

# МЕЖДУНАРОДНОЕ ПРАВО

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## RESEARCHING THE PROTECTION OF FOREIGN TEACHERS' RIGHTS IN THE CONTEXT OF THE BELT AND ROAD INITIATIVE: A CASE STUDY OF EDUCATIONAL COLLABORATION BETWEEN CHINA AND UZBEKISTAN

### ABSTRACT

As the saying goes, "Education is the foundation of a nation's prosperity." The successful convening of the China-Central Asia Summit heralds deeper cooperation between China and the five Central Asian countries, fostering a closer community of shared destiny. Standing at a new historical juncture, "foreign teachers" serve as vital links in the globalization of education and internationalization of talent. Against the backdrop of the signing of the "Joint Statement on the Establishment of a Comprehensive Strategic Partnership of the New Era" between China and Uzbekistan, this paper focuses on the protection system of foreign teachers' rights in China and Uzbekistan. It analyzes the challenges faced from the perspectives of policy legislation, supervision and management, communication and coordination, proposing legal solutions such as improving the policy legislative system, strengthening rights protection measures, enhancing supervision and evaluation mechanisms, and promoting transnational communication and coordination. These efforts aim to provide robust legal protection for promoting deep cooperation in the education sector between China and Uzbekistan.

**Keywords:** China; Uzbekistan; Foreign teachers; Rights protection

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## ШЕТЕЛДІК МҰҒАЛІМДЕРДІҢ ҚҰҚЫҚТАРЫН ҚОРҒАУДЫ БІР БЕЛДЕУ ЖӘНЕ БІР ЖОЛ КОНТЕКСТІНДЕ ЗЕРТТЕУ: ҚЫТАЙ МЕН ӨЗБЕКСТАН АРАСЫНДАҒЫ БІЛІМ САЛАСЫНДАҒЫ ЫНТЫМАҚТАСТЫҚТЫ ЗЕРТТЕУ

### Аңдатпа

«Білім – елдің гүлденуінің негізі» дегендей. «Қытай-Орталық Азия» саммитінің сәтті өтуі Қытай мен Орталық Азияның бес елі арасындағы ынтымақтастықты тереңдетіп, тағдыры ортақ жақын қоғамдастықты ілгерілетеді. Жаңа тарихи кезеңде «шетелдік мұғалімдер» білім берудің жаһандануы мен дарындылықты интернационалдандырудың маңызды буындары қызметін атқарады. Қытай мен Өзбекстан арасында «Жаңа дәуірде жан-жақты стратегиялық әріптестік ор-

нату туралы бірлескен мәлімдемеге» қол қою аясында бұл мақалада Қытай мен Өзбекстандағы шетелдік мұғалімдердің құқықтарын қорғау жүйесіне басты назар аударылады. Осында саяси заңнама, қадағалау және басқару, байланыс және үйлестіру тұрғысынан туындаған проблемаларды талданып, саяси құқықтық жүйені жетілдіру, құқықтарды қорғау шараларын күшейту, қадағалау мен бағалау тетіктерін күшейту, трансұлттық байланыс пен үйлестіруді ілгерілету сияқты құқықтық шешімдері ұсынылады. Бұл күш-жігер Қытай мен Өзбекстан арасындағы білім саласындағы терең ынтымақтастықты дамыту үшін сенімді құқықтық қорғауды қамтамасыз етуге бағытталған.

**Түйінді сөздер:** Қытай; Өзбекстан; шетелдік оқытушылар; құқықтарды қорғау

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**ИССЛЕДОВАНИЕ ЗАЩИТЫ ПРАВ ИНОСТРАННЫХ УЧИТЕЛЕЙ  
В КОНТЕКСТЕ ИНИЦИАТИВЫ «ПОЯС И ПУТЬ»:  
ТЕМАТИЧЕСКОЕ ИССЛЕДОВАНИЕ СОТРУДНИЧЕСТВА  
В СФЕРЕ ОБРАЗОВАНИЯ МЕЖДУ КИТАЕМ И УЗБЕКИСТАНОМ**

**Аннотация**

Как говорится: «Образование – основа процветания нации». Успешное проведение Китайско-Центральноазиатского саммита знаменует собой более глубокое сотрудничество между Китаем и пятью странами Центральной Азии, способствуя более тесному сообществу с общей судьбой. На новом историческом этапе «иностранные учителя» служат жизненно важными связующими звеньями в глобализации образования и интернационализации талантов. На фоне подписания «Совместного заявления об установлении всеобъемлющего стратегического партнерства в новую эпоху» между Китаем и Узбекистаном в данной статье основное внимание уделяется системе защиты прав иностранных преподавателей в Китае и Узбекистане. В нем анализируются проблемы, с которыми сталкиваются с точки зрения политического законодательства, надзора и управления, коммуникации и координации, предлагаются правовые решения, такие, как совершенствование политической законодательной системы, усиление мер по защите прав, усиление механизмов надзора и оценки, а также содействие транснациональному общению и координации. Эти усилия направлены на обеспечение надежной правовой защиты для развития глубокого сотрудничества в сфере образования между Китаем и Узбекистаном.

**Ключевые слова:** Китай; Узбекистан; иностранные преподаватели; защита прав

**Introduction**

Education is the foundation of a nation's long-term development. Talent serves as a key factor and crucial link in the development of education, and education provides the essential platform for talent to display abilities, exert influence, contribute, and achieve careers. Economic globalization propels educational globalization, thereby driving the internationalization of talent. Accelerating and expanding the opening up of education to the outside world is a necessity for educational development, national construction, and talent cultivation. The "Promotion of Jointly Building the Belt and Road Initiative in Education" proposed, "Promote the joint construction of the 'Silk Road Economic Belt' and the '21st Century Maritime

Silk Road', and provide a great opportunity for promoting large-scale openness, exchanges, and integration in regional education." The successful convening of the China-Central Asia Summit inevitably signifies China's deepened cooperation with the five Central Asian countries, fostering a closer community of shared destiny. Standing at a new historical starting point, "foreign teachers", as the nexus of educational globalization and talent internationalization, undoubtedly play a crucial role.

In recent years, countries along the Belt and Road have come together to enhance understanding, expand openness, strengthen cooperation, learn from each other, seek common interests, face common destiny, shoulder common

responsibilities, and build a Belt and Road educational community with equality, inclusiveness, mutual benefit, and vitality, promoting regional education development. Therefore, there is an increasing emphasis on the internationalization of the teaching staff, with the introduction of foreign teachers being a significant manifestation of this trend. [1] With the continuous expansion of the scale of foreign teachers in universities, the issue of protecting their rights becomes increasingly prominent, becoming a significant factor constraining the internationalization of university faculty and the quality of talent cultivation. There is a wealth of literature on the management of foreign teachers in universities, covering various aspects such as recruitment, teaching, and daily life. However, existing research remains insufficiently comprehensive, with relatively few systematic discussions on the system of protecting the rights of foreign teachers. Due to the numerous countries along the Belt and Road, it is impractical to elaborate on each one. Therefore, this paper takes advantage of the historical moment of China and Uzbekistan signing the "Joint Statement on the Establishment of a Comprehensive Strategic Partnership of the New Era" on January 24, 2024, to briefly outline the system of protecting the rights of foreign teachers in China and Uzbekistan. It discusses the operational challenges of the system for protecting the rights of foreign teachers, proposes multi-perspective legal solutions to address these challenges, provides robust legal protection to promote deep cooperation in the field of education between China and Uzbekistan, and holds profound significance for promoting the development and innovation of education globalization.[2]

I. Overview of the System for Protecting the Rights of Foreign Teachers in China and Uzbekistan

1. ***The Chinese Logic Behind the System for Protecting the Rights of Foreign Teachers***

**The Evolution of Policy and Legislation**

No detail is too small in foreign affairs. In regard to the introduction of foreign teachers,

Comrade Deng Xiaoping pointed out early in the "Decision on Introducing Foreign Intelligence to Facilitate the Four Modernizations" that it is essential to open up channels widely and use various methods to introduce foreign intelligence as an important strategic policy to accelerate modernization.[3] To meet the demands of hiring foreign teachers in universities after the reform and opening-up, the State Council successively issued the "Provisional Regulations on the Employment of Foreign Cultural and Educational Experts", the "Provisions on the Employment of Foreign Cultural and Educational Experts and Foreign Teachers in Higher Education Institutions", and the "Administrative Measures for Hiring Foreign Professionals in Schools and Other Educational Institutions". [4] As entered the 21st century, China's economic strength continued to grow, international exchanges became increasingly frequent, the internationalization level of universities kept rising, the number of foreign teachers in universities continued to increase, and the country, in response to the trends of the times, timely adjusted the system for safeguarding the rights of foreign teachers. It successively issued and implemented notifications such as the "Notice on Providing Entry and Residence Convenience Regulations for Foreign High-level Talents and Investors", the "Opinions on Improving the Medical Insurance System for Foreign Experts Working in China", and the "Salary Reference Lines for Ordinary Foreign Cultural and Educational Experts and Professionals Working in China" (Trial).[5] In 2019, the National Administration of Foreign Experts Affairs, responsible for foreign intelligence, was placed under the management of the Ministry of Science and Technology and renamed "Foreign Expert Service Bureau". In order to improve the legal system for safeguarding the rights of foreign teachers and strengthen the management of foreign teachers, the Ministry of Education issued the "Regulations on the Appointment and Management of Foreign Teachers (Draft for Soliciting Opinions)" on July 21, 2020. Unfortunately, to this day, the regulation has not been formally promulgated (Table 1).

**Table 1 Summary of Important Policies and Legislation on the Protection of the Rights and Interests of Foreign Teachers in China (Partial)**

Name of policy/legislation	Date of enactment	Legal effect
Regulations on the Employment of Foreign Cultural and Educational Experts and Foreign Teachers in Higher Education Institutions	1991.8.10	Effective
Administrative Measures for the Approval of Foreigners' Permanent Residence in China	2004.8.15	Effective
Teachers' Law of the People's Republic of China	2009.8.27	Effective
Provisional Measures for Participation in Social Insurance by Foreigners Employed in China	2011.9.6	Effective
Circular on Issues Relating to the Participation in Social Insurance by Foreigners Employed in the Territory of China	2011.11.2	Effective
Law of the People's Republic of China on Exit-Entry Administration	2012.6.30	Effective
Labor Contract Law of the People's Republic of China	2012.12.28	Effective
Regulations on the Entry and Exit of Aliens	2013.7.12	Effective
Issuance of the Procedures for Handling Foreigners Entering the Country for Short-Term Work Assignments (Trial)	2014.11.6	Effective
Regulations on the Administration of Foreigners' Employment in China	2017.3.13	Effective
Notice on the Full Implementation of the Work Permit System for Foreigners Coming to China	2017.3.28	Effective
Circular of the State Administration of Foreign Experts on the Issuance of Service Guidelines for Foreigners' Permission to Work in China	2017.3.29	Effective
Measures for the Implementation of the Visa System for Foreign Talents	2017.11.28	Effective
Labor Law of the People's Republic of China	2018.12.29	Effective
Regulations on the Appointment and Management of Foreign Teachers (Draft for Soliciting Opinions)	2020.7.21	Not yet effective
Education Law of the People's Republic of China	2021.4.29	Effective

Source: Compiled by the author.

#### **Measures to protect the rights and interests of foreign teachers**

As the "Regulations on the Appointment and Management of Foreign Teachers" ("Regulations") is still in the draft stage for soliciting opinions, the legal basis for the current system of safeguarding the rights of foreign teachers in Chinese universities is still the "Provisions on the Employment of Foreign Cultural and Educational Experts and Foreign Teachers in Higher Education Institutions" ("Provisions") promulgated by

the former State Education Commission in 1991. Although the "Provisions" still serve as the core of the system for safeguarding the rights of foreign teachers in Chinese universities, detailing the principles, conditions, approval procedures, and management of the employment of foreign teachers in Chinese universities, as of today, the "Provisions" have been implemented for over 30 years and are clearly not adapted to the new situations, trends, and circumstances of safeguarding the rights of foreign teachers in China in the new era.[6] Therefore, based on laws and regulations

such as the "Education Law", "Teachers Law", "Exit and Entry Administration Law", "Labor Law", and "Regulations on the Employment of Foreigners in China", the paper focuses on analyzing the system of safeguarding the rights of foreign teachers with Chinese characteristics constructed in the future based on the "Regulations"[7]:

Firstly, the "Regulations" redefines the concept of "foreign teacher", referring to foreign individuals appointed by educational institutions, holding work permits and work-related residence permits for foreigners, and engaging in educational and teaching activities within China; "educational institutions" include universities. The appointment of foreign teachers sets "quantitative+qualitative" conditions, with quantitative requirements including holding a bachelor's degree or higher, having more than 2 years of teaching experience in relevant disciplines at educational institutions, and obtaining corresponding level certificates through the Chinese language proficiency test, while qualitative requirements include physical and mental health, good conduct, no criminal records, no history of infectious diseases or mental disorders, etc.

Secondly, the "Regulations" emphasize the management responsibilities of educational institutions. On one hand, regarding relevant permits, educational institutions should apply for the work permits for foreign teachers to come to China from the provincial government's science and technology administrative department or its authorized administrative department; assist foreign teachers in applying for the Z visa from the Chinese diplomatic mission abroad according to relevant procedures and regulations; assist foreign teachers in applying for work-related residence permits from local public security organs at or above the county level. On the other hand, in terms of service management, educational institutions should sign written contracts with foreign teachers, detailing matters such as job tasks, work locations, job responsibilities, and tenure; provide targeted pre-service and post-service training for foreign teachers based on their cultural backgrounds and job characteristics; refrain from implementing short-term intensive teaching through obviously unreasonable methods such as scheduling courses densely; establish a sound assessment system, strengthen the normative and supervisory aspects of the professional ethics and conduct of foreign teachers, and ensure and support foreign teachers in engaging in scientific research, academic exchange, and other activities.

Thirdly, the "Regulations" explicitly propose that the education administrative department of the State Council should establish and manage a "national comprehensive information service platform for foreign teachers", and educational institutions should upload copies or electronic texts of the contract text cover page, the page specifying the term of employment and both parties' signature pages, work permits for foreign teachers coming to China, residence permits, and other materials to the platform. Education administrative departments, educational institutions, and foreign teachers can log in to the platform to query relevant information.

#### **11. Interpretation of Protection of the Rights and Interests of Foreign Teachers in Uzbekistan**

In January 2022, President Mirziyoyev, who was re-elected as the President of Uzbekistan, formulated the "New Uzbekistan Development Strategy 2022-2026", proposing the concept of the "Third Renaissance", with the development of human capital listed as one of the most important tasks, positioning 2023 as the "Year of Caring and Quality Education" in Uzbekistan.

Since 2017, Uzbekistan's high education has achieved rapid development, with the number of universities reaching 186, nearly 2.5 times increase. Among them, 31 universities are branches or subsidiary institutions of world-renowned universities, striving to propel Uzbekistan into the ranks of countries with above-average income levels in the world.[8] With the deepening globalization of education in Uzbekistan, foreign teachers are increasingly occupying important positions in the Uzbekistan education system, and the system for safeguarding the rights and interests of foreign teachers is gradually receiving attention. The system for safeguarding the rights and interests of foreign teachers in Uzbekistan is mainly composed of the "The Law of Legal Status of Foreigners in Uzbekistan", the "Labor Law of Uzbekistan", the "Education Law of Uzbekistan", the "Law on Employment of Foreign Citizens and Stateless Persons in Uzbekistan", and the "Procedures for Entry, Exit, Stay, and Transit of Foreign Citizens and Stateless Persons in Uzbekistan".[9]

The "The Law of Legal Status of Foreigners in Uzbekistan" stipulates the residence, work, life, rights, and obligations of foreign teachers in Uzbekistan. Foreign teachers enjoy the same working conditions as local teachers; universities should provide adequate teaching resources and a good working environment for foreign teachers; specialized visa types should be provided for

foreign teachers to simplify entry, residence, and exit procedures; universities are encouraged to provide necessary cultural training and language courses for foreign teachers to help them understand Uzbekistan's history, culture, and education system; foreign legal service agencies should be established to provide foreign teachers with timely legal information and assistance to safeguard their legitimate rights and interests.[10]

The "Labor Law of Uzbekistan" is the core legal document for safeguarding the rights and interests of foreign teachers as laborers, covering aspects such as labor contracts, wages, working hours, rest and leave, and social insurance. Universities must sign written labor contracts with foreign teachers, detailing the rights and obligations of both parties; the salary and benefits of foreign teachers should not be lower than those of local teachers of the same level, and appropriate allowances or bonuses should be provided based on their work performance and teaching experience; universities should assist foreign teachers in solving housing problems and provide necessary living conditions, such as medical insurance and housing subsidies; Uzbekistan has a labor arbitration committee to provide guidance and resolution pathways for foreign teachers in labor disputes.[11]

The "Education Law of Uzbekistan" is the fundamental law regulating the education sector in Uzbekistan, also covering the protection of the rights and interests of foreign teachers. It stipulates the qualifications, certification procedures, and teaching qualifications for foreign teachers engaged in education in Uzbekistan to ensure that they possess the basic qualities and abilities for educational work. It also encourages foreign teachers to participate in higher education reforms and teaching research activities.[12]

The "Law on Employment of Foreign Citizens and Stateless Persons in Uzbekistan" specifically regulates the employment of foreign citizens and stateless persons in Uzbekistan, specifying the conditions, procedures, and requirements for foreign teachers to work in Uzbekistan, including applying for work permits, signing labor contracts, and paying social insurance.[13]

The "Procedures for Entry, Exit, Stay, and Transit of Foreign Citizens and Stateless Persons in Uzbekistan" specifies in detail the documents required for entry, types of visas to apply for, residence periods, and departure precautions for foreign teachers, helping them to enter, reside, and leave Uzbekistan smoothly.[14]

II. Dilemmas in Protecting the Rights and Interests of Foreign Teachers

1. ***Policy-legislative perspective: Inadequate institutional provision***

Insufficient institutional supply is reflected in the policy legislative aspect as the imperfection of policy legislation. From the above discussion on the system of protecting the rights and interests of foreign teachers in China and Uzbekistan, it can be seen that although many policies and legislations in both countries involve the protection of the rights and interests of foreign teachers, there is still a lack of specialized and systematic laws regulating the protection of these rights and interests. This contradicts the original intention of promoting the protection of the rights and interests of foreign teachers on the track of the rule of law. Taking China as an example, the "Regulations on the Administration of Employment of Foreigners in China" is still the only regulation governing the employment of foreigners in China, which of course applies to foreign teachers. Apart from the fact that the legal effect of the "Regulations on the Administration of Employment of Foreigners in China" is relatively low, it does not involve defining the identity, industry, profession, and nature of work of foreign teachers. As a result, it is difficult to identify effective methods for safeguarding their rights and interests, which fails to meet the needs of foreign teachers' development in China. Specifically, on the one hand, to ensure that universities hire foreign teachers with qualified qualifications, China's education administrative departments have set clear conditions for the qualifications of foreign teachers, such as a bachelor's degree or above, and more than 2 years of relevant work experience.[15] However, education systems vary among countries, especially between China and Uzbekistan. Differences exist in the standards for academic recognition and the system of awarding degree certificates. Therefore, it is necessary to distinguish the qualifications of foreign teachers in different countries' education systems when hiring them. However, many universities in China currently do not have unified, reasonable, and operational standards for hiring foreign teachers, resulting in uneven quality in the hiring of foreign teachers in China. On the other hand, from the perspective of contracts, Article 4 of the "Notice on the Implementation of New Standard Contracts for Foreign Educational Experts" mentions that when employing foreigners who have recommended themselves, the hiring unit should adopt a cautious attitude. If hiring

is necessary, a "security deposit" clause may be added to the contract. However, this clause is inconsistent with Article 9 of the "Labor Contract Law". According to Article 9 of the "Labor Contract Law", employers are not allowed to withhold the resident identity cards and other documents of employees or require them to provide guarantees or collect property from employees under any other pretext. In addition, there may be issues with labor contracts, such as incomplete contract content, non-compliant contract signing procedures, and incomplete fulfillment of contract terms.

The vitality of law lies in its implementation. If laws exist but are not enforced or are poorly enforced, resulting in non-compliance, lax enforcement, and impunity for violations, then enacting more laws will be of no avail.[16] The accompanying issue of insufficient institutional supply is the lack of enforcement capability in policy legislation. This lack of enforcement is particularly evident in the lax implementation of foreign teacher appointment standards. Whether in China or Uzbekistan, the mismatch between the number of foreign teachers and the development needs of universities has led to instances of lax enforcement of appointment standards during the recruitment of foreign teachers.[17] Most foreign teachers are recruited by universities after interviews and classroom demonstrations. However, in cases where universities urgently need to address a shortage of qualified foreign teachers, some are hired based solely on simple interviews. This has resulted in negative effects such as low teaching proficiency, weak teaching abilities, and poor teaching effectiveness among foreign teachers.[18] In practical terms, the lack of awareness of foreign teacher systems and cultural differences are also important reasons for the inadequate enforcement of policy legislation. When foreign teachers enter China or Uzbekistan to engage in educational work, even if they receive relevant institutional training, many cannot genuinely abide by and respect the relevant systems of China or Uzbekistan due to differences in systems, beliefs, histories, cultures, and personal biases. This poses a risk of complete loss of professional ethics among foreign teachers.[19] Furthermore, some universities also have a weak awareness of institutional systems, thereby infringing upon the legitimate rights and interests of foreign teachers.

11. ***Supervision and management perspective: unbalanced protection of rights and interests***

Protecting rights is key to supervising and

managing foreign teachers, and the imbalance in rights protection is inevitably a common issue. Protecting the rights of foreign teachers in universities is a systematic and complex process. A complete cycle of safeguarding the rights of foreign teachers requires information sharing and communication coordination among different departments within universities.[20] Most universities in China and Uzbekistan adopt a "dual-track" management model for safeguarding the rights of foreign teachers, where the appointment of foreign teachers is handled by the foreign affairs department, while day-to-day management is led by the teaching department. In practice, the management of foreign teachers in China and Uzbekistan is highly complex. Typically, the appointment of foreign teachers is handled by the personnel department, visa and residence permits by the foreign affairs department, accommodation and meals by the logistics department, research and teaching by the teaching department, and salary, allowances, and bonuses by the finance department. When communication among these departments is inadequate, it can easily lead to information asymmetry and result in either a vacuum or overlapping of management responsibilities for foreign teachers.[21] Additionally, safeguarding the rights of foreign teachers requires not only a set of sound and reasonable systems and a group of coordinated and efficient departments but also a team of professional and dedicated management service personnel.[22] Currently, there is a significant shortage of management service personnel for foreign teachers in China and Uzbekistan, such as insufficient staffing, low proficiency in foreign languages, limited communication skills, insufficient political sensitivity, rigid management styles, and uniform management methods.

After being appointed, foreign teachers enter a country with cultural customs, lifestyle habits, language communication, and religious beliefs different from their own. Adequate and appropriate pre-service training is indispensable. It can be said that pre-service training is the "refueling station", "safe haven", and "tailor shop" for foreign teachers.[23] The pre-service training for foreign teachers in China and Uzbekistan mainly suffers from issues such as short training duration, monotonous content, and single training methods. Universities often conduct perfunctory pre-service training for foreign teachers, typically lasting only one to two weeks for newly appointed foreign teachers. Such short training periods cannot effectively achieve the training objectives

or meet the needs of foreign teachers. Although the content of pre-service training in universities includes policy legislation, school overview and regulations, educational objectives, teacher assessment and evaluation models, due to cultural differences, what universities provide is only a small part of it. Some universities even offer only a few hours of concentrated training, leaving foreign teachers to rush into their positions. For a long time, most universities have adopted an indoctrination-based, large-scale collective training approach, which lacks specificity and practicality due to its one-way information dissemination, resulting in minimal effectiveness.

Unsupervised power inevitably leads to corruption, and unsupervised foreign teachers inevitably lead to loss of control. The supervision and evaluation of foreign teachers by universities are aimed at better safeguarding their legitimate rights and better serving educational teaching. At the level of supervision, "supervision" means monitoring and inspection, while "guidance" means guiding and assisting. In practice, it has become common to supervise without providing guidance. University supervision of foreign teachers includes forms such as attending classes, checking exam situations, and student evaluations. On one hand, student evaluations are often subjective, and students may not prioritize them enough, making it difficult for this form of supervision to reflect the true teaching situation of foreign teachers. On the other hand, after the school's supervision work is completed, there is no timely communication with foreign teachers, resulting in their inability to identify and correct deficiencies and shortcomings in their work.[24] At the evaluation level, some universities still cannot formulate scientific assessment methods for foreign teachers based on their actual situations, nor establish institutionalized, scientific, and standardized reward and punishment mechanisms for foreign teachers. Specifically, if evaluation results do not receive timely and effective feedback, and regardless of the evaluation outcome, it does not affect the salary and employment of foreign teachers, then the evaluation loses its proper guiding, motivating, and punitive functions.[25]

#### III. *Communication and coordination perspectives: inadequate cooperation mechanisms*

With the education cooperation between China and Uzbekistan as the basis, from the perspective of transnational communication and coordination, the inadequate cooperation mechanism is also one of the dilemmas restricting the improve-

ment of the system for safeguarding the rights and interests of foreign teachers in China and Uzbekistan. According to Teacher Ye Kui, foreign teachers generally lack a sense of belonging when working in China, making it difficult for them to integrate into university life. There is a natural language communication barrier between foreign teachers and local teachers. Additionally, if foreign teachers do not receive pre-job training before joining, it will increase the gap between them and local teachers, thus affecting the enthusiasm of foreign teachers in education and teaching.[26] The language barrier is undoubtedly the core factor leading to the inadequate cooperation mechanism. Language serves as the bridge for human communication. Due to language barriers, communication between foreign teachers and educational administrative departments, universities, local teachers, and students is extremely difficult. This not only affects foreign teachers' timely and accurate expression of their own needs and demands but also leads to a lack of understanding of students' needs and timely feedback, thereby affecting students' learning outcomes and the teaching achievements of foreign teachers.

With the deepening of the globalization of education and the internationalization of faculty in China and Uzbekistan, in addition to language communication barriers, the increasingly inadequate official communication channels of governments, ineffective informal exchanges, and incomplete information sharing mechanisms have become important factors leading to the inadequacy of the cooperation mechanism. Educational cooperation between China and Uzbekistan are becoming more frequent. However, the two sides have not established specialized and normalized official government communication channels for safeguarding the rights and interests of foreign teachers. Moreover, as safeguarding the rights and interests of foreign teachers usually involves multiple administrative departments, this exacerbates the delay in information transmission and leads to the inability to timely address and provide feedback on issues faced by foreign teachers. In addition to official government communication channels, informal exchanges in the education sector between China and Uzbekistan are relatively limited compared to those with Western countries. Moreover, these exchanges lack specificity and effectiveness. Consequently, when the rights and interests of foreign teachers are violated, it is difficult to resolve issues and safeguard their legitimate rights and interests through low-



cost and efficient informal channels. In the process of safeguarding the rights and interests of foreign teachers, China and Uzbekistan lack an information sharing mechanism. As a result, the two countries are unable to timely exchange information on the qualification certification, appointment procedures, salary treatment, social insurance, and other aspects of foreign teachers, making it difficult to form collaborative synergy. These problems are prone to making foreign teachers feel lonely and insecure, resulting in an increase in the turnover rate of foreign teachers and other negative consequences.[27]

III. Legal solutions to the dilemmas

1. ***Omni-directional: improving the policy and legislative system***

Based on practical experience and starting from the current challenges, legislative and administrative agencies in China and Uzbekistan should conduct comprehensive research, understanding, and analysis of the needs of the system for safeguarding the rights and interests of foreign teachers. They should listen to the demands of various stakeholders regarding this system, adopt an exploratory approach, and continuously explore foreign teacher rights and interests protection systems that meet the needs and are suitable for their respective countries.

Firstly, expedite the enactment of specialized laws for protecting the rights and interests of foreign teachers. In recent years, relevant departments have formulated numerous regulations, measures, or standards concerning the protection of foreign teachers' rights and interests, but these existing rules have not been solidified into fundamental laws. Therefore, based on a full consideration of their respective national conditions and development, China and Uzbekistan should draw on advanced international experience and formulate specialized laws for safeguarding the rights and interests of foreign teachers. These laws should clarify the appointment procedures, working conditions, salary treatment, social insurance, dispute resolution mechanisms, and related rights and obligations of foreign teachers.[28]

Secondly, regarding specific systems, it is essential to clarify the nature of foreign teachers' identities, such as whether they are included in the civil service system or entitled to special treatment. Detailed lists of rights and obligations for foreign teachers should be formulated, specifying their rights to participate in school decisions, access teaching resources, receive rewards for achievements, and their obligations to comply

with laws and regulations, professional ethics, and academic norms. Additionally, clear appointment conditions, procedures, terms, dismissal reasons, and procedures should be established for foreign teachers to prevent arbitrary dismissal and malicious salary arrears. A salary system that aligns with local teachers should be established, along with various social insurance benefits, to reduce the work and life risks of foreign teachers. Furthermore, a diverse dispute resolution mechanism, including litigation, arbitration, mediation, and reconciliation, should be established for potential disputes between foreign teachers and universities.

Finally, universities should enact regulations for safeguarding the rights and interests of foreign teachers based on relevant national policies and considering their specific circumstances. The author suggests that universities establish internal working groups for safeguarding the rights and interests of foreign teachers. These groups should be led by the president or vice president in charge, with members from the human resources department, foreign affairs department, teaching department, logistics department, and representatives appointed by foreign teachers. The group should study relevant national policies and legislation, carefully listen to suggestions from foreign teachers, local teachers, and students, and adopt a multi-round deliberation and anonymous voting approach to ensure that the regulations formulated by the university for safeguarding the rights and interests of foreign teachers are legal, reasonable, and appropriate.

11. ***Multi-angle: Strengthening measures to safeguard rights and interests***

Firstly, enhance the training system for foreign teachers. In order to facilitate foreign teachers' rapid adaptation to the work and living environment in the host country and to mitigate cultural barriers, it is necessary for universities to conduct systematic and comprehensive training for foreign teachers. Regarding the training content, the "comprehensiveness principle" should be upheld, covering laws and regulations, educational systems, school regulations, basic information about the school, teaching and research situations, essential living information, as well as history, culture, climate, festivals, etc. A bilingual practical handbook for foreign teachers should be produced, and necessary Chinese language training should be provided to alleviate their language communication barriers.[29] As for the training methods, the "diversity principle" should

be adhered to, avoiding being confined to unidirectional large-scale collective training methods. Targeted activities such as field visits, batch training, and cross-cultural exchange salons should be organized based on the professional development characteristics of foreign teachers.

Secondly, strengthen the humanistic care for foreign teachers. For foreign teachers living in a foreign country, universities need to continuously enhance their humanistic care to make them feel a sense of belonging and security, which is also crucial for retaining foreign talents. Universities should adhere to a people-oriented approach, actively create a favorable working and living environment for foreign teachers, foster a work and life atmosphere characterized by mutual respect and trust, while respecting the culture, festivals, and customs of foreign teachers. Understanding their needs and demands, establishing and improving effective feedback mechanisms, safeguarding their legitimate rights and interests, organizing diverse cross-cultural exchange activities, and paying as much attention as possible to their work and life are essential.[30]

Finally, standardize the employment contracts for foreign teachers. Contracts are essential tools to avoid or minimize disputes, and standardizing the employment contracts for foreign teachers is a crucial means of safeguarding their rights and interests. The human resources department of universities should sign formal standard contracts with foreign teachers. Contract terms should consider the conditions of both parties and the national conditions of the two countries, detailing the rights and obligations of both parties, specifying the start and end dates of the contract, work objectives, tasks, salary levels, benefits, social insurance, vacation regulations, breach of contract responsibilities, dispute resolution, and other matters. To effectively safeguard the legitimate rights and interests of foreign teachers and avoid high medical expenses, universities should purchase medical insurance for foreign teachers as much as possible and include this in the employment contract. Furthermore, the employment contract should also specify in detail the reward and punishment mechanism for foreign teachers by the university. Adequate rewards should be given to outstandingly evaluated foreign teachers, while inadequate evaluations may lead to salary deductions or dismissal, depending on the circumstances.[31]

### 11. *Multi-level: Improving the Supervision and Evaluation System*

Firstly, establish relatively independent supervision institutions for foreign teachers. Both Chinese and Uzbekistan universities have established supervision teams for domestic teachers, but supervision for foreign teachers is unique. Relying solely on supervision teams attached to the academic affairs department for supervising foreign teachers may lack impartiality and fail to achieve the effectiveness of "supervision" and "guidance". Universities should establish relatively independent supervision institutions for foreign teachers, which are closely coordinated with the academic affairs department, to strictly supervise and guide foreign teachers in terms of appointment, teaching, research, and professional ethics. Additionally, professional institutions require professional personnel. Universities should cultivate a high-quality team of foreign teacher supervisors with strong political literacy, international perspectives, knowledge of policy legislation, and proficiency in foreign languages.[32]

Secondly, optimize the evaluation mechanism for foreign teachers. The evaluation mechanism serves as a lever for universities to fully leverage the benefits of employing foreign teachers and to understand their teaching and research situations. It can clarify the strengths and weaknesses of foreign teachers in teaching and research, enhance their strengths, and improve the overall international education level of universities. The author suggests that universities consider establishing a comprehensive evaluation mechanism for foreign teachers, integrating self-assessment, student evaluation, department evaluation, and supervision institution evaluation. This approach avoids the subjective biases that may arise from relying solely on student or supervisory evaluations, ensuring the objectivity, comprehensiveness, and reliability of the evaluation. Moreover, universities should make full use of the evaluation results of foreign teachers, establish feedback mechanisms, enhance communication with foreign teachers, implement immediate improvements based on feedback, mobilize their enthusiasm and creativity, enhance their teaching and research capabilities, and promote sustainable development.[33]

Finally, improve the reward and punishment system for foreign teachers. Excellent foreign teachers should be appropriately rewarded, both materially and spiritually. Money is the most direct reward for labor. Increasing salaries, provid-

ing allowances or bonuses are the most direct material rewards. Universities should allocate special funds to improve the quality of material rewards for foreign teachers, offering attractive incentives such as salary increases, allowances or bonuses, vacation days, and travel reimbursements. Furthermore, it is essential to place adequate emphasis on rewarding foreign teachers at the spiritual level, such as issuing certificates of honor and granting honorary titles, to enhance their sense of honor, achievement, and belonging. In the case of foreign teachers who are evaluated as unsatisfactory, measures such as counseling, warnings, salary deductions, or dismissal should be taken. In practice, some foreign teachers do exhibit negative work attitudes, violate professional ethics, or even commit crimes. Only by implementing strict disciplinary measures can the authority of the system be established and exemplary punishments be administered.[34]

10. ***Deep-level: Strengthening transnational communication and coordination***

At the historical juncture of the "great changes unseen in a century", the uncertainties of education globalization and the internationalization of teaching staff continue to increase. Universities need to continuously analyze and timely adjust the system for protecting the rights and interests of foreign teachers.[35] Taking the education cooperation between China and Uzbekistan as an example, internally, China and Uzbekistan should establish a cooperative system for teachers. Externally, they should sign a bilateral agreement on safeguarding the rights and interests of foreign teachers between China and Uzbekistan and establish a platform for sharing information on foreign teachers.[36]

Firstly, establish a cooperative system for teachers between China and Uzbekistan. In order to help foreign teachers integrate into the working and living environment of universities as quickly as possible, reduce blind work, and improve teaching and research efficiency, universities in China and Uzbekistan should establish a cooperative system for teachers. Teachers in China and Uzbekistan each have their own characteristics and advantages. Universities in China and Uzbekistan should provide each other with native teachers who have good language skills and high comprehensive qualities to serve as cooperative teachers for foreign teachers. Cooperative teachers should act as "intermediaries", maintaining contact between themselves, foreign teachers, colleges, and school administrative departments.

They also serve as "teaching assistants", entering the classrooms of foreign teachers, helping them understand teaching objectives, student habits, and teaching responsibilities, devising practical and feasible teaching plans, and completing established teaching tasks. Cooperative teachers are also "reformers", who, through cooperation with foreign teachers, promptly recognize the strengths and weaknesses of teaching and research in universities, and propose new teaching and research reform plans. Additionally, under the joint leadership of the foreign affairs and education departments of China and Uzbekistan, a fixed exchange mechanism for teachers between China and Uzbekistan can be established, coordinating the introduction and dispatch of foreign teachers from China and Uzbekistan, holding regular exchange activities, and promoting cultural exchange and mutual learning.[37]

Secondly, sign a bilateral agreement between China and Uzbekistan on safeguarding the rights and interests of foreign teachers and establish a platform for sharing information on foreign teachers. Recently, the Ministry of Education of China and the Ministry of Higher Education, Science, and Innovation of Uzbekistan jointly held the China-Uzbekistan Hundred Schools Cooperation Forum. The two countries signed the "Beijing Declaration on China-Uzbekistan University Cooperation", further strengthening the exchange mechanism of higher education institutions, establishing a platform for mutual learning, and promoting the development of digital education cooperation. Since the signing of the agreement on the mutual recognition of diplomas and degrees between China and Uzbekistan in 1993, China and Uzbekistan have continued to promote the sharing of educational resources and deepen cultural exchange cooperation.[38] Against the backdrop of the "new era" in the education cooperation between China and Uzbekistan, it is necessary to timely promote the signing of a bilateral agreement on safeguarding the rights and interests of foreign teachers between the two countries. This agreement should be in the form of an international treaty, setting out the rights and obligations of the two countries and encouraging educational institutions such as universities and primary and secondary schools to exchange teachers, thus forming a cooperative force. In practice, both China and Uzbekistan should establish a platform for sharing information on foreign teachers, which includes teachers from each other's countries. On the basis of strictly protecting the personal privacy of

foreign teachers, the platform should upload and regularly update the basic information, workplace evaluations, criminal record certificates, medical examination reports, ethics and professional conduct, and records of rewards and punishments of foreign teachers in a timely manner. Following the principle of "joint construction, joint governance, and sharing", this platform should integrate relevant information on foreign teachers to promote the intelligence, scientificity, and standardization of the work of safeguarding the rights and interests of foreign teachers. Additionally, this platform should establish a mechanism for recommending outstanding teachers. Universities in China and Uzbekistan should communicate about the supervision and evaluation mechanism for foreign teachers from each other countries. Both countries' universities can recommend native teachers who have been rated as outstanding teachers at their own schools at least twice on this platform, providing them with material and spiritual support, and realizing complementary exchanges of high-quality teaching staff.[39]

Iç. Conclusion

Xi Jinping put forward that "China today is not only the China of China, but also the China

of Asia and the China of the world". The internationalization of education and teachers is a necessary way for a country to improve its education level and enhance its international influence in the context of globalization. In the face of the growing demand for foreign teachers in China and Uzbekistan, the article focuses on the protection of the rights and interests of foreign teachers, based on the protection system of the rights and interests of foreign teachers in China and Uzbekistan, analyzes the dilemma of the protection system of the rights and interests of foreign teachers in China and Uzbekistan from the perspectives of policy and legislation, supervision and management, communication and coordination, and puts forward rule of law solutions to crack the dilemma of the protection system of the rights and interests of foreign teachers in China and Uzbekistan with the intention of promoting China and Uzbekistan to "It is intended to promote mutual learning, cooperation and win-win cooperation between China and Uzbekistan, and to build China-Uzbekistan education community hand in hand.[24]

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