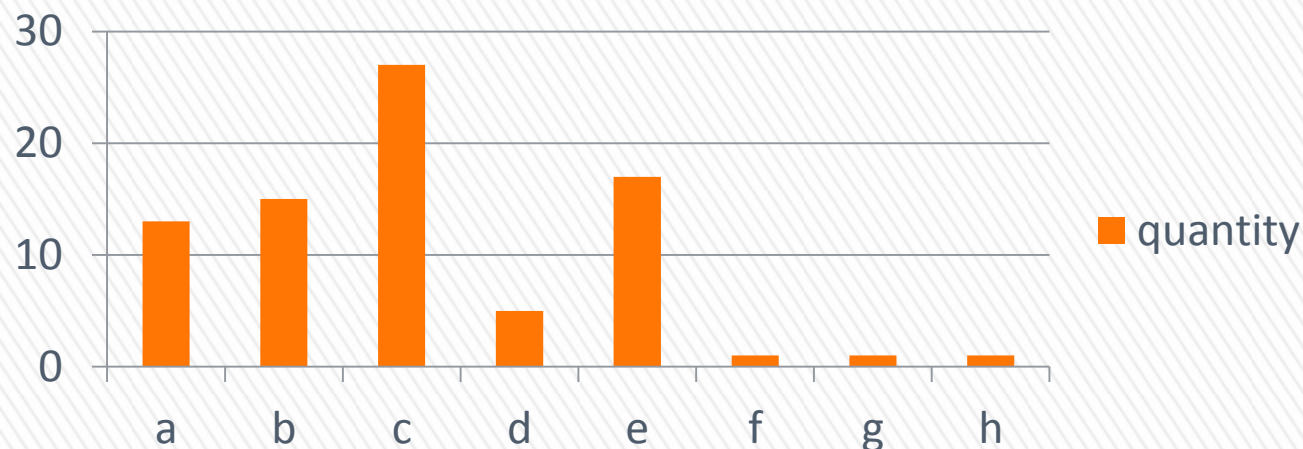
Publications



IMAGE OF SCHOLAR



What do you think, should be included into the term “academic integrity”?



- A. ethical principles of scientific research, which must be observed
- B. legal and ethical requirements for conducting scientific and educational activities
- C. independence and reliability of the research, proper citation, prevention of plagiarism
- D. preventing plagiarism
- E. publishing ethics (preventing the publisher from publishing plagiarism, avoiding copyright and related rights violations, maintaining the order of publishing academic texts, etc.)
- A. academic integrity is a chimera that does not really exist
- B. academic integrity has no place in our society
- C. other

ACADEMIC INTEGRITY

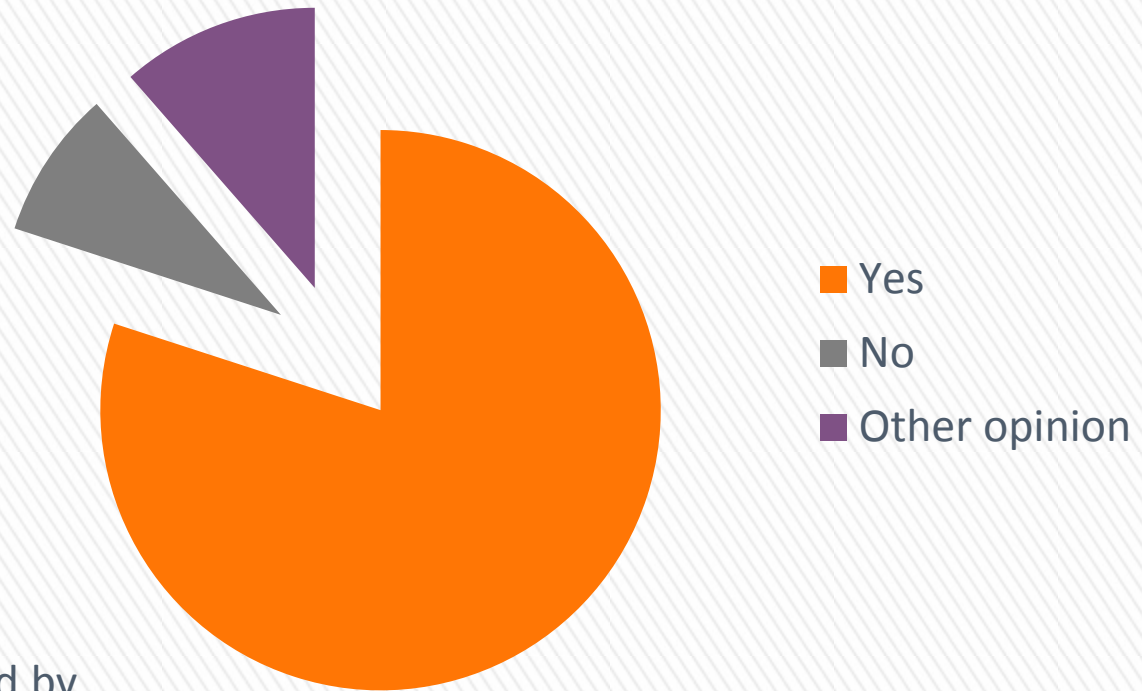




Integrity of publisher



Existing of publishers' integrity



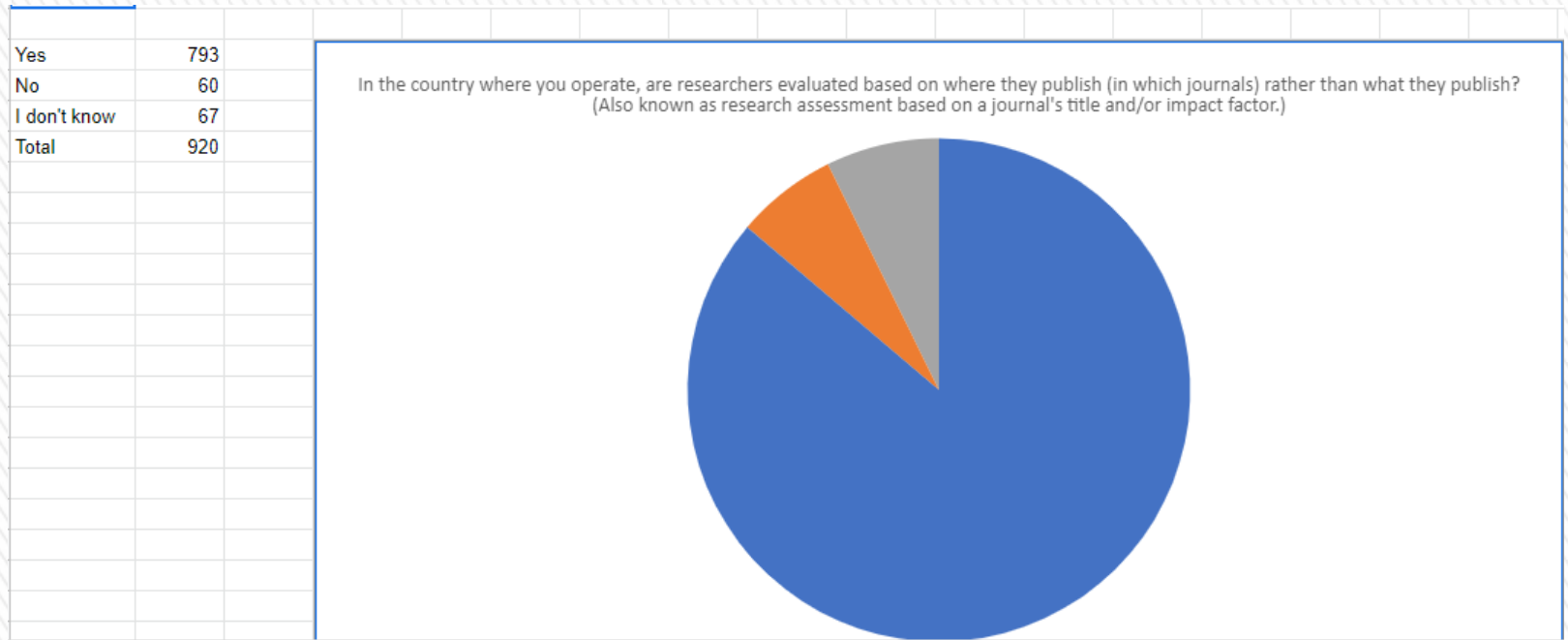
Other opinions:

- In part of non-manipulation with personal data
- Integrity should be controlled by editors
- In today's realia it doesn't exist
- Non-manipulation with financial issues

OPINIONS OF UKRAINIAN SCHOLARS

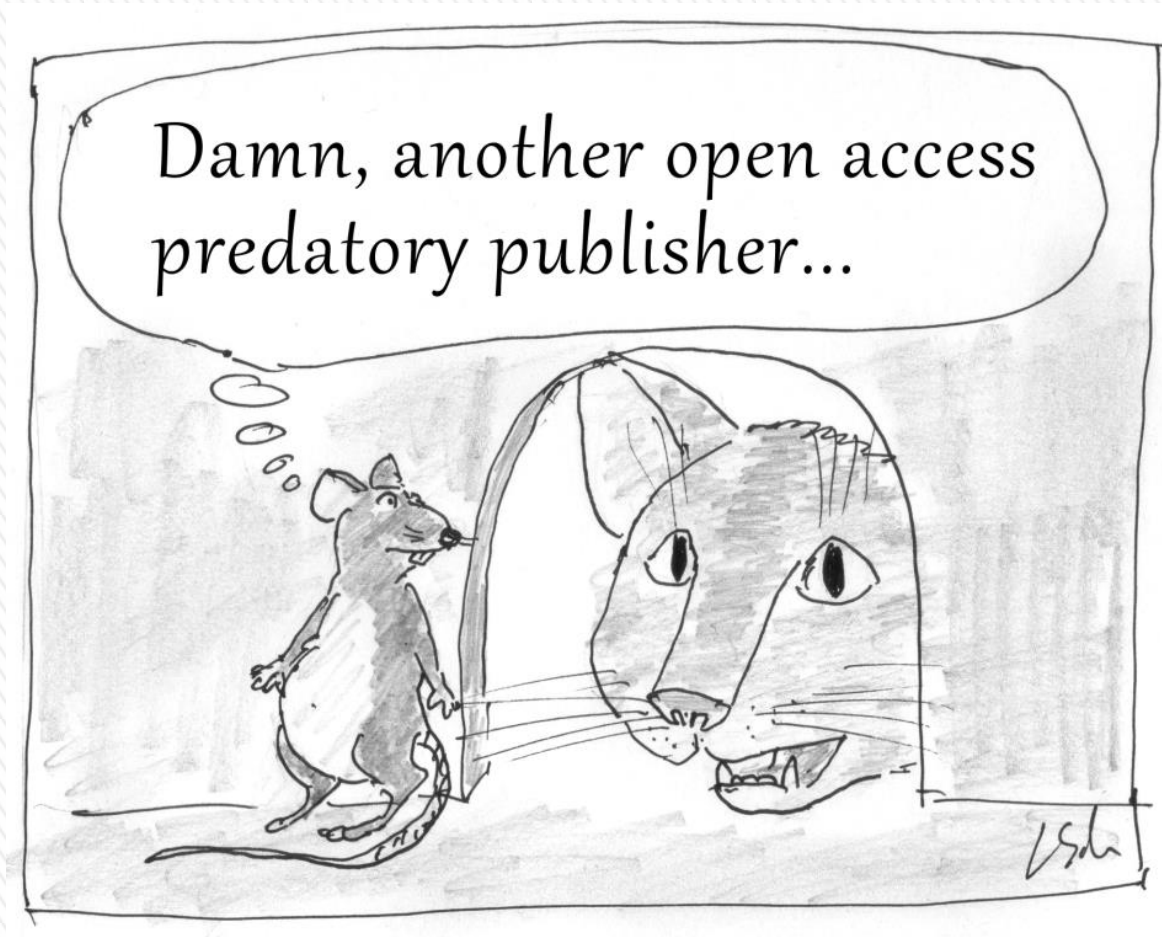


86% of respondents answered that in their country, researchers rate by the journal in which they publish their results, and not by what they publish (research assessment based on a journal's title and/or impact factor).



DOAJ SURVEY





WHO ARE "PREDATORY PUBLISHERS"?



International Journal of
Fake Legal Research

Vol. 2 Iss. 2 March 2019

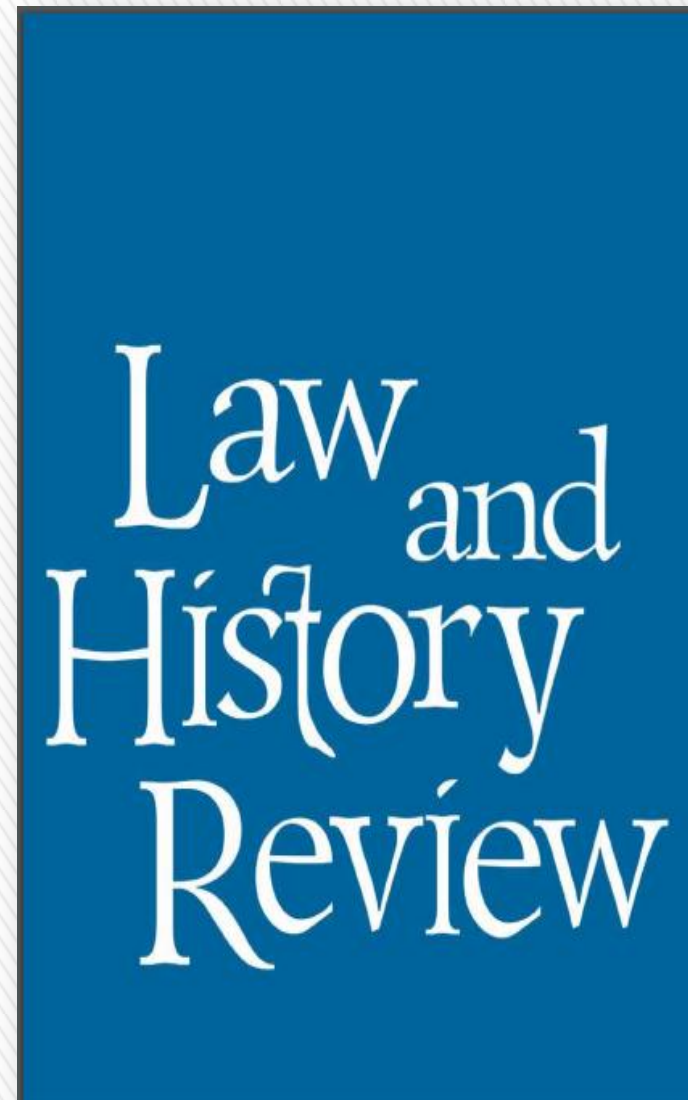
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Volume 35, Number 4

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slaves of different masters could marry without the consent of either master. Even more surprisingly, once married, the slaves could not be completely separated from each other. The church could protect the marital and conjugal connection by forbidding masters from interfering with their married slaves' access to visit each other. If one master sought to send his slave out of the city, slaves could petition the church to see that the couple remained together. The church could, and sometimes did, pressure the owner of one of the enslaved spouses to purchase the other slave so that the married couple could remain close to each other.

The ecclesiastical courts entertained jurisdiction over these matters. Beyond *coartación*, appeals to ecclesiastical courts gave Limean slaves another step up in navigating greater degrees of freedom than American slaves had. Ecclesiastical courts could also enforce promises of future manumission made by owners through the ritual of baptism. By contrast, although the church could prevent slave owners from separating married persons, it had no similar authority to prohibit owners from separating children from parents. And further, ecclesiastical protection of conjugal unity laws only applied if *both* spouses were enslaved, not if one was free, and, therefore, presumably, free to follow the enslaved marital partner.

The church's enforcement mechanisms were also uniquely ecclesiastical. *Censuras*, described by McKinley as "spiritual subpoenas," threatened malfaasant parties with excommunication if they did not cooperate with the proceeding or behave according to the ecclesiastical decree (6).

McKinley's writing style is fresh, original, and delightful, livening up the scholarly analysis in some refreshing ways. She uses terms such as "baggy," not tailored to the purpose (14). She describes certain periods of time when Ibero-American governance was "less muscular" (16).

She deftly sidesteps the duality of the dichotomies of many scholarly debates (i.e., Tannebaum's signifier of agency or Genovese's materialist refutation or paternalism vs. exceptionalism) by suggesting that hers is a third way. Rather than agency, McKinley suggests that scholars focus on "protagonism," or perhaps the suggestion here is that one can do both. Can there be regimes of enslavement under which a person can experience both personhood (a protagonist's control over some matters), and property-ness (lacking control over other personal matters)?

McKinley stretches the fabric of the debates as she asks readers to expand their views of what constituted "success" or legal efficacy by considering fractional freedoms; that is, micro-gains in personal liberties. Fractional freedoms were states of quasi-emancipation or conditional liberty. In some ways, this approach is resonant with Rebecca Scott's well-regarded work on the malleability of people's status as they transited different places. (Scott, "Paper Thin: Freedom and Re-enslavement in the Diaspora of the Haitian Revolution." *Law and History Review* 29 [2011]: 1061).

що були наведені вище. Тому, якщо встановлено виконання державою-поручителем її першочергових і прямих зобов'язань, то вона не буде нести відповідальність за невиконання зобов'язань тією організацією, за яку вона поручилася [6, п. 172]. Тобто держава-поручитель може уникнути відповідальності у разі доведення, що нею були виконані її зобов'язання як учасниці діяльності з освоєння морського дна за межами національної юрисдикції.

Виходячи із вищенаведеного можна стверджувати, що у держави-поручителя відповідальність виникає у випадках невиконання своїх зобов'язань відповідно до Конвенції 1982 року та при наявності збитків, завданих невиконанням контрактором своїх зобов'язань. При цьому повинен бути встановлений причинний зв'язок між цим невиконанням і збитком, що виник.

Треба зазначити, що в рамках винесеного Консультативного висновку було розглянуто важливе питання – субсидіарна відповідальність держав, яка виникає якщо контрактор, за якого поручилася держава, не в змозі повністю покрити збиток, що був завданий в результаті його неправомірної діяльності.

На думку ж Камери, режим відповідальності, встановлений ст. 139 Конвенції 1982 року і пов'язаними з нею документами, не залишає місця для залишкової відповідальності. Відповідальність держави-поручителя і відповідальність контрактора, за якого вона поручилася, співіснують паралельно і не є солідарними [6, п. 204].

Але в такому випадку може виникнути ситуація, коли збиток, заподіяний діяльністю в Районі, виявиться невідшкодованим. Задля уникнення подібної ситуації та врегулювання даного питання держави повинні встановлювати режим цивільної відповідальності контракторів. Так, виходячи з аналізу національних нормативно-правових актів такий режим був створений Німеччиною, Сінгапуром, Новою Зеландією та іншими країнами.

Наприклад, в законодавстві Нової Зеландії передбачено, що міністр не повинен видавати ліцензію, якщо надання ліцензії йде всупереч правам та обов'язкам Нової Зеландії за Частиною XI Конвенції [8, ч. 2 ст. 7]. При цьому кожна особа, яка потребує ліцензію на здійснення будь-якої діяльності в Районі вчиняє злочин, якщо ця особа здійснює будь-яку діяльність в Районі інакше, ніж за ліцензією та у відповідності з умовами ліцензії. І у разі здійснення даного протиправного діяння така особа несе відповідальність – на неї накладається штраф до 200 тис. \$ [8, ч. 1,2 ст. 8]. При цьому в обов'язки держави в такому ви-





НУ ОЮА, Наукова бібліотека <library@onua.edu.ua>

13.12.2017



To whom it may concern

Dear colleagues!

This year the Ministry of Education and Science of Ukraine decided to tighten the requirements for scientific activity, such as to establish a mandatory obligation for every scientist to publish at least 1 article in any foreign peer-reviewed scientific journal.

A few our scientists decided to publish their articles in [Law ans History Review \(Cambridge University Press\)](#). They submitted their articles, but after a while it became clear that they were victims of scammers. They sent articles to the proposal of IADCES - fake organization that illegally used the data of your journal, and under the guise of your journal compiled an issue with articles. I attach here the PDF of fake "issue" and their proposal. It should be noted, that this agency collected manuscripts without peer-review and forced our authors to pay for it. Also almost all articles written in Ukrainian or Russian, according Ukrainian style of citation etc. IADCES are using the name of journals to solicit content from authors.

As for other proposals from IADCES - they are also fake, and you can verify this by reading their site proposals to the publication. Also, several publishers have already tried to warn about the illegal activities of this organization, I attach links to their opinions

- [British Journal of Psychology, John Wiley & Son publishers](#)
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Posted on [August 22, 2017](#) by [Samara Mitchell](#)

SCAM WARNING – IADCES (International Agency for Development of Culture, Education and Science)

Researchers are advised that a publishing site called IADCES (International Agency for Development of Culture, Education and Science) is engaging in predatory publishing activities, with false claims to various affiliations with Australian Universities.

The contact details for IADCES (<https://iadces.com/contacts/>) point to an address which is the office of Monash Conferences (a unit of Monash University). The physical address has been investigated, and there is no indication of the existence of IADCES. The IADCES website is registered in Ukraine, not Australia. The Australian editor, claimed to be John Goldwater, is the technical contact for the website in Ukraine.

IADCES is also claiming to have registered journals in Australia, and to be publishing them in co-ordination with Australian Universities.

It is understood that this site is a scam.

The matter was investigated by John Wiley & Son publishers, and Professor Brian Leiter, University of Chicago Law School.

- > Source: [Brian Leiter's Law School Reports](#)

Further Information

Please note that authors submitting an article to this website may lose the opportunity to resubmit to a legitimate journal. For more information, see Section 4 of the Australian Code for the Responsible Conduct of Research:

- > [Section 4 – Publication and dissemination of research findings](#)

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Due soon

[Department of Foreign Affairs & Trade \(DFAT\): Australia – ASEAN Council Grant Round 2018](#)
Due Wednesday 28 March 2018

[Department of Foreign Affairs & Trade \(DFAT\): Australia – Korea Foundation Grant Round 2018](#)
Due Wednesday 28 March 2018





Brian Leiter
University of Chicago Law School

Brian Leiter's Law School Reports

A Member of the Law Professor Blogs Network

Wednesday, March 1, 2017

Watch out for the "International Agency for Development of Culture, Education and Science (IADCES)"

By Brian Leiter

📧 Share

MOVING TO FRONT FROM LAST FRIDAY, IN CASE ANYONE MISSED IT!

The University of Chicago Law School has issued the following statement; prospective authors take note!

It has come to our attention that a website run by the International Agency for Development of Culture, Education and Science (IADCES) is purporting to assist authors with submission of academic work to nearly 20 academic journals in various fields. One of these journals is the University of Chicago Law School's *Journal of Legal Studies*. This website is in no way affiliated with the University of Chicago Law School, nor the *Journal of Legal Studies*, and submitting an article through this website will not in any way get an article submitted to *JLS*. We believe that is true of the other esteemed academic journals the site lists as well.

This website, at <http://iadces.com/>, provides instructions for submissions by emailing to a gmail address and requires the payment of a fee to have the article reviewed. At least as far as *JLS* is concerned, this website is a scam. The *Journal of Legal Studies* does not charge a review fee. Submitting to the email address on this site will not get the piece submitted to *JLS*. The instructions on how to format your paper have nothing to do with *JLS*. The fee will be paid to those who run the website, not to *JLS*.

Authors wishing to submit their work to the *Journal of Legal Studies* should visit [the journal's website](#) for instructions. Authors wishing to submit to any of the other journals listed on this website should visit those journals' official web pages.

Recent Comments

Julie Goldscheid on *The evidence is in, this is a good year to be looking for a law teaching job*

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WHO PUBLISHES IN PREDATORY JOURNALS?



BEALL'S LIST OF PREDATORY JOURNALS AND PUBLISHERS

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[STANDALONE JOURNALS](#)

[CONTACT](#)

[OTHER](#)

[THINK CHECK SUBMIT](#)

Potential predatory scholarly open-access publishers

Instructions: first, find the journal's publisher - it is usually written at the bottom of journal's webpage or in the "About" section. Then simply enter the publisher's name or its URL in the search box. If the journal does not have a publisher use the [Standalone Journals list](#).



This is a copy of the Beall's list - a list of potential predatory publishers created by a team at the University of Toronto. The list will only update links and add notes to this list. A list of new predatory publishers will be added below the original one.

Other important lists

[List of journals falsely claiming to be indexed by DOAJ](#)

[DOAJ: Journals added and removed](#)

[JCR Master Journal List](#)

[Questionable conferences](#)

[How to avoid predatory conferences](#)

[Journal Evaluation Tool](#)

INITIATIVES TO EXPOSE FRAUDULENT PUBLICATIONS





Are you submitting your research to a trusted journal?
Is it the right journal for your work?



Use our [check list](#) to assess the journal



Only if you can answer 'yes' to the questions on our [check list](#)

THINK CHECK SUBMIT





FEDERAL TRADE COMMISSION
PROTECTING AMERICA'S CONSUMERS

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FTC Charges Academic Journal Publisher OMICS Group Deceived Researchers

Complaint Alleges Company Made False Claims, Failed To Disclose Steep Publishing Fees

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FOR RELEASE

August 26, 2016

TAGS: [Bureau of Consumer Protection](#) | [Consumer Protection](#) | [Advertising and Marketing](#) | [Advertising and Marketing Basics](#) | [Education](#)

The Federal Trade Commission has charged the publisher of hundreds of purported online academic journals with deceiving academics and researchers about the nature of its publications and hiding publication fees ranging from hundreds to thousands of dollars.

The FTC's complaint alleges that OMICS Group, Inc., along with two affiliated companies and their president and director, Srinubabu Gedela, claim that their journals follow rigorous peer-review practices and have editorial boards

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20 Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

OMICS GROUP INC., a Nevada corporation,
also d/b/a OMICS Publishing Group, IADP/IB
LLC, a Delaware corporation, CONFERENCE
SERIES LLC, a Delaware corporation, and
SRINUBABU GEDELA,

Defendants.

Plaintiff, the Federal Trade Commission ("FTC"), by its Complaint alleges:

Page 1 of 16

1 The FTC brings this action under Section 13(b) of the Federal Trade Commission Act
2 ("FTC Act"), 15 U.S.C. § 53(b) to obtain permanent injunctive relief, rescission or
3 reformation of contracts, restitution, the refund of monies paid, disgorgement of ill-gotten
4 monies, and other equitable relief for the Defendants' acts or practices in violation of
5 Section 5(a) of the FTC Act, 15 U.S.C. § 45(a).

JURISDICTION AND VENUE

6
7
8 2. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1337(a), and
9 1345, and 15 U.S.C. §§ 45(a) and 53(b).

10 3. Venue is proper in this district under 28 U.S.C. § 1391(b)(3) and (c)(3) and 15 U.S.C.
11 § 53(b).

PLAINTIFF

12
13
14 4. The FTC is an independent agency of the United States Government created by statute,
15 15 U.S.C. §§ 41-58. The FTC enforces Section 5(a) of the FTC Act, 15 U.S.C. § 45(a),
16 which prohibits unfair or deceptive acts or practices in or affecting commerce.

17
18 5. The FTC is authorized to initiate federal district court proceedings, by its own attorneys,
19 to enjoin violations of the FTC Act and to secure such equitable relief as may be
20 appropriate, including rescission or reformation of contracts, restitution, the refund of
21 monies paid, and the disgorgement of ill-gotten monies. 15 U.S.C. §§ 53(b) and
22 58(a)(2)(A).

DEFENDANTS

23
24
25 6. Defendant OMICS Group Inc. ("OMICS") is a Nevada corporation with its principal
26 place of business at SEZ Unit, Building No. 20, 9th Floor, APDC Layout, HITBC City,
27 Hyderabad, AP 500081, India. OMICS also has mailing addresses at 2360
28

Page 2 of 16

Related Cases

Federal Trade Commission v.
OMICS Group Inc.

For Consumers

Academics and scientists: Beware
of predatory journal publishers

Media Resources

Our Media Resources library
provides one-stop collections of
materials on numerous issues in





India has vowed to end the “menace of predatory journals” after an investigation by a group of international media organizations discovered that many publishers of such journals are based in Hyderabad. Facilitated by the International Consortium of Investigative Journalists (ICIJ) and carried out by journalists from over a dozen media organizations including the New Yorker and Le Monde, the study found that since 2013 the number of journals run by so-called “predatory publishers” has tripled while some 400,000 scientists have published papers in such journals.



FRAUD?

CRIMINAL OFFENCE?

FRAUDULENT PRACTICE?

VIOLATION OF CONSUMER RIGHTS?

FROM LEGAL POINT OF VIEW –WHAT'S THIS?



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Abstract	Article	Author	Researcher	Event
105456	29341	24400	192510	29341
Aerospace and Mechanical Engineering	Agricultural and Biosystems Engineering	Animal and Veterinary Sciences	Architectural and Environmental Engineering	Bioengineering and Life Sciences
Biological and Ecological Engineering	Biomedical and Biological Engineering	Biotechnology and Bioengineering	Chemical and Materials Engineering	Chemical and Molecular Engineering
Civil and Architectural Engineering	Civil and Environmental Engineering	Cognitive and Language Sciences	Computer and Information Engineering	Computer and Systems Engineering
Economics and Management Engineering	Educational and Pedagogical Sciences	Electrical and Computer Engineering	Electrical and Information Engineering	Electronics and Communication Engineering
Energy and Environmental Engineering	Energy and Power Engineering	Environmental and Ecological Engineering	Geological and Environmental Engineering	Geotechnical and Geological Engineering
Health and Medical Engineering	Humanities and Social Sciences	Industrial and Manufacturing Engineering	Industrial and Systems Engineering	Information and Communication Engineering
Law and Political Sciences	Marine and Environmental Sciences	Materials and Metallurgical Engineering	Materials and Textile Engineering	Mathematical and Computational Sciences
Mechanical and Industrial Engineering	Mechanical and Materials Engineering	Mechanical and Mechatronics Engineering	Medical and Health Sciences	Nuclear and Quantum Engineering

WASET

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WHAT IS MORE IMPORTANT FOR YOU WHEN CHOOSING A JOURNAL?



DOES PUBLISHER'S REPUTATION HAVE A VALUE FOR YOU?



**IS IT LAWFUL TO USE THE
SOURCE DATA (ISSN, EDITORIAL
BOARD, PUBLISHING HOUSE,
ETC.) OF A RATING JOURNAL TO
CREATE ITS DUPLICATE?**



CAN PUBLICATIONS IN FAKE JOURNALS (PREDATORY PUBLISHERS) AFFECT THE IMAGE OF A SCIENTIST?



HAMLET QUESTION "TO BE OR NOT TO BE" CAN BE MOVED TO MODERN SCIENCE, SINCE EACH RESEARCHER SOONER OR LATER PONDERES OVER THE DILEMMA OF INTEGRITY: TO PUBLISH AN ARTICLE AS SOON AS POSSIBLE, ANYWHERE, OR TO WEIGH ALL THE PROS AND CONTRAS AND MAKE A HIGH-QUALITY PUBLICATION?



JAKE-CLARK.TUMBLR



**THANKS FOR
YOUR ATTENTION!**

