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Jaime A. Teixeira da Silva & Timothy Daly

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Are authors' intellect and copyright safe and protected during peer review? A multi-stakeholder and ICMJE perspective

Jaime A. Teixeira da Silva Independent researcher, Japan, jaimetex@yahoo.com
Timothy Daly FLACSO Argentina, Argentina, tdaly@flacso.org.ar

Academic Publishing, Accountability, Editorial Ethics, Manuscript Confidentiality, Peer Review, Policies, Predatory Reviewers, Protection, Transparency

ABSTRACT

When authors submit an academic paper to a journal, they enter into a social contract with editors and peer reviewers. It is generally accepted that information in papers is both confidential and copyrighted; i.e., authors own their intellectual content, and editors and peer reviewers have an obligation to protect it. Here, we question whether it is ethically permissible for peer reviewers or editors to use or share information from a paper submitted to their journal while it is under consideration, or even after the journal rejects the paper. We argue that only verifiable ethical breaches or violations of codes of a journal's conduct by authors, such as plagiarism or data theft, would allow editors the right to breach the author-journal contract of confidentiality and reach out to other editors, ethics groups, or university authorities to share relevant information from a submitted paper. In any other situation, including the use of generative AI in the review or editorial process, the absence of explicit permission from the authors is an editorial ethical breach and a violation of the publishing social contract. We draw on the ICMJE 2025 recommendations, but consider revisions to them, while highlighting a few case studies.

Do authors have complete ownership of information in their submitted papers?

In this article, we take for granted that copyright of an academic paper submitted to a peer-reviewed journal is that of the author (singular) or authors (plural) and remains as such until the author(s) decide the route of publication, i.e., subscription, in which they sign over copyright, or open access, in which they retain copyright although their paper is under a license (e.g., CC BY 4.0) (Goben & Doubleday, 2018; Oppenheim, 2020). Moreover, during the process of peer review, not only is any and all information in a submitted paper the authors' copyright, it is also confidential (Weeks, 1990). This is a basic tenet for this paper's entire discussion.[1]

Our presuppositions are recognised by the International Committee of Medical Journal Editors (ICMJE) Recommendations (hereafter "Recommendations") (ICMJE, 2025), which aim to review best practices in publishing and provide guidance to authors, peer reviewers, and editors to ensure the production of unbiased medical journal articles. The following sentence on confidentiality can be found in both the section dedicated to confidentiality aimed at "Journals" and in the specific section aimed at "Peer reviewers": "Manuscripts submitted to journals are privileged communications

[1] This tenet does not hold true for preprints, which are typically open access, so their content is by nature public and thus not confidential, although a disconnect exists between open preprints whose authorship is known and journals that mandate papers' anonymity (Teixeira da Silva, 2022a). We recognise that preprints may circumvent many of the problems mentioned in this paper. For example, promoting a culture of transparency by accepting and using preprint repositories prior to submission may offer advantages (e.g., reducing the risk of theft of confidential information or intellectual property by peer reviewers or editors) for authors and other stakeholders involved in peer review (Vuong, 2020). Self-archiving works because preprint repositories help authors register their copyright claims before submission to a journal and allow peers (including editors and reviewers) to reuse their content with clear attribution to the authors, reducing the risks of hijacking and plagiarism. Even if hijacking—a topic not covered in detail in this paper—and plagiarism occur, self-archived works serve as unambiguous evidence, reducing the time and effort required for a lengthy investigation (Vuong, 2018).

that are authors' private, confidential property, and authors may be harmed by premature disclosure of any or all of a manuscript's details." (p. 5, 6; sections II, C. 2.a; II, C. 3.) (ICMJE, 2025).

Submitting an academic paper entails that the author (usually the corresponding author) enters into a social contract in which "individuals within a given community discriminately share information with a particular set of obligations in mind as to who has access to the information and how it will be used" (p. 553) (Martin, 2016). Authors, peer reviewers, editors and publishers are all part of this social contract. Here, we focus primarily on the ethical rather than the legal aspects of this contract, as the social contract becomes legally binding only upon signing the publishing license for an accepted article.

Confidentiality concerns during peer review

Typically, peer reviewers who complete the process of peer review in agreement with journals explicitly sign or implicitly agree to a series of conditions that include confidentiality clauses, with the understanding that they do not share information from the paper that they are peer reviewing nor use it for their own personal or professional purposes (Souder, 2011; Stoimenov, 2025; Teixeira da Silva, 2026). By doing so, such reviewers would be engaging in unethical and unprofessional activity by violating the social contract itself, depending on what they do with such information and with whom and how they share it. Peer reviewers who illicitly use information from authors' papers without express permission from the authors or editors are referred to as "predatory" (Al-Khatib & Teixeira da Silva, 2019). This issue is important when discussing the peer-rewards culture because "predatory" behaviour, including that of reviewers, should not be rewarded (Teixeira da Silva, 2020; Teixeira da Silva & Daly, 2025). Moreover, authors' copyright is at risk if they—intentionally or unintentionally—submit their work to a "predatory" journal or publisher, which may tie up their intellect, making it difficult to republish the same work elsewhere (Leung et al., 2020). We next note some examples, primarily drawn from blog posts—such as those at Retraction Watch—as few case studies have been published in peer-reviewed journals.

There is a history of predatory peer reviewers who abused the peer review process to steal ideas from papers they evaluated (Smith, 2006). A well-known example from the 2010s was a paper that plagiarised Michael Dansinger (McCook, 2016). Dansinger recognised a paper he had submitted to the Annals of Internal Medicine that had been rejected, but it was plagiarised and published in the *EXCLI Journal*. One of the plagiarising paper's co-authors was identified as a reviewer of Dansinger's rejected paper in the *Annals of Internal Medicine*. Although the plagiarised paper was finally retracted, Dansinger decided not to identify the reviewer responsible for the intellectual theft. Instead, he published a letter to the reviewer who stole his work in the same journal that had rejected his paper, to raise awareness of how the peer-review system can be abused (Dansinger, 2017). That individual may have been a serial plagiarist (Abritis, 2017).

When the confidentiality of peer review is breached and a confidential paper—or any of its content—is plagiarised, the consequence can be more severe than just plagiarism because intellect is plagiarised twice. Although this situation is rare, it happened more recently with Mina Mehregan. One of the reviewers of the original paper plagiarised the paper's content and intentionally slowed down the peer review process of the original authors so that the plagiarist's paper was first published in Energy Sources, Part A: Recovery, Utilisation, *and Environmental Effects* (Marcus, 2019; Mehregan, 2019). The fraudulent paper was retracted after a five-month investigation, but its negative impacts did not end there. Mehregan found another paper in the *International Journal of Ambient Energy* that was suspiciously similar to her paper, and which had been plagiarised (Kincaid, 2022).

Although rarely reported, predatory reviewers, when caught, are usually punished, and this can be viewed as a protection mechanism for authors and their copyright. In addition to the retraction of the fraudulent (i.e., plagiarised) paper, predatory reviewers might also be banned or otherwise sanctioned by the journals where they conducted peer review (Palus, 2016). However, such sanctions would not necessarily prevent them from

engaging in unethical behaviour elsewhere, in other journals. Justice, however, cannot be served when their operations are deliberate, in the form of stings, and as hidden entities (Teixeira da Silva, Türp, & Daly, 2025).

Returning to the ICMJE recommendations on peer review, specifically during peer review, the ICMJE continues: "Reviewers therefore should keep manuscripts and the information they contain strictly confidential. Reviewers must not publicly discuss authors' work and must not appropriate authors' ideas before the manuscript is published. Reviewers must not retain the manuscript for their personal use and should destroy copies of manuscripts after submitting their reviews." (p. 6; section II. C. 3.) (ICMJE, 2025).

Beyond the more egregious abuses that occur during predatory peer review, the recent phenomenon of using generative artificial intelligence (GAI) for prompted peer review and/or editorial decision-making raises several concerns about the privacy of authors' ideas. The use of freely, publicly available chatbots like ChatGPT and DeepSeek, in which authors can copy-paste blocks of GAI-generated text or even an entire manuscript, raises serious privacy concerns for the ideas present and personal information in the pasted material (Mollaki, 2024). Their use creates an opaque black box for privacy concerns in which, despite different settings and subscriptions for each GAI chatbot, respect for the duty of confidentiality cannot be guaranteed by peer reviewers or editors. These concerns are recognised by the ICMJE Recommendations: "Reviewers must maintain the confidentiality of the manuscript as outlined above, which may prohibit the uploading of the manuscript to software or other AI technologies where confidentiality cannot be assured. Reviewers must request permission from the journal prior to using AI technology to facilitate their review. Reviewers should be aware that AI can generate authoritative-sounding output that can be incorrect, incomplete, or biased." (p. 6; section II. C. 3.) (ICMJE, 2025).

However, the use of "may" implicitly allows for the possibility that editors or peer reviewers might engage in confidentiality-violating behaviours, which is unsatisfactory, so the wording of the ICMJE recommendations should be changed to: "Reviewers must maintain the confidentiality of the manuscript as outlined above, which **prohibits** the uploading of the manuscript to software or other AI technologies where confidentiality cannot be assured." (emphasis ours).

Finally, beyond the specifics of privacy, using GAI for peer review creates further problems of bias, accuracy and trust (Ben Salem et al., 2025).

Confidentiality concerns during the broader editorial process

Unlike the previous section, which debates the peer-review process, here we discuss predatory editorial behaviours more broadly. One possible reason this discussion might be avoided—except in cases of scandals in which editors' misdeeds tend to be leaked to the public domain—is that it is inconvenient to overemphasise editors' wide repertoire of responsibilities (Teixeira da Silva & Dobránszki, 2018). This is because they, along with their status and abilities—such as peer reviewers—tend to be exploited by commercial or status-quo publishers as free labour (offering quality control, branding, etc.) (Aczel et al., 2021). However, during their function as editors, what actions or activities would constitute predatory editorial activity? As part of an ongoing exploration of this topic, we propose that using or sharing any information from a submitted paper during the time it is in peer review at the journal where an editor performs their function, or even after the paper is rejected by the journal, may constitute an act of predatory editorial activity. However, this clause would not apply to a paper accepted for publication in that journal, since the information becomes publicly available and thus can be used, provided that the source is cited. The exception here, which is not debated in this paper, concerns peer reviewers' reports in the context of post-publication peer review, which should be visible for peer rewards to be awarded (Teixeira da Silva & Daly, 2025).

We support our proposal with several reasons. Editors have the highest responsibility for protecting authors' copyright and safeguarding authors from predatory practices by peer reviewers or editors. When submitting papers to a scientific journal, authors are required not to simultaneously submit

to any other journals, as recommended by ethical guidelines of the Committee on Publication Ethics (COPE) (COPE, 2019). Some journals even deny authors dissemination rights by desk-rejecting papers published as preprints. In other words, authors must commit to the journal's rules and entrust editors to hold their intellectual property temporarily during the peer review process. Thus, it is unfair and even unethical if editors breach the confidentiality of that relationship and trust, thus implicating an author's work in that breach. Even though textual plagiarism of published papers can be detected by software (e.g., iThenticate®) or on search engines (e.g., Google Scholar), such detection mechanisms do not work for unpublished papers (e.g., reports, theses, etc.), making them more vulnerable to plagiarism (Isenburg et al., 2019). As a result, in unusual and complex situations, plagiarised authors may be accused of plagiarising the plagiarisers (McCook, 2018; Offut, 2018). In addition, editors have much more power and opportunities to abuse peer review than reviewers do, but that comes with the risk of reputational and career damage if they are caught. Specifically, while peer reviewers can only advise editors on whether a paper should be published, based on the arguments they put forward in their peer reports, editors make the final decision to accept and publish a paper, ultimately giving them the power to manipulate the process if they so choose. Here, we invoke an example of editors at an Elsevier journal, *Journal of Cleaner Energy*, who used their editorial power and position to approve the publication of a paper for which they were authors, a deceptive act that was in violation of the journal's stated editorial policies, resulting in the retraction of their paper[2]. While editors can capitalise on the system to repeat the breach and conceal their actions, reviewers are less able to do so.

Some journals might attempt to whitewash evidence that predatory editors were ever part of their journal's editorial board, opaquely deleting the name from the board's constituency without notice, and since there are rarely formal mechanisms in place to safeguard the constituency of editorial boards so that their historical rise and decline can be appreciated, it has been advocated that there is a need to archive, on platforms such as the Internet Archive, the constituency of editorial boards, so that editors who have engaged in predatory or unethical activity, including those that have multiple retractions, as well as their honest and hard-working counterparts, be collectively historically remembered (Teixeira da Silva, 2022b; Nazarovets & Teixeira da Silva, 2023; Teixeira da Silva & Vuong, 2023).

Returning to the ICMJE recommendations regarding editor behaviour, after the sentence on confidentiality, one reads: "Editors therefore must not share information about manuscripts, including whether they have been received and are under review, their content and status in the review process, criticism by reviewers, and their ultimate fate, to anyone other than the authors and reviewers." (p. 5; II, C. 2.) (ICMJE, 2025).

It is important to emphasise the "closeness" of contacts. Specifically, do links or relationships (personal or professional) exist between the contacting editor and the contacted entity (editor, individual, group, organisation, etc.)? For example, if an editor contacts another editor who is known or has had any history of interaction in the past (such as mutual editors on the same journal's editor board), then this use of the relationship could be construed as an abuse of power or position, nepotism, or gerrymandering (Teixeira da Silva et al., 2019b). For this reason, it has been advocated, without much success (i.e., such alerts in the scholarly literature cited next have not resulted in any noticeable change in editorial behavior in leading publishers' journals) that editors need to explicitly indicate their conflicts of interest (COIs) (Teixeira da Silva et al., 2019a), including "competing" editorial positions, on the editorial boards of multiple journals where they hold such positions (Teixeira da Silva, 2021a, 2021b), so that authors and the public can fairly and transparently assess whether they might have COIs that might influence their editorial neutrality and mask abuses of power (Lipworth & Kerridge, 2011).

Very important in this discussion is whether editors who share confidential and copyrighted information are allowed this unique privilege without clear sanctions, unlike authors and peer reviewers, who are ethically bound by confidentiality clauses

[2] https://www.sciencedirect.com/science/article/pii/S0959652624035169

(and breaches thereof) during submission and peer review, respectively. If so, this might constitute a form of "ethical exceptionalism" in which editors are afforded one set of privileges while authors are subject to a separate set of rules (Teixeira da Silva, 2017; Teixeira da Silva et al., 2026). A stark example of this dual stratum of ethical values between authors and editors involves ORCID, a persistent identifier used in academic publishing, which may be mandatory for authors submitting to a journal but not for its editors (Teixeira da Silva, 2022c).

In fact, the confidentiality statements of the top ten publishers by publication number include editors' responsibilities to maintain the confidentiality of all submitted materials and of reviewers' identities and communications (Table 1). Yet, authors are by no means informed if their information is processed confidentially. In contrast, the dissemination of their copyrighted manuscripts to peer reviewers is not always strictly controlled by journals' editors and may be automatically spooled to peer reviewers who are matched in an online submission system's database, including to peer reviewers that the authors may themselves suggest (Teixeira da Silva & Al-Khatib, 2018). To avoid ethical abuses by peer reviewers and editors, agents or organisations responsible for evaluating possible violations of authors' confidentiality are required. Even though COPE provides a code of conduct and guidelines for editors, it leaves the responsibility for addressing research misconduct to journals and publishers (Wager & Kleinert, 2021). If authors commit research misconduct, editors have the right to investigate and punish them, e.g., through retractions and sanctions, but which individual in a journal is responsible for supervising or investigating editors' misconduct if there are no legal obligations but only ethical duties (Wager & Kleinert, 2021; Holbeach et al., 2023)? There are gaps in our understanding of what delimits authors' ethical duties from those of editors, who are often themselves also authors, and reform in institutional research integrity culture (De Peuter & Conix, 2023) and refining what is understood by "academic integrity" (Dineen & Goff, 2024) may be ways to address these gaps.

Table 1: Confidentiality statements (verbatim) in editors' code of ethics of ten publishers with thehighest number of articles (according to Scilit Rankings; https://www.scilit.net/rankings)*

Publisher	Confidentiality statement associated with editors
Elsevier[1]	- The editor must protect the confidentiality of all material submitted to the journal and all communications with reviewers unless otherwise agreed with the relevant authors and reviewers. In exceptional circumstances and consultation with the publisher, the editor may share limited information with editors of other journals, institutions, and other organizations that investigate cases of research misconduct where deemed necessary to investigate suspected ethical breaches. - Unless the journal operates an open peer-review system and/or reviewers have agreed to disclose their names, the editor must protect reviewers' identities. - Unpublished materials disclosed in a submitted manuscript must not be used in an editor's own research without the author's express written consent. Privileged information or ideas obtained through peer review must be kept confidential and not used for personal advantage.
Springer Nature[2]	- Editor(s) are expected to respect and uphold the confidential status of materials submitted to the Journal and should ensure that material remains confidential while under review.
MDPI[3]	- Reviewers and Editors must keep the content of the manuscript, including the abstract, confidential. Reviewers must inform the Editorial Office if they would like a student or colleague to complete the review on their behalf.
Wiley[4]	- Editors should ensure manuscripts are handled confidentially per COPE guidelines and the applicable terms and conditions agreed upon by the author upon submission (including the journal owner's privacy policy and transfer network terms, if applicable). Suppose discussions between an author, editor, and peer reviewer have taken place in confidence. In that case, they should remain in confidence unless all parties have given explicit consent or there are exceptional circumstances (for example, when they might help substantiate claims of intellectual property theft during peer review).
Taylor & Francis/Routledge[5]	- Maintain confidentiality of Taylor & Francis/Routledge, author, reviewer, and any other person (including whistle-blowers) involved in the process of investigating an ethical query. - Keep submission and peer review details confidential, as required. Do not upload files, images, or information from unpublished manuscripts into databases or tools that do not guarantee confidentiality, are accessible by the public and/or may store or use this information for their own purposes (for example, generative AI tools like ChatGPT). - Respect and maintain confidentiality throughout the peer review process.
Institute of Electrical and Electronics Engineers (IEEE)[6]	- Unpublished articles must be treated as confidential documents by all individuals involved in the editorial process.

Oxford University Press (OUP)[7]	- Unless otherwise specified, OUP expects editors and reviewers to handle all submissions in confidence. If a reviewer wishes to delegate the review or seek the opinion of a colleague on a specific aspect of the paper, they are expected to clear this with the editor in the first instance. - Any suggestion that an editor or reviewer is appropriating ideas from a manuscript they handled for a journal will be thoroughly investigated in accordance with the following COPE guidelines.
American Chemical Society (ACS)[8]	- Confidentiality is an expectation throughout the editorial review process to allow for candid discussion and evaluation regarding submitted scientific content. This expectation of peer review confidentiality is independent of, and extends beyond, the final decision on the manuscript (i.e., whether or not the manuscript was published or rejected).
Frontiers Media SA[9]	- Frontiers editors and reviewers are also expected to abide by ethical standards in regard to conflicts of interest, confidentiality of the reviewed papers, objective evaluation of the work, and preservation of reviewers' anonymity until acceptance, in addition to refraining from coercive citation.
Wolters Kluwer Health[10]	- Wolters Kluwer respects the confidentiality of research. We receive unpublished manuscripts detailing groundbreaking research and ideas from the best researchers and universities around the world and we understand the confidentiality risks associated with submitting unpublished work. We adhere to a privacy policy that guarantees 100% confidentiality and allows researchers worldwide to submit their work to us with complete confidence. o All our editors sign confidentiality agreements and will not make any client information available to anyone outside Wolters Kluwer unless authorized in writing by you. o Your personal information (name, address, email address, contact number, etc.) will never be made available to any outside party. o All documents submitted are managed through a secure online job management system; your documents can only be viewed by your customer service manager and the editors/publication experts working on your assignment. o On request, we will also sign a confidentiality agreement with you before you submit your data to us.

[1] https://beta.elsevier.com/about/policies-and-standards/publishing-ethics?trial=true#2-duties-of-editors
[2] https://www.springernature.com/gp/editors/code-of-conduct-journals
[3] https://www.mdpi.com/ethics
[4] https://authorservices.wiley.com/ethics-guidelines/index.html#18
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[9] https://www.frontiersin.org/about/peer-review
[10] https://wkauthorservices.editage.com/service-guarantee/security.html
* As assessed in December 2024

When could confidential content be shared ethically?

At this junction of the debate, we introduce a nuance. What if information in a submitted paper incriminates the authors in unethical or unscholarly behaviour? For example, what if the peer reviewers or editor(s) detect a falsified image? At this point, editors of journals that claim to follow COPE guidance may claim the right to contact the authors' institute to initiate an ethical investigation or to make an inquiry, in which that paper's confidential information is then shared with authorities at the university or research institute (COPE, 2015). That right arises because the authors would be under "contract" with the journal during the peer-review period, during which several clauses are implicitly or explicitly agreed to. Thus, sharing information, even that which is confidential and whose copyright is held by authors, is subject to judicious "sharing" with relevant entities or authorities (Wager & Kleinert, 2021). It is important to dwell slightly on the terms "judicious" and sharing. The process is judicious because a modicum of discretion and sensibility is needed before making such a decision. "Sharing" in this case is important because the assumption is that only elements that contravene clauses of an agreement (or contract) are shared and not necessarily the entire content of the paper, i.e., only select author-copyrighted (or violation of copyrighted) information (including images) is shared. Another aspect of these guidelines, including those by COPE, is that they are guidelines but not laws, so even if journals and publishers are COPE members, there is no guarantee that editors would align with or safeguard those guidelines' principles (Teixeira da Silva, 2023), even more so editors who have multiple retractions to their names yet continue to serve as editors despite their suspect ethical grounding (Teixeira da Silva, 2022b; Teixeira da Silva & Vuong, 2023). It is not helpful that core COPE guidelines are not always precise (Teixeira

da Silva & Moussa, 2024), allowing some editors to exploit that vagueness to abuse their position of power and engage in actions that may be deemed unethical in a post-publication analysis.

The more individuals or organisations the information is shared with, the greater uncertainty regarding the confidentiality of the authors' work may arise. Except for extreme cases like potential ethical breaches by authors, and considering the exceptions allowed for ethical investigations, the actions of peer reviewers or editors who share any other information could be considered as one or more of the following behaviours: a) unethical; b) immoral; c) illegal; d) predatory.

The ICMJE recommendations state: "Confidentiality may have to be breached if dishonesty or fraud is alleged, but editors should notify authors or reviewers if they intend to do so and confidentiality must otherwise be honoured." (p. 5; II. C. 2.a) (ICMJE, 2025). Here, the use of the passive voice "is alleged" is ambiguous and should be avoided to specifically identify responsible agents. Thus, the ICMJE sentence should be re-formulated as follows: "Confidentiality may have to be breached if **peer reviewers or editors suspect** dishonesty or fraud, but editors should notify authors or reviewers if they intend to do so and confidentiality must otherwise be honoured" (emphasis ours).

Compounding this line between what can and should be shared, in the case of potential ethical breaches, is access by members of the public to reviewers' reports—supposedly confidential—when they obtain access to emails (and thus reports) through freedom of information requests (Teixeira da Silva & Tsigaris, 2023)? To our knowledge, the latter topic has not yet been debated in the academic literature.

An author's perspective

Pivoting the debate slightly to the authors' perspective, and as a wider debate on authors' rights (Al-Khatib & Teixeira da Silva, 2017; Teixeira da Silva et al., 2026), we believe that it is important for editors to first request, or in more egregious cases, at minimum, inform authors that they will be sharing confidential information that appeared in their paper, via a confidential and closed process, with specific entities *before* they actually share such information, to allow authors to voice their agreement or disagreement with such an editorial decision. In such a situation, they should offer a clear and complete list of the entities with whom the information will be shared, the exact information that will be shared, and the precise reason(s) for sharing such information. Authors should also have the right, at this junction of editors' decision-making, to defend themselves, and where they are in disagreement with editorial decisions and standards, be given a fair and independent path that is overseen by an independent ombudsperson, preferably published in the form of an author's expression of concern alongside the editorial response to that concern (Teixeira da Silva & Yamada, 2025). As was argued above, for suspected cases of extremely serious ethical breaches, we follow the ICMJE recommendations and argue it is reasonable for an author notice to suffice, whereas sharing of any other information, under any other circumstance, and with any other third party, would require the *explicit* permission of authors prior to doing so. We are also of the opinion that absent explicit permission from authors to editors regarding sharing copyrighted ideas, data, information or any other element of a paper submitted in confidence, such sharing may constitute a violation of authors' copyright (Benson, 2018; Bozzato et al., 2021) and—in our opinion—could constitute a breach of an agreement that is in violation of confidentiality (Martin, 2016).

What happens if an author believes that an editor may have violated confidentiality or "leaked" information to a third party while their paper was in peer review at that journal? What recourse can they rely on, and whom can they turn to? Evidently, there is a strong risk (or inevitability) that a formal inquiry to the journal will result in editorial stonewalling, and turning to COPE—which often claims neutrality in such issues—may lead nowhere, even more so if there is an implicit COI, i.e., a complaint about a COPE member journal's editor (Teixeira da Silva, 2019). To counter the possibility of such COIs, the author's expression of concern would allow authors to formally challenge editors' actions or decisions, mediated by a neutral arbitrator (Teixeira da Silva & Yamada, 2025).

Another strongly possible situation might

arise, especially in this age of heightened awareness and scrutiny of the literature, mostly at the post-publication stage, but also during the review process (Yeo-Teh & Tang, 2023). This involves "leaking" confidential information, including emails, to "hidden" third parties, e.g., in the BCC of emails. In the case where such third parties are media organisations dedicated specifically to publishing-related issues, the repercussions of such leaks, even more so if authors are forced to comply with invasive freedom of information requests (Teixeira da Silva & Tsigaris, 2023), could be reputationally disastrous for authors as well as associated editors, journals and publishers. Would leaks or sharing confidential information with COPE or the ICMJE, central players in global ethics policies and implementation related to academic publishing, be considered a breach of confidentiality? These organisations need to make a formal statement on this issue.

Conclusion

In this opinion paper, we debate the protection of authors' rights, specifically the confidentiality of information in their papers, during peer review and editorial handling. We consider both peer review and editorial abuse problematic, as is the use of GAI in the editorial and review process without authors' permission. Even though several mechanisms are available to hold journal editors accountable for upholding ethical standards, a legally enforceable obligation is difficult to implement, as it would impose unreasonably burdensome obligations and legal liability, demotivating academics from undertaking an editorial role, which is usually voluntary (Aczel et al., 2021). Thus, instead of imposing additional burdens on the existing scientific publishing structure through legal inclusion, embracing open science culture and practices may be better for safeguarding authors against the risks of confidentiality breaches (Holbeach et al., 2023). Finally, assigning an integrity-related index to journals, not only for ensuring that veritable science is published, retracting it when it is not, but also for upholding responsible conduct of research values as it applies to both authors and editors (Tang, 2024), might serve as a useful way for journals to aim for higher value ideals rather than opting for opacity and secrecy of their operations.

Authors' contributions

The authors contributed equally to the intellectual discussion underlying this paper, literature exploration, writing, reviews, interpretation and editing. AI was not used for any of these functions.

Conflicts of interest

TD declares honoraria as an associate editor for the BMJ Group. Other than this, the authors declare no conflicts of interest relevant to this topic.

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