

Journal of Advanced Academic Research and Studies

Vol. 1, No.7, July 2024



Published by

NLBA Eurasian Institute

Supported by



Journal of Advanced Academic Research and Studies (JAARS)

ISSN 3006-4007 (Print)

ISSN 3006-4015 (Online)

Aims

The Journal of Advanced Academic Research and Studies aims to Continuously promote meaningful and valuable outstanding academic achievements to serve the society, increase advanced academic knowledge for the world civilisation, and serve the progress of science and technology combined with human society.

Journal Title

The official title of the journal is “Journal of Advanced Academic Research and Studies (JAARS)” and the abbreviated title is “J. adv. acad. res. stud.”

Year of Launching

Journal of Advanced Academic Research and Studies was launched in 2023.

Availability of the Full-Text in the Web

Full text is freely available from: www.nlbaeai.org

Fund Support

This journal was supported by the NLBA Eurasian Institute Limited.

Index in Database

The articles published in this journal are may index and/or abstracted in EBSCO.

ProQuest, Ex Libris, and Google Scholar.

Subscription Information

All correspondences regarding membership, subscriptions and changes of address should be sent to the society addressed as below: NLBA Eurasian Institute Limited (E-Mail: edubscon@outlook.com , Homepage: www.nlbaeai.org). The annual subscription fees are free of charge.

Submission

The NLBA Eurasian Institute Limited operates an on-line submission system. Details of how to submit online and full author instructions can be found at:www.nlbaeai.org. Manuscripts should be submitted to the on-line submission system at:www.nlbaeai.org following all prompts on the screen. Other correspondences can be sent by e-mail to the editor at edubscon@outlook.com Peer review under responsibility of the NLBA Eurasian Institute Limited.

Journal of Advanced Academic Research and Studies Volume 1, Number 7

Published 1 July 2024

Publisher (Editorial Office)

E-Mail: edubscon@outlook.com, Homepage: www.nlbaeai.org

Hooijdonkseweg 3, 4823 ZD Breda, Nederland

Copyright

© 2023 The NLBA Eurasian Institute Limited, All rights reserved.

Editorial Staff

The Journal of Advanced Academic Research and Studies (JAARS) editorial team is committed to providing subscribers with the best quality articles in a timely manner, ensuring a journal that subscribers will find stimulating and useful in their teaching and professional activities.

Editor

Prof.Sandra Doeze Jager PhD Erasmus University Rotterdam

Co-Editor

Xulong Dai PhD SKEMA Business School, France

Consulting Editor

Prof. Baoke Wu Peking University, China

Prof. Jan Pronk Former Minister of Trade, the Netherlands

Hon. Andres P. Arango Former President of Republic of Colombia

Editorial Review Board

Qian Liu PhD Shinhan University, South Korea

Jia Lyu PhD Jilin Normal University, China

Stuart Kewley PhD University of Cambridge, UK

Ian Mackechnie Mc PhD University of Southern Queensland, Australia

William Chua Chong Keow PhD Multimedia University, Malaysia

Jianguo Huo PhD Nankai University, China

Isaac Newton PhD Columbia University, USA

Prof. Jan van Zwieten NLBA University of Applied Science, the Netherlands

Lan Li PhD Baliuag University, Philippine

Manuscript Editor

Qian Liu PhD Shinhan University, South Korea

Jia Lyu PhD Jilin Normal University, China

Lan Li PhD Baliuag University, Philippine

Journal of Advanced Academic Research and Studies

Vol.1, No.7 July, 2024

- 1 Research on the main content of the "Supervision Law of the People's Republic of China"
Zhiyuan Tang
- 8 Research on the Collaboration and Exchange Mechanism for IPE Teachers in Primary, Secondary,
and Higher Education
Fanling Meng, Yujuan He, Ruimin Du and Tao Li
- 14 Study on the Dilemma and Realisation Path of Entrepreneurship of College Students Returning to
Rural Areas under the Background of Rural Rejuvenation
Zhaojun Meng, Yabing Han and Kabwon Kang
- 23 Research on the Construction of Practical Curricula for Study Tours Based on the Yellow River
Culture: Taking Henan province as an Example
Jing Wei, Yuanjian Xu and Aoran Ling
- 30 International Business Strategy Analysis of Chinese Biomedical Enterprises
Jiying Zhang
- 34 Research on legal protection of geographical indications of agricultural products under the
background of rural revitalization
Yali Zhai, Shuangwei Xiong
- 43 Research on the Development of Health and Wellness Tourism in the Ethnic Regions of Panzhihua
under the Perspective of Common Prosperity
Yixing Rong, Dongyan Ma
- 49 Research on Development Strategies for Applied Administrative Management Professionals in the
New Era
Xueru Huang, Dongyan Ma
-



Published by
NLBA Eurasian Institute

Research on the main content of the "Supervision Law of the People's Republic of China"

Zhiyuan Tang^a

^aLaw School Law Major, Panzhihua University, China

Received 07 January 2024, Revised 03 April 2024, Accepted 01 July 2024

Abstract

Purpose – During the two sessions in 2018, the 13th National People's Congress held the first meeting to review and approve the Constitution of the People's Republic of China. It contains 21 new or modified contents, the most valued is the new clauses related to the National Supervision Commission.

Design/Methodology/Approach – The amendment is a new section of the Supervisory Committee in Chapter 3 of the National Agency, and stipulates the specific content of the composition and role of the Supervision Committee and the organizational structure, as well as the management function of the Supervision Committee of the Supervisory Committee.

Findings – On March 20, the Seventh Sea of the National People's Congress of the 13th National People's Congress approved the "Supervision Law of the People's Republic of China" (hereinafter referred to as the "Supervision Law"), which specifically met the content of the above principles and confirmed it in the form of law. 闵京善 (2020) believes that from the perspective of content, the Supervision Law adheres to the main goal of preventing corruption and eliminating corruption.

Research Implications – In the following content, the author will explain the legislative process and main content of China's new "Supervision Law" in turn, and based on this to evaluate the main content of the monitoring law. Based on this evaluation, combined with many scholars' views, some problems such as the operation of the China Supervision Law and the operation of the China Supervision Law today and the operation of the Supervisory Committee are proposed.

Keywords: Supervision Law of the People's Republic of China, Restriction, Supervisory committee

JEL Classifications: H11, P26, 017

^a Lecturer, Law School Law Major, Panzhihua University, China, First Author, E-mail: tangzhiyuan0215@qq.com

I. 引言

1. 中国《中华人民共和国监察法》的立法过程

中国法律制定和实施的一个特点是，先示范后扩大，逐步实现措施的普遍化。黄泰渊（2020）指出，《中华人民共和国监察法》（后简称为《监察法》）的实施过程亦是如此。在2016年10月27日发布的十八届中央委员会第六次全体会议公报中，首次与人民代表大会、政府、司法机关等一起出现了监察机关一词，同时，十二届全国人大常委会于同年12月25日发布《全国人民代表大会常务委员会关于在北京市、山西省、浙江省开展国家监察体制改革试点工作的决定》，对上述六中全会提到的监察机关进行了具体部署。在推进这一试点工作的同时，中央纪委自2016年10月起，和全国人大常委会法制工作委员会共同成立了国家监察立法工作专家组，正式启动对监察法的制定工作。专家组经过近一年的工作，在2017年6月十二届全国人大常委会第二十八次会议上向参会代表提交了中国《监察法》第一稿草案，经常委会审议后，面向中央各部委、地方各级政府及相关专家开启了意见征求程序。通过程序收集的意见也及时反映在了草案的修改上。之后，2017年11月到12月间，全国人大网站上刊登了全文，以公开《监察法》草案的方式继续收集来自社会各阶层人民的修改意见。最后，反映了全体人民意见和全国人大法制工作委员会及中国共产党中央政治局常务委员会等提出的追加修改意见的《监察法草案（二审稿）》于2018年3月13日作为最终案提交给了第十三届全国人大，并最终于3月20日通过全国人大审议通过，以法律的形式被确定和施行。

II. 中国《监察法》主要内容概述

1. 监察委员会的设立和组织

监察委员会的设立。修订宪法第一百二十四条规定，设立国家监察委员会和地方各级监察委员会，《监察法》第七条也规定，设立国家监察委员会作为国家最高监察机构，同时在省级（省、自治区、直辖市）、市级（市、自治州）、县级（县、自治县、市辖区内的区）地方也设立了各级地方监察委员会。同时，修订宪法第一百二十五条和《监察法》第十条也规定了，国家监察委员会统辖地方各级监察委员会的工作，上级监察委员会统辖和领导下级监察委员会的工作。

监察委员会的组成。同样，修订宪法第一百二十四条规定了在监察委员会中设主任1名，副主任及委员若干名，《监察法》第八条，第九条也规定了相同的国家监察委员会及地方各级监察委员会的人员构成。同时修订宪法第六十二条，第六十七条，《监察法》第八条也规定了，国家监察委员会的主任由全国人大选出，副主任及委员由全国人大常委会提请任免。修订宪法第一百零一条，第一百零四条，《监察法》第九条规定了地方各级监察委员会主任也由本地区同级人大选举产生，副主任和委员人选由主任提名，由人大常委会任免。

成员的任期。首先，修订宪法第一百二十四条及第一百零四条，《监察法》第八条规定，国家监察委员会主任的任期与全国人大的每届任期相同，但只允许连任2次。另一方面，《监察法》第九条也规定，地方各级监察委员会主任也与本地区同级人大任期相同，但未特别提及连任限制。笔者认为，与全国人大任期相同规定的宗旨，是体现监察委员会由全国人大及其所在地区同级人大设立的原则。另外，对副主任和委员们的任期，国家与地方各级均没有特别的规定。

对监察委员会的控制。首先是外部控制。如前所述，监察委员会由全国人大及其所在地区的同级人大设立。因此，根据修订宪法第六十七条及第一百二十六条，《监察法》第八条，国家监察委员会

对全国人大及全国人大常委会负责，并接受这些机关的监督。同理，地方各级监察委员会也要对本地区同级人大及其常委会负责并接受其监督。但是，修订宪法第一百二十六条，《监察法》第九条及第五十三条也规定了，上级监察委员会有权统管下属下级监察委员会的工作，因此，也说明了，法律同时也强调了上级监察委员会对下级委员会的监督管理职能。具体地说，即根据《监察法》第五十三条，各级人大常委会听取本地区同级监察委员会的专项工作报告后进行审议，并对执法情况进行调查。同时，也规定了，县级以上各级人大及其常委会会议召开时，赋予人大代表或者常委会组成人员依照法律规定的程序对监察工作有关问题提出询问或者质询的权利。

2. 监察对象和监察委员会的管辖及职务

概说。《监察法》第十五条规定，监察对象分为公务员及事业编制人员、公共事务从业者、国有企业的管理者、教育、研究、文化、医疗、保健、体育等领域的国家机关从事管理业务的人员、在基层居民自治组织从事管理业务的人员、根据其他法律履行公职的人员等多个职业群体。

公务员及事业单位工作人员等。首先，公务员包含了中国共产党各机关、人民代表大会及常务委员会各机关、人民政府、监察委员会、人民法院、人民检察院、中国人民政治协商会议各级委员会的各机关、民主党派各机关及工商联合会各机关所属公务员共八种类型。其次，事业编制人员是指，在法律或法规赋予公共事务管理权限的机关工作的人员中，除纯劳务人员外，作为业务人员适用《中华人民共和国公务员法》的人员，具有代表性的是中国证券监督管理委员会的成员等。然后，还包括了公共事务从业者。即在法律法规赋予公共事务管理权限或受国家机关依法委托管理公共事务的组织中从事公务的人员也属于被监察对象。刘龙飞（2015）认为，除以上人员外，其他依法需履行公职的工作人员也应该尽可能地被包含在内，但是对于具体哪些人属于这一范畴，今后随着国家机构和制度运营经验的积累，会更加明确，可以以是否能行使公共权利、是否具备破坏公共权利清廉性的能力作为是否需要被监察的重要的判断标准。

原则。首先，《监察法》第八条，国家监察委员会负责全国的监察工作；《监察法》第九条、第十六条，地方各级监察委员会负责对本行政区域内第十五条所规定的对象进行监察工作。但是，《监察法》第十六条规定，对于监察事项，监察机关之间存在管辖争议的，由监察机关的共同上级监察机关决定。

例外。上级监察机关管辖权的调整和指定。同条规定，上级监察机关可以办理直属下级监察机关管辖范围内的监察事项，必要时可以办理所属各级监察机关管辖范围内的监察事项，另一方面，《监察法》第十七条规定，上级监察机关可以指定其管辖的监察事项归下级监察机关管辖，也可以指定下级监察机关具有管辖权的监察事项归其他监察机关管辖。同时，监察机关认为所管辖的监察事项重大而复杂，需要上级监察机关管辖的，可以请求上级监察机关变更管辖。

监督。《监察法》第十一条规定，监察委员会的职责有监督、调查、处置这三种。首先，在监督方面，检查并监督公务员依法执行职务、公正行使权限、业务清廉等的情况，并负责对公务员实施清廉防腐的廉政教育。

调查。对于有违法违纪行为的，同条规定，监察委员会将对贪污贿赂，滥用职权，玩忽职守，权力寻租，利益输送，徇私舞弊及浪费国家资产等职务违法及职务相关犯罪嫌疑进行调查。之所以将这些行为规定为主要调查对象，是因为在十八大以后进行的监督和巡视过程中，上述七种类型的违法行为被发现和查处得最多。

措施。最后，同条还规定了，经调查确认涉嫌违法或者犯罪的，可以采取政务处分、非政务处分、问责、向人民检察院移送案件、向监察对象所属机关提出监察意见等措施。

3. 调查工作的进行

调查线索的获取。为了正式进行调查工作，必须先获得调查的相关线索。这种调查的线索可以通过监察委员会日常进行的监督活动获取，也可以通过相关机关的移交或举报等获取。从相关机关移交来的案件。《监察法》第三十四条，人民法院、人民检察院、公安机关、审计机关等国家机关在工作中发现公职人员涉嫌职务违法或者职务犯罪线索的，应当移送监察机关处理。同条还规定了，如涉嫌严重职务违法或者职务犯罪，同时涉嫌其他违法犯罪的，一般由监察机关牵头调查，其他单位予以配合。此外，不仅是国家机关，普通市民或团体等也可以成为调查线索的提供者。《监察法》第三十五条规定，监察机关应当及时受理举报，并按照有关规定处理。《中华人民共和国监察法实施条例》也明确规定了，未被授予职务犯罪调查权的监察机构、监察专员发现监察对象涉嫌职务犯罪线索的，应当及时向派出机关报告，由派出机关调查或者依法移交有关地方监察委员会调查。同时，《监察法》第三十五条还规定了，如果举报案件不属于本机关管辖，将移交主管机关处理。

调查线索的处理。对于调查线索的处理，《监察法》第三十七条规定，监察机关应当对调查线索按照有关规定提出处理意见，履行审批程序，开展分类工作。对线索的处理情况，要定期统一通报，定期检查和抽查。按照《中华人民共和国监察法实施条例》等法律的规定，具体来说，首先，从案件管理监督部门接受调查线索的负责部门在审查案件后，应在收到案件之日起规定期限内制定对调查线索的处理意见，并进行审查和批准。同时规定，此时，负责部门将在面谈或邮寄质疑、初步调查、保留调查，终结处理这4种处理方案中选择一个。其次，承办单位应当定期将调查线索的处理情况统一通报案件监管部门，案件监管部门应当定期对调查线索和处理情况进行核对和检查。

初步调查。如上所述，选择初步调查作为调查线索的处理方法的，《监察法》第三十八条规定，主管部门经监察委员会内部相关负责人批准后，组成案件调查组进行初步调查。初步调查结束后，调查组将编制《初步调查情况报告》，主管部门应以此为基础，对具体处理方案提出意见。这些具体处理方案可以包括决定立案、终结处理、通过面谈提醒注意、保留调查及移交给相关机关等。《监察法》第三十八条规定，对初步调查情况报告和具体处理方案的意见，应当上报监察机关主要负责人批准。

立案。经初步调查，被监察人涉嫌职务违法或者职务犯罪，需要追究法律责任的，根据《监察法》第三十九条规定，监察机关应当按照规定的权限和程序办理立案手续。因此，即使有职务上的违法或职务相关犯罪嫌疑，如果情况轻微，无需追究法律责任，将被排除在立案对象之外。经监察机关主要负责人批准，确定立案和调查决定的，应当向被调查人和有关部门通报有关事项，对涉嫌严重职务违法或者职务相关犯罪的，应当通知被调查人的家属，并向社会公开。笔者认为，对于向社会公开的行为，可理解为监察机关主动接受舆论监督，以监督监察委员会的调查活动，并可起到公开警示的作用。

调查方案的制定。在作出立案决定时，《监察法》第三十九条规定，监察机关主要负责人应当召开有关专题会议，讨论确定调查方案，确定应实施的调查措施。同时，《监察法》第四十二条规定，调查方案一旦确定，调查人员必须严格执行，不得擅自扩大调查范围或随意变更调查对象和事项。笔者认为，这种调查方案的预先制定和严格执行制度可以认为是防止擅自行使调查权或调查过程中可能发生的滥权，违规事件的有效措施。

调查方法。《监察法》第四十条规定，监察机关应当对职务违法或者职务犯罪等案件进行调查，向被调查人收集违法事实的有无及情节轻重证据，查明违法犯罪行为属实，形成证据与事实相符的完整稳定的证据链。因此，要具备这些证据链，必须有合法程序和合规调查方法支持，才能算是有效收集和获取的合法证据。为方便取证，《监察法》也在第十八条赋予了监察机关依法对有关单位或者个人情况进行调查取证的权力。同时也规定了，有关单位和个人，不得伪造、隐匿、损毁证据，有如实提供的义务。《监察法》第六十三条规定，对提供虚假情况、企图隐瞒事实和真相的，共同提供虚假陈述、伪造、隐匿、损毁证据的，由其所在单位、主管部门、上级机关或者监察机关责令改正，

并依法予以处理。同时,《监察法》第二十条规定,监察机关可以口头要求有职务违法嫌疑的被调查人陈述违法行为。被调查人不予回应时,可以发出书面通知要求陈述。相反,如果被调查人超越单纯的职务违法嫌疑,还存在腐败贿赂、滥用职权及玩忽职守等职务相关犯罪嫌疑,监察机关可以对被调查人进行审问,也可以要求对方对涉嫌犯罪的情况如实供述。

证据的使用和限制。虽然赋予监察机关这样的取证手段,但《监察法》第四十条规定了,严禁通过胁迫、引诱、欺骗等非法手段收集证据,同时第三十三条也规定了,对违法收集的证据依法予以排除。因此,监察机关收集的物证、书证、证人的证言、被调查人的供述和辩解、视听资料、电子数据等证据材料,在保证无上述缺陷的前提下,才可以作为刑事诉讼中的证据。

发现违法行为时。首先是对当事人的措施。根据违法行为的情况分为非政务处分和政务处分。首先,《监察法》第四十五条规定,对职务上存在违法行为,但情况较轻的公职人员,将采取批评教育、责令检查、诫勉及谈话提醒等非政务处分措施。同时,对于有违法事款但情况较重的公职人员,将采取政务处分措施,根据其情况的不同,分为警告、记过、记大过、降级、撤职、开除这6种措施。然后是对相关管理负责人的措施和对管理机关的措施。监察机关不仅可以直接追究有违法行为的公职人员,还可以对未履行职责或不正确履行职责的管理负责人提出问责决定,或向有权作出问责决定的机关提出问责建议。另外,还可以向公职者的所属机关提出加强廉政建设等的监察意见。最后是对物的处置措施。《监察法》第四十六条规定,监察机关对调查后违法获得的财物,应依法责令没收、追缴或返还赔偿。

III. 对中国《监察法》内容的评析

如上所述,《监察法》中包含的内容很多,法律的性质和结构也比较复杂。因此,学者认为可以从多个角度观察和评价,如以监察法中与宪法、行政法相关的内容作为出发点来展开讨论。

1. 宪法层面

在宪法方面,新设监察委员会是否合宪,是否需要写进宪法里,最初是有些争议的。对此,中国法学界主流观点认为,监察委员会的成立与国家政治体制的进步有关,因此有必要修改宪法,为监察委员会提供宪法依据,相反,也有少数意见认为,监察委员会的成立只是重新分配国家已拥有的监察权,并不是创建新的国家权力,因此即使没有修宪也可以新设监察委员会或制定监察法等。崔永春(2016)认为,该问题可以归结为如何决定监察委员会拥有的监察权和调查权的性质的问题。也就是说,如果将这些权限理解为之前没有出现过的完全新的权力的性质,那么理所当然是需要补充进宪法的,但如果只是将现有的权限重新分配或再构成,即使不用修宪,监察委员会的设立,监察法的施行,监察委员会的监察权和调查权的行使理所当然也是合宪的。更重要的是,中国各级政府对反腐败司法运动的决心,铲除腐败是中国全体人民的强烈愿望,这一关系到国家安定的重大事业,必然要将其作为宪法条款加以补充。同时,另一个争论点是,与国家监察委员会相关的宪法规定是否系统且合理。宪法修正案对国家监察委员会的法条规定被配置在了人民法院或人民检察院相关法规之前。宪法条文的配置标准往往强烈地反映了立法者和人民的意愿。李井杓(2016)研究表明,从这一点来看,没有将国家监察委员会与人民法院或人民检察院相关法规并列配置,而是置前,是不是考虑到今后在处理腐败相关案件时,对于司法职能,监察职能是否能对其具备一定的控制及干涉能力。最后,如前所述,宪法和监察法都规定了,作为对国家监察委员会和各级监察委员会的重要外部控制机制,由创设监察机关的全国人大及其常务委员会对其进行控制。

2. 行政法层面

《监察法》第四十九条规定了当事人对监察委员会处分不服时可采取的措施。但是，最初在公开草案中并没有规定对处分决定的不服时，可采取的相关措施的这一条款，依据公开收集到的修改意见，现行法律规定了分两个阶段的复审和复核程序。金竣荣，刘贤贞（2016）研究发现，单从这一点来看，就可以评价现行《监察法》在当事人的权利救济方面是取得了进步的。但是，这一复审和复核程序仍然只是监察机关内部的程序，从这一点来看，难以对被处分者的权利进行根本性救济，还需要制定相关规定来执行。

IV. 结论 - 中国《监察法》改善方案探讨

就现阶段的研究成果来看，对于《监察法》的正式施行，学者们在宪法、行政法、刑事诉讼法等层面研究和发现了一些问题。那么，为实现铲除腐败这一重大目标，怎样才能有效地改善以《监察法》为行动纲领的监察委员会实际工作中的这些问题才是研究的重中之重。李慧英（2020）认为，首先，将《中华人民共和国刑事诉讼法》（后简称为《刑事诉讼法》）中的搜查权与《监察法》的调查权有效区分，这是解决以上问题的出发点。具体来说，为了高效合法地开展腐败调查工作，有必要在一定程度上脱离刑事诉讼法上的各种制约，在2018年公示的中国《刑事诉讼法修正草案》征求意见中，包含了将调查主体从公安机关和人民检察院扩大到公安机关、人民检察院等的內容。虽然最终这一修改意见未获得通过，但是，这一修改意见可以理解为国家立法机关充分认识到了监察委员会调查权定义的结果，最终确认了监察委员会的调查权具备搜查权的这一本质。另外，在意见稿中，删除了现行《刑事诉讼法》第三十七条第三款中特别重大贿赂犯罪这一内容，重新规定了，对于危害国家安全的犯罪、恐怖犯罪、特别重大受贿犯罪案件，律师在调查期间想要会见被拘留的犯罪嫌疑人时，必须得到调查机关的许可。就此，李慧英（2020）还认为，这是考虑到了被留置者的合法的律师会见权。最后，监察机关采取留置措施的，如果人民检察院已先行对犯罪嫌疑人采取拘留措施，留置措施将自动解除。同时，人民检察院在采取了留置措施后10日内应决定是否采取拘留、取保候审、监视居住等措施。这一条，最终在2018年10月26日，第三次修正并实施的《刑事诉讼法》中得到了体现。铲除腐败是实现社会正义的重要一环，是党和国家需要长期坚持的国家政策，是不容忽视的社会正义，是实现依法治国，优化法治界限的最切实的方法。

参考文献

- 闵京善，“中国和印度反腐败调查机构的比较分析”，韩国《韩国腐败学会报》25卷2号，2020年。
- 罗俊杰，崔艺英，“中国监察法上关于留置制度的思考—以保护被留置人人权的问题和改善方案为中心—”，韩国釜山大学《法学研究》61卷3号，2020年。
- 朱玉玲，张洁，“监察调查中被调查人权利保障探析”，《山东行政学院学报》，2020年。
- 黄泰渊，“中国国家监察委员会新设和特点：权威主义统治强化和法律制度化的两难境地”，韩国《现代中国研究》22辑3号，2020年。
- 李慧英，“中国反腐败政策相关研究”，韩国建国大学政治学科博士论文，2020年。

陈光中,邵俊,“中国监察体制改革若干问题思考”,《中国法学》,2017年.

金竣荣,刘贤贞,“中国反腐倡廉制度现状与任务—中央纪律检查委员会的地位和作用为重心—”,韩国《中国研究》68卷,2016年.

李井杓,“中国反腐败机关的独立性对纪检委监察权改革的研究:以地方县级纪检委的改革程序为中心”,韩国《现代中国研究》18辑1号,2016年.

马怀德,“国家监察体制改革的重要意义和主要任务”,《国家行政学院学报》,2016年.

崔永春,“中国反腐败法制研究—以中国刑法上的受贿罪为中心—”,韩国韩中法学会《中国法研究》28辑,2016年.

刘龙飞,“韩中公务员腐败犯罪比较研究—以贿赂犯罪为中心—”,韩国东国大学法学科硕士论文,2015年.

崔智英,“中国共产党的反腐败斗争领导方式研究—以党纪检查委员会的作用为中心—”,韩国《中国学研究》68辑,2014年.

马怀德,《中华人民共和国监察法理解和适用》,中国法制出版社,2018年.

Research on the Collaboration and Exchange Mechanism for IPE Teachers in Primary, Secondary, and Higher Education

Fanling Meng^a Yujuan He^b Ruimin Du^c and Tao Li^d

^{ab}Office of Academic Affairs, Xinxiang Medical University, China

^cXinxiang College Affiliated High School, China

^dSchool of Life Sciences and Technology, Xinxiang Medical University, China

Received 07 January 2024, Revised 03 April 2024, Accepted 01 July 2024

Abstract

Purpose –Building an integrated educational community for ideological and political courses across primary, secondary, and higher education, and strengthening collaboration and exchange among teachers, is key to improving the quality of ideological and political education.

Design/Methodology/Approach – By forming expert teams, establishing communication platforms, promoting the coherence of curriculum content, driving innovation and reform in teaching methods, and improving incentive mechanisms, the barriers between different educational stages can be effectively broken down.

Findings – This not only promotes the sharing of resources and exchange of experiences among teachers but also significantly enhances the effectiveness of ideological and political education, providing a solid foundation for nurturing builders and reliable successors for the socialist cause.

Research Implications – The collaboration and communication mechanism among ideological and political education (IPE) teachers in primary, secondary, and higher education can enhance teaching quality, promote the consistency and coherence of curriculum content, and drive innovation and reform in teaching methods. This mechanism also helps to strengthen teacher professional development and optimize the allocation of educational resources. Through collaboration and communication, a positive educational ecosystem can be established, creating a better environment for the comprehensive development of students.

Keywords: Integration of Primary, Secondary and Higher Education, Teacher Collaboration and Exchange Mechanism, Teaching Quality, Innovation and Reform

JEL Classifications: I21, I23

新乡医学院 2024 年教育教学改革研究与实践项目《大中小学思政课教师协作交流机制的研究》（项目号：2024–XYJG–133）；《新工科建设视域下生物医药工科专业工程师文化建设与评价机制的探索》（项目号：2024–XYJG–70）；2024 年度新乡市社科联调研课题《红色档案资源融入医学院校思政课的路径研究》（项目号：SKL–2024–368）

^a Associate Research Librarian, Office of Academic Affairs, Xinxiang Medical University, China, First Author, E-mail: 554111952@qq.com

^b Assistant experimentalist, Office of Academic Affairs, Xinxiang Medical University, China, Second Author, Email: 1174874386@qq.com

^c Third Author, Email: duruimin1997913@163.com

^d Lecturer, School of Life Sciences and Technology, Xinxiang Medical University, China, Corresponding Author, E-mail: litao@xxmu.edu.cn

© 2023 The NLBA Eurasian Institute Limited. All rights reserved.

I. 引言

思政课是落实立德树人根本任务的关键课程，在小学、中学、大学循序渐进地开设思政课、上好思政课，是培养一代又一代社会主义建设者和接班人的重要保障（胡承波，2024）。构建大中小学思政课一体化共同体，其核心精髓在于“合”字，即通过深度“合作”汇聚强大“合力”，以破解当前建设中的瓶颈与挑战。党的二十大报告提出，用社会主义核心价值观铸魂育人，完善思想政治工作体系，并推进大中小学思想政治教育一体化建设（李天一，2024）。习近平总书记在中国人民大学考察调研时指出：“鼓励各地高校积极开展与中小学思政课共建，共同推动大中小学思政课一体化建设”（张彩云，2023）。在此背景下，构建大中小学思政课一体化交流机制，是落实立德树人的具体举措，对于加速教育强国建设具有不可估量的意义。

1. 大中小学思政课教师协作交流的重要性

大中小学思政课教师协作交流能够打破各学段间的壁垒，促进教学内容与方法上的衔接与创新，确保学生不同教育阶段都能接受到连贯、系统的思政教育，促进学生全面发展，思政课作为塑造学生正确三观与培养高尚品德的关键环节，其重要性贯穿于大中小学各教育阶段。通过加强大中小学思政课教师之间的紧密协作与深入交流，不仅能够确保教学内容的连贯性和系统性，有效避免教学上的重复与脱节，为学生构建一个无缝衔接的知识体系，进而全面促进学生德智体美劳均衡发展。同时，促进了优质教学资源的共享、教学经验的交流以及教学方法的相互借鉴与创新，有助于教师群体不断更新教学理念，优化教学手段，从而显著提升思政课的教学质量，为学生的成长成才奠定坚实基础。更重要的是，这种跨学段的协作交流为思政课教学改革注入了强大动力，鼓励教师们共同探索符合时代要求、贴近学生实际的教学改革路径，推动形成既具地方特色又彰显学校个性的思政课教学模式，为思政课教学效果的持续提升开辟了新的道路。

2. 大中小学思政课教师协作交流的现状与问题

近年来，随着教育的不断深入，大中小学思政课教师的协作交流逐渐受到重视。一些地区和学校开始尝试建立思政课教师协作交流平台，通过“一省一策”“一委一品”等活动，以及“手拉手”集体备课、“同课异构”等教学交流研讨活动的常态化开展，各学段思政课教师之间的协同育人机制初步形成。同时，一些地方还建立了思政课教师资源库，实现优质教学资源的共享。如宜昌市还搭建了思政课教师协作交流平台，通过举办教学研讨会、教学观摩活动等形式，加强教师之间的交流与互动。此外，宜昌市还命名党史学习教育基地 29 处，为大中小学开展革命传统教育提供了有力支持。这些措施有效推动了宜昌市大中小学思政课教师的协作交流和教学改革创新工作。

思政课作为培养学生世界观、人生观、价值观的重要课程，在大中小学各阶段均占据重要地位。但是大中小学思政课一体化还存在不足，当前大中小学思政课教师队伍存在缺乏统一交流平台、教学衔接不畅等问题，影响思政课教学的效果。因此，构建大中小学思政课教师协作交流机制，成为提升思政课教学质量、实现育人目标的关键。

II. 构建大中小学思政课教师协作交流机制及思政课教学质量提升综合策略

1. 组建专家团队，加强指导引领

成立由思政课专家、优秀教师和教研员组成的专家团队，对大中小学思政课教师协作交流进行研究和指导。专家团队应定期召开工作会议，确定协作交流的目标、任务和计划，为协作交流提供理论支持和实践指导。一是搭建活动平台，促进交流互动。通过定期举办教学研讨会，邀请大中小学思政课教师共同探讨教学问题、交流教学经验和教学方法。研讨会可以围绕某一教学主题或教学难点展开，通过专家讲座、经验分享、案例研讨等形式，促进教师之间的交流与互动。二是开展教学观摩活动。组织大中小学思政课教师进行教学观摩活动，通过实地听课、评课等方式，了解不同学段思政课的教学特点和教学方法，促进教学经验的共享和交流。三是建立网络交流平台。利用现代信息技术手段，建立大中小学思政课教师网络交流平台，实现教学资源的共享和在线交流。教师可以通过网络平台发布教学心得、教学资源、教学案例等，促进教学资源的共建共享。

2. 大中小学思政课加强教学衔接，实现连贯发展

大中小学思政课教师应协同合作，共同研究并制定一套连贯且系统的教学目标体系，明确各阶段的教学重点、难点与目标，同时根据这些目标和学生特性优化教学内容，确保各学段间既衔接紧密又各有侧重，避免重复与脱节。此外，教师间应加强教学方法的交流与借鉴，探索并采用如案例教学、情境教学及讨论式教学等多元化教学手段，以有效激发学生的学习兴趣与积极性。

3. 推动思政课教学改革创新，提升教学质量

大中小学思政课教师应加大教学研究力度，针对教学难点与热点问题开展深入探索，并通过撰写论文、申报课题等途径，促进研究成果的有效转化与应用。同时，鼓励教师创新教学模式，如线上线下混合式教学、翻转课堂等，以增强思政课的针对性和实效性。此外，强化实践教学环节，组织学生参与社会实践、志愿服务等活动，不仅加深学生对理论知识的理解，还着力培养学生的实践能力和社会责任感。

4. 完善激励机制，提高教师参与度

为了激发大中小学思政课教师的协作交流热情，应建立科学合理的激励机制，对表现突出的教师进行表彰和奖励。同时，定期组织教师参加培训活动，提升其专业素养和教学能力，并引入先进的教学理念和方法。此外，将协作交流情况纳入教师考核评价体系，作为教师职称评定和评优评先的参考，以此激励教师更加积极地参与协作交流活动。

5. 思政课教学质量提升综合策略

为了提升思政课教学质量，应建立协作交流制度，明确目标、内容、方式和责任主体，并设立专项资金保障活动开展。同时，构建协同备课机制，鼓励大中小学思政课教师共同参与备课活动，利用网络技术搭建集体备课平台实现资源共享。此外，实施联合教研活动，组织教师共同研究教学难点和热点问题，鼓励跨学段、跨学科的教学研究项目，以促进思政课教学的连贯性、系统性和交叉融合。

为了深化思政课教学改革与创新，强化实践教学环节，建立校企合作、校地合作机制，为学生提供更多参与社会实践、志愿服务、红色教育基地考察等机会，让学生在亲身体验中感悟理论知识的力量，增强思政课的实践性和感染力。同时，引入社会热点案例和现实问题，通过案例分析、辩论赛等形式，激发学生的思考能力和批判性思维，培养其运用马克思主义立场观点方法分析解决实际问题的能力。

此外，还应充分利用现代信息技术手段，如大数据、人工智能等，开发智能化教学辅助系统，实现个性化学习路径推荐、教学效果即时反馈等功能，以科技赋能思政课，提升教学的针对性和有效性。同时，建立思政课教学质量评价体系，采用多元化评价方式，包括学生评价、同行评价、专家评审等，定期进行教学反思与总结，及时调整教学策略，确保思政课教学质量持续提升。

III. 强化教师培训交流，利用社会资源平台共推思政课教学改革策略

全面提升思政课教师的专业素养和教学能力，定期开展针对性的培训活动，涵盖教学理念、方法及技能，并强化协作交流意识。同时，鼓励教师参与国内外学术交流，拓宽视野。此外，建立科学合理的激励机制，表彰协作交流中的优秀教师，并将其表现纳入考核评价体系，以激发积极性。各级教育部门和学校应高度重视，通过多种形式营造良好氛围，鼓励教师建立长期协作关系，形成稳定团队，共同推动思政课教学的改革与发展。

1. 融合社会资源与实践，提升思政课教学效果

为了增强思政课的感染力和实效性，应充分利用红色资源、历史文化资源等社会资源，为思政课教师提供丰富的教学素材和实践案例，并通过组织学生参观学习、开展社会实践活动等形式加以应用。同时，鼓励教师积极参与社会实践和志愿服务活动，将思政课教学与社会实践紧密结合，以提升教师的实践能力和社会责任感。

2. 构建实践与教学平台，促进思政课教师协作与质量提升

为了提升思政课教学质量与育人效果，需建立思政课实践教学基地和体验中心，为教师提供将理论知识与实践相结合的平台，增强学生的实践能力和综合素质；同时，鼓励教师利用网络平台和信息技术手段，如在线调研、虚拟实验等，突破实践教学的时间和空间限制，提高教学效果和覆盖面。此外，还需构建思政课教师协作交流平台，完善协作交流机制，强化保障措施，并充分利用社会资源和实践平台，以推动思政课教师间的有效协作与交流。

3. 构建领导机构与科学规划，推进思政课一体化建设

为确保大中小学思政课一体化建设的顺利进行，应首先由教育主管部门或依托高校马克思主义学院成立统一的领导机构，如“大中小学思政课一体化建设指导委员会”，负责全面指导和管理相关工作（聂庆艳，2021）。依据教育部等权威机构的指导文件，科学规划思政课教师队伍的专业发展一体化工作，包括教师配备、准入、退出制度及培养培训方案（逢奉辉，2020）。同时，加大思政教育专业人才培养力度，完善专题培训和实践锻炼制度，以提升教师的专业素养、教学能力和实践教学水平，确保一体化建设取得实效。

4. 实施三项举措，共促思政课教学质量提升

为了提升思政课教学质量，应实施以下具体措施。首先，推进网络协同备课常态化，建立具有本地特色的网络平台，鼓励思政课教师在线上进行集体备课，实现备课数据与资源的共享，提升备课效率与质量；其次，搭建协作互通平台，通过定期组织线上或线下研讨会、工作坊等活动，畅通各学段思政课教师之间的交流渠道，促进马克思主义理论培训、学术研究及教学研讨等方面的深度合作；再者，推动学校间跨学段共建思政课，鼓励每所学校至少与一所跨学段学校建立合作关系，通过共享优质教学资源、开展联合教学活动等形式，实现优势互补，共同提升思政课的教学效果。

IV. 完善评价与激励体系，多维度施策构建思政课教师协作交流机制

为了提升思政课教学科研的质量与育人实效，应制定与之相匹配的教师评价标准，特别强调课堂教学质量和育人效果。同时，建立一体化的思政课教师评聘体系，且中、高级职称评审比例不低于教师平均水平（魏锡政，2020）。此外，还需实施激励措施，如可设立思政课教师岗位津贴并纳入绩效工资管理，完善表彰奖励体系以向思政课教师倾斜，并积极推进各级思政课名师工作室的建设。

1. 明确责任分工与定期交流会议

为确保大中小学思政课教师协作交流机制的有效运行，各参与单位需明确自身的责任分工。确定协作交流的具体目标、任务以及各方应承担的职责，确保每个环节都有明确的负责人和执行者。同时，定期组织协作交流会议。这些会议不仅为教师们提供了一个总结经验、分享教学成果的平台，还是研讨解决方案、解决教学难题的重要契机。

2. 强化监督检查与确保措施执行

教育主管部门在构建大中小学思政课教师协作交流机制中扮演着重要角色。为确保协作机制各项措施得以切实执行，教育主管部门将强化监督检查力度。这包括对协作交流活动的组织、实施情况进行定期评估，对教师的教学质量、教学成果进行量化考核，以及对协作交流机制的运行效果进行总体评价。通过强化监督检查，可以及时发现并解决协作机制中存在的问题，确保各项措施得到有效落实，为思政课教师协作交流机制的稳定运行提供有力保障。

3. 多维度综合施策与形成强大合力

构建大中小学思政课教师协作交流机制是一个系统工程，需要从多个维度综合施策。这包括组织保障、科学规划、教师培养、平台搭建、评价激励及实施策略等方面。组织保障是确保协作机制有序运行的基础；科学规划则为协作机制的长远发展提供指导；教师培养是提升教学质量的关键；平台搭建为教师们提供了交流互动的空间；评价激励则能够激发教师们的积极性和创造力；实施策略则是将各项措施落到实处的具体手段。通过多维度综合施策，可以形成强大合力，共同推动思政课教学质量与教师专业素养的全面提升。

V. 结论

构建大中小学思政课教师协作交流机制，是提升思政课教学质量、达成育人目标的关键举措。通过组建权威专家团队、搭建高效活动平台、强化教学衔接、推动教学改革创新以及完善激励机制等多维度措施，能够有力推动大中小学思政课教师的深度协作与教学协同发展。

参考文献

- 李天一. 习近平新时代中国特色社会主义思想大中小一体化教学研究 [D]. 吉林大学, 2024.
- 胡承波, 赵海丰, 岳宏杰等. 统筹推进省域大中小学思政课一体化建设——辽宁省“四个一体”策略与实践 [J]. 中小学校长, 2024, (03): 21-24.
- 张彩云, 马喜宁. 大中小学思政课教师队伍一体化建设的现实境遇与实践逻辑 [J]. 课程·教材·教法, 2023, 43(07):84-90.
- 聂庆艳, 贺俊杰. 思政课一体化的建设机制研究 [J]. 思想政治课教学, 2021, 7(7):8-11.
- 逢奉辉. 深化改革创新全面提升思政课教学质量 [J]. 山东教育 (高教), 2020, (06):9-11.
- 魏锡政. 落实立德树人根本任务办好学校思想政治理论课 [J]. 河北教育 (综合版), 2020, 58(10):10-14.

Study on the Dilemma and Realisation Path of Entrepreneurship of College Students Returning to Rural Areas under the Background of Rural Rejuvenation

Zhaojun Meng^a Yabing Han^b Kabwon Kang^c

^{abc} School of Social Work, Henan Normal University, China

Received 07 January 2024, Revised 03 April 2024, Accepted 01 July 2024

Abstract

Purpose – The main purpose of this article is to explore the difficulties and implementation methods of Chinese college students returning home to start businesses. The purpose is to help Chinese university students understand the current situation of innovation and entrepreneurship in China, cultivate their love for the motherland, broaden their horizons, and acquire knowledge. The key is to enhance their sense of social responsibility, innovation ability, and practical skills.

Design/Methodology/Approach – Based on China's rural rejuvenation, the government, universities, enterprises, society and other innovation and entrepreneurship resources are used to design feasible plans for Chinese university students to innovate and start their own businesses.

Findings – This provides theoretical reference for the construction of innovation and entrepreneurship courses for Chinese college students and the formulation of policies by the Chinese government for college students to return to their hometowns for innovation and entrepreneurship.

Research Implications – To actively explore effective paths and specific strategies for rural college students to return to their hometowns to start their own businesses. Promote the development of agricultural modernisation and inject new vitality into the construction of beautiful countryside.

Keywords: rural rejuvenation, start their own businesses, realisation paths, College Students

JEL Classifications: 018,J24,L52

^a lecturer, School of Social Work, Henan Normal University, China, First Author, E-mail: mengzhaojun@htu.edu.cn

^b Teaching assistant, School of Social Work, Henan Normal University, China, Second Author, E-mail: 614471458@qq.com

^c professor, School of Social Work, Henan Normal University, China, Corresponding Author, E-mail: kangkabwon@163.com

© 2023 The NLBA Eurasian Institute Limited. All rights reserved.

I. Introduction

Rural rejuvenation is the key to promoting the modernisation and development of agriculture and rural areas and prospering the old village economy. It is necessary to strengthen the support of agricultural science and technology and equipment, consolidate and expand the results of poverty alleviation, promote the high-quality development of rural industries, broaden the channels for farmers to increase their income and become rich, solidly promote the construction of livable and beautiful villages, and improve the rural governance system led by the Party organisation (China.gov.cn, 2023). The revitalisation of rural industries is the primary issue in the turnaround of rural rejuvenation, and the increase of farmers' income and the realisation of farmers' prosperity mainly rely on the prosperity of the agricultural industry. The development and prosperity of industries mainly rely on the support of innovative talents. China focuses on cultivating valuable talent resources are college students. Especially agricultural college students have rich theoretical knowledge, management concepts and pioneering spirit. It is an important force and advantage to help rural industrial development. However, due to subjective and objective reasons, the lack of enthusiasm of college students to return to their hometowns to participate in rural construction has become a real problem that is difficult to promote and urgent to solve for agriculture-related college students to return to their hometowns to participate in rural rejuvenation. On this basis, comprehensively understand and grasp the current subjective problems of college students, and analyse the objective factors affecting college students' return to rural entrepreneurship. To clarify the nature and significance of the current college students to return to their hometowns to start their own businesses, and to actively explore effective paths and specific strategies for rural college students to return to their hometowns to start their own businesses. Promote the development of agricultural modernisation and inject new vitality into the construction of beautiful countryside.

II. The significance of college students returning to their hometowns to start their own businesses

1. Help solve the employment difficulties of college students

China's 2024 college graduates are expected to reach 11.79 million. The structural contradiction of the co-existence of recruitment difficulty and employment difficulty is prominent. The problem of structural unemployment is getting more and more serious, and the employment situation of college students is even more severe. Under the increasingly severe employment situation, actively promoting the entrepreneurship of college students returning to their hometowns has become an important channel to solve the employment problem of college students. rural rejuvenation needs the support of talents, especially high-quality talents. However, the aging of rural areas is serious, the cultural level is generally low, and a large number of educated and qualified youth groups are needed to develop the rural economy. College students can use the professional knowledge they have learnt during their university studies, make use of the unique geographical conditions of the countryside and the self-media platform, and develop the Internet economy and the rural characteristics of the tourism industry and so on according to local conditions. The entrepreneurship of college students returning to their hometowns not only solves their own employment, but also promotes the employment of surplus labour in rural areas, and achieves the organic combination of their own development and rural development.

The construction of the service guarantee system of college students returning to their hometowns to start their own businesses can promote college students to actively participate in innovation and entrepreneurship-related practical activities, and realise the purpose of entrepreneurship to promote employment. Thus, it serves the strategy of rural rejuvenation and the strategy of giving priority to employment.

2. Help break the bottleneck of the shortage of skilled personnel in rural areas

China's rapid economic development, urbanisation has also developed rapidly, and new generations of farmers are leaving the countryside one after another, thus leading to a shortage of young and strong labour and technical personnel in rural areas. This has greatly reduced the efficiency of rural agricultural production, and caused some obstacles to the implementation of rural rejuvenation strategy. College students are intellectual youth in the forefront of the times, receiving higher education, systematic study of emerging science and technology. The development of agriculture can not be separated from the assistance of science and technology, how to create a scientific planting environment, the implementation of the concept of sustainable development, is one of the important contributions that college students can make to agricultural development. Advanced agricultural technology is the first productivity of agricultural development. Modern agricultural development is far from being able to significantly improve agricultural productivity by relying solely on artificial. College students have received higher education, college students return to their hometowns to start their own businesses can improve the unfavourable situation faced by rural areas from the technical personnel. College students can use the advanced agricultural technology and theoretical knowledge they have learnt to help and drive the development of the rural economy.

3. Favourable to promoting the development of rural Internet economy

In the era of digital economy, no Internet is equivalent to isolation. With the emergence of the Internet, the use of e-commerce platforms to dock agricultural resources has gradually become one of the ways to enrich farmers. rural rejuvenation background, the construction of 'farmers - universities - local government' of the college students' innovation and entrepreneurship project e-commerce platform, and actively explore and broaden the feasibility of the realisation of the sales channels of agricultural products. Path to promote the rapid development of the Internet economy to the countryside. In the traditional economic era, there is an information gap between market demand and agricultural development. The market demand cannot be understood by the countryside. The commodities produced in the countryside can't be understood by the outside world, and the huge information gap has caused a large number of agricultural and sideline products to stagnate. Nowadays, the rapid development of the Internet platform, jittery voice, Taobao, Pinduoduo and other kinds of Internet trading platform has been widely known. College students returning to their hometowns to start their own businesses can make full use of their knowledge of the Internet to build an Internet platform to sell agricultural products. Agricultural development on the stage of the Internet, will accurately and quickly docking market demand. Not only to help farmers on the road to prosperity, but also to allow people to buy green and healthy agricultural products.

4. Beneficial to the realisation of college students' own value

Influenced by multiple factors, the current urban employment situation is still severe. Returning home to

start a business has undoubtedly become one of the important channels for college students to realise their own value and social value. The entrepreneurship of college students returning to their hometowns is not only promising, but also can make great achievements. College students are rich in scientific and cultural knowledge and are highly innovative. They have good understanding and adaptability, and are energetic. Their own quality meets the needs of rural development and is the backbone of rural rejuvenation. Encouraging and guiding college students to return to their hometowns to start their own businesses is not only a response to the national call for 'double creation' and the strategy of rural rejuvenation, but also conducive to the realisation of college students' own values, and at the same time, they can also realise their social values..

III. Difficulties of college students returning to their hometowns to start their own businesses

1. Problems of college students' own quality

College students' job competence is insufficient (Huang Zhaoxin et al., 2016). Although college students are rich in theoretical knowledge, but due to the lack of social practice activities, resulting in college students are unable to apply the theoretical knowledge they have learnt in the practice of returning to their hometowns to start their own businesses. Fostering pioneering individuals is as important as it is for salaried individuals. This is because employing organisations or individuals are placing more and more emphasis on employees' pioneering, risk-taking, entrepreneurial and independent working abilities, as well as technical, social and managerial skills, in addition to their career achievements (Wong Siu-shun, Wong Chi Keung, 2013). Some entrepreneurial college students lack social experience and have not received systematic training in innovation and entrepreneurship during their school years. Therefore, they are often ill-prepared for innovation and entrepreneurship related knowledge and have low resistance to setbacks. They are unable to find a solution when they encounter setbacks in entrepreneurship and are unable to withstand psychological pressure, which results in the halfway cancellation of their entrepreneurial projects. In addition, due to the lack of participation in innovation and entrepreneurship practice during the school period, the understanding of innovation and entrepreneurship related policies is not thorough. As a result, the argumentation of entrepreneurial projects is insufficient, and many practical problems are encountered when returning to their hometowns to start their own businesses.

2. Bound by family concepts

In the traditional employment concepts of parents and society, both parents of rural college students and parents of urban college students do not support their children to start their own business in the countryside after graduation from college. In the eyes of most parents, going to college and finding a decent and stable job after graduation, and finally returning to their hometowns in good clothes is the career development course for college students. They don't want their children to return to the countryside to start their own business after graduation. The main reasons for this include the following: Firstly, the public opinion generally gives high expectations to college students and holds prejudice against rural areas. It is believed that college students return to the countryside to start a business is unable to find a job of no choice. Instead of reporting the spirit

of ‘the heart of the countryside in return’ to return to help the development of their hometowns, is a very shameful thing. Especially parents in rural areas, there is still the idea that after going to college, you can get rid of the identity of farmers. It is not easy for children to go to university after a lot of difficulties, parents do not want their children to return to their hometowns after graduation to suffer from the ridicule of their neighbours. Staying in the city to work to bring honour to the family, so do not support their children to return to the countryside after graduation. Secondly, college students returning to their hometowns to start their own businesses do face a lot of uncertainty. After all, there is a certain risk of entrepreneurship, in case of entrepreneurial failure, not only failed to create income, but also a loss of entrepreneurial capital. Especially in the post epidemic era, the entrepreneurial situation is more serious, entrepreneurial risk is greater. If the family conditions are favourable, parents may support their children to return to their hometowns to start their own businesses. On the contrary, returning home to start a business will not only fail to bring benefits to themselves and their families, but also may bring unnecessary financial burdens to their families. In this case, the majority of parents will not support their children to return home to start their own business. Thirdly, both urban and rural college students have parents who have struggled in the countryside. They are well aware of the hardship in the countryside and do not want their children to go through the struggle in the countryside again.

3. The entrepreneurship education system in universities is not perfect

Strengthening innovation and entrepreneurship education is an important measure to promote the comprehensive reform of higher education and improve the quality of talent cultivation, while the current problem of disconnection between entrepreneurship education and professional education is prominent (Huang Zhaoxin, Huang Yangjie, 2022). The main reason why college students have rich professional knowledge but insufficient knowledge related to entrepreneurship is that dual-creation education in colleges and universities is not popular enough and not deep enough. Chinese colleges and universities have not yet established a relatively perfect innovation and entrepreneurship education system for college students. Teachers and platforms for innovation and entrepreneurship education do not match the higher education system. In the process of innovation and entrepreneurship education, too much attention is paid to theoretical knowledge, and there is a relative lack of practice in innovation and entrepreneurship. The social practice ability of college students is seldom cultivated, resulting in the shallow knowledge and application of innovation and entrepreneurship among college students. In terms of curriculum, innovation and entrepreneurship courses are seriously disconnected from social and economic development. Often lagging behind the pace of social and economic development, there is an urgent need to establish a curriculum development system that can keep pace with the times. So much so that college students are frequently frustrated in specific innovation and entrepreneurship practice activities. Most Chinese college students in the process of entrepreneurship, entrepreneurial passion is high, impulsive entrepreneurship phenomenon is more common. They do not make sufficient arguments before starting a business, and participate in entrepreneurial activities only on impulse, and eventually suffer from repeated setbacks in the process of entrepreneurial practice. Not only do they have to bear the consequences of entrepreneurial failure, but also have a negative impact on the students around them who are willing to start their own business. The lack of professional entrepreneurial skills training and professional entrepreneurial experience is attributed to the insufficiency of entrepreneurship education in colleges and universities.

4. Inadequate government service system

In terms of the operability of entrepreneurship support policies, the supply of tax policies and financial policies to support college students' entrepreneurship is insufficient and weak, and the relevant support policies have not yet been improved, so that college graduates do not have enough motivation for employment and entrepreneurship in rural areas. Since the 20th Party Congress, the comprehensive and coordinated promotion of rural rejuvenation strategy and employment priority strategy has received extensive attention from the society, colleges and universities and governments at all levels. The entrepreneurship of college graduates returning to their hometowns and rural rejuvenation have an intrinsic logical relationship, supporting and promoting each other. Rural rejuvenation is the key to industrial revitalisation and talent revitalisation. College graduates return to their hometowns to start their own businesses to provide the necessary talent guarantee and talent support for rural rejuvenation. The employment pressure of college students is mainly due to the structural contradiction between the employment market demand and the talent training mode of colleges and universities. Government departments have not yet established a coordinated mechanism to co-ordinate the training of college talents and the social employment market, resulting in poor communication between colleges and society. Most of the local government departments in China still need to improve their support for talent cultivation in colleges and universities and entrepreneurship in their hometowns. The synergistic departments established by government departments as well as the relevant policies on blood collection and entrepreneurship support have not yet been put into practice, or the implementation of the policies is lagging behind. In addition, the backwardness of China's rural infrastructure construction is also one of the hindering factors for college students to return to their hometowns to start their own businesses.

IV. The realisation path of college students returning to their hometowns to start their own businesses

1. School-local co-operation to cultivate students' entrepreneurial ability

The cultivation of college students' entrepreneurial ability should be based on specific entrepreneurial practice. Local colleges and universities liaise closely with local governments to cultivate higher talents who can serve the development of local regional economy. Local governments have issued corresponding documents, calling on the Federation of Industry and Commerce, industry associations, enterprises and institutions to support and help college students to participate in internship practice activities. It is convenient for college students to go to 'society' in advance, to understand the needs of society, to cultivate innovation ability, and to reserve innovative talents for local economic development. Local colleges and universities can join hands with resident governments to set up 'resident college student entrepreneurship volunteer service centres'. The volunteer service centre will be jointly managed by the innovation and entrepreneurship department of the university and the resident industry and commerce association or chamber of commerce, and recruit college students who are willing to start their own business to join the volunteer service team. Visiting grass-roots industrial and commercial administrative departments and business entities. Conduct extensive research on the registration, supervision and support policies of local enterprises and individual businessmen. In the process of research, we will continuously improve our cognitive ability and practical ability. On the basis of in-depth research and

argumentation, we will endeavour to provide advice and suggestions to the local government's decision-making departments on the business environment. After familiarising themselves with the local business environment, they will actively promote the innovation and entrepreneurship policies of students and the local business environment on campus. Encourage and guide qualified students to actively participate in entrepreneurship practice and improve their innovation and entrepreneurship ability. The volunteer service centre for College Students' entrepreneurship is allocated special funds by the local government. Relying on volunteer services to optimise both the local business environment and improve students' entrepreneurial cognitive ability and entrepreneurial practice ability.

2. Improvement of entrepreneurship service system

Comprehensively optimise the rural entrepreneurial environment, through the entrepreneurial policy platform to create a good policy environment and practice innovation path for the second generation of college students in agriculture to start their own business (Sun Yu, 2018), to attract more higher talents for the comprehensive promotion of rural rejuvenation. Local governments rely on national financial institutions to set up innovation and entrepreneurship funds for college students to return to their hometowns, and provide 'one-stop' services for college students' entrepreneurial projects. They also provide free entrepreneurial guidance services and a variety of entrepreneurial counselling services for college students who wish to start their own businesses. Under the policy guidance of comprehensively promoting rural rejuvenation, local governments have refined the supply and demand statistics of rural industries and industry layout to provide accurate statistical information for College Students' entrepreneurship. With the government taking the lead, through the implementation of relevant entrepreneurship policies, utilising tax, financial and other entrepreneurship preferential policies, more opportunities are created for college students to return to their hometowns to start their own businesses. Actively introduce college students into the rural rejuvenation strategy, give full play to the professional and technical advantages of college students, rural rejuvenation to add bricks and mortar. In addition, local governments optimise business incubation bases, and actively provide idle business incubation bases to college students free of charge; optimise the business environment, learn from the model of college student student loans, abolish the counter-guarantee policy of college student entrepreneurial loans, increase the support of college student entrepreneurial guaranteed loans, and provide entrepreneurial financial support for college students returning to their hometowns to start their own businesses. Gu Hui (2021) proposes that in the start-up stage of entrepreneurship, the government helps to put the returning entrepreneurial college students 'on the horse'. In the stage of entrepreneurship development, the government focuses on the role of the government for the entrepreneurial enterprises to 'send a ride'. Build a service-oriented government and improve the efficiency of administrative services of local government departments. Especially in the areas of industry and commerce, taxation, urban management, finance and other areas to simplify the process and administrative approval procedures. Establish a special government service platform to facilitate communication between college students returning to their hometowns for entrepreneurship and local government departments using the Internet platform. So as to promote the smooth implementation of college students returning home to start their own businesses. Broaden private financing channels, and actively guide social capital to help students return to their hometowns to start their own businesses. Local governments should actively guide social organisations and enterprises to participate in the action of college students returning to their hometowns to start their own businesses, and raise funds for college students returning to their hometowns to start their own businesses

through the establishment of industry associations. The formation of government, social organisations, enterprises, industry associations and other multi-channel sources of funding, and effectively solve the problems of college students' entrepreneurial financing.

3. Improvement of Innovation and Entrepreneurship Education System in Colleges and Universities

The development of local colleges and universities in China all have their own particularities. It is necessary to get rid of the past path dependence, but also to explore their own development paradigm from the system level. In reality, it is often the case that innovation and entrepreneurship education is disconnected from professional education, and finally there is a phenomenon that innovation and entrepreneurship education is not connected with professional education. The reform of innovation and entrepreneurship education system in local universities requires a timely change of concepts. Directional, systematic and holistic changes are made to the existing higher education philosophy, structural form and development model, and a sense of the big picture and dedication is established. Provide more talent delivery for the rural rejuvenation strategy (Qian Xingcheng, 2023). Incorporate support for the comprehensive advancement of rural rejuvenation into school development planning, further promote the systematisation and scientisation of innovation and entrepreneurship education in colleges and universities, focus on cross-cultivation of disciplines, and cultivate college students' awareness of innovation and entrepreneurship. Actively open the 'three rural' related disciplines, and provide corresponding knowledge and technical counselling for college students to return to their hometowns to start their own businesses. Colleges and universities should deepen the supply-side reform of talent cultivation, set up teaching teams and formulate talent cultivation programmes based on the actual development of the region, so as to ensure that the cultivation of talents is in line with the needs of rural development. According to the needs of rural talents, employing dual-teacher talents with experience in 'three rural areas' to join the field of innovation and entrepreneurship education for college students and publish teaching materials in cooperation. Local colleges and universities should play the role of supporting talents in the rural rejuvenation strategy, and take the responsibility of cultivating students with the spirit of innovation and entrepreneurship. They should be responsible for cultivating high-quality talents who can serve the country, society and people, and ensure that the teaching activities related to entrepreneurship of college students returning to their hometowns can play a positive role.

4. Creating favourable opportunities and conditions for College Students to return to their hometowns to start their own businesses

Colleges and universities, the government and the innovation and entrepreneurship authorities should actively consult with each other to actively build an innovation and entrepreneurship service platform for college students. Provide network technology services and information consulting services for college students returning to their hometowns to start their own businesses. Diversify the form of entrepreneurship, so that students with entrepreneurial will can have the ability to return home to start their own business. Broaden the existing entrepreneurial market for college students. In order to implement the policy of entrepreneurship. In the process of specific practice, local universities, governments and innovation and entrepreneurship authorities through the creation of WeChat groups, WeChat public number and innovation and entrepreneurship services,

such as self-media platforms, timely release of valuable information related to entrepreneurship in their hometowns. Through multiple dimensions of in-depth analysis and interpretation of the national policy, so that the province and even the country-wide college students timely understanding of entrepreneurial policies, as well as the significance and value of entrepreneurship back to their hometowns. In addition, local government rural rejuvenation agencies should focus on creating 'a village a product' from product positioning, branding, trademark design and other aspects. Combined with the local agricultural characteristics of the local conditions to create 'a village a product' characteristics, leading the development of rural industry into the accelerated development track. Do a good job of basic security work for the return of entrepreneurial college students. In the process of cultivating college students' entrepreneurial talents, step by step, gradually cultivate college students to return to their hometowns to start their own business models. The role model demonstration effect will directly affect the entrepreneurial self-efficacy of college students. 'Seeing the wise and thinking of Qi Yan, seeing the unwise and internal self-reflection also' Excellent entrepreneurial college students, as 'virtuous' entrepreneurial college students, are the role models of entrepreneurial college students, which can inspire other college students to follow and emulate, and increase confidence in guiding the smooth progress of entrepreneurial work of college students returning to their hometowns. Entrepreneurial college students can learn lessons and inspiration from the credible and contagious stories of excellent entrepreneurship in their hometowns. They can get the psychological resonance and self-efficacy of 'if the model can do it, I can do it too'. At the same time, local government rural rejuvenation agencies should also actively prepare for the establishment of 'mobile stations for returning to their hometowns to start businesses'.

V. Conclusion

Entrepreneurship of college students returning to their hometowns is a systematic project to help the strategy of rural rejuvenation and employment priority strategy. Local governments, colleges and universities, enterprises and social organisations need to establish a collaborative support system and a long-term support mechanism. All efforts should be made to ensure the integrated development of rural rejuvenation and college students' innovation and entrepreneurship.

References

- 中共中央国务院关于做好 2023 年全面推进乡村振兴重点工作的意见 [EB/OL]. https://www.gov.cn/zhengce/2023-02/13/content_5741370.html, 2023-02-13/2023-07-20.
- 黄兆信, 张中秋, 谈丹. 创业教育: 大学生岗位胜任力培养的有效路径 [J]. 高等工程教育研究, 2016(01):24-28+50.
- 黄兆信, 王志强. 地方高校创业教育转型发展研究 [M]. 浙江: 浙江大学出版社, 2013:121.
- 黄兆信, 黄扬杰. 复杂系统视角下高等学校创业教育与专业教育融合 [J]. 教育研究, 2022(08):110-120.
- 孙玉. 基于乡村振兴战略的农二代大学生创业指导模式构建研究 [J]. 农业经济, 2018(10):121-123.
- 顾辉. 政府角色定位、政策机制与返乡大学生成功创业 [J]. 湖南社会科学, 2021(01):87-95.
- 钱兴成. 高职院校服务乡村振兴的时代意蕴、现实审视和实践路径 [J]. 教育与职业, 2023(10):59-64.

Research on the Construction of Practical Curricula for Study Tours Based on the Yellow River Culture: Taking Henan province as an Example

Jing Wei^a Yuanjian Xu^b and Aoran Ling^c

^a School of History and Culture, Henan Normal University, China

^b School of Social Undertakings, Henan Normal University, China

^c Faculty of Arts, Henan Normal University, China

Received 07 January 2024, Revised 03 April 2024, Accepted 01 July 2024

Abstract

Purpose – The primary aim of this paper is to fulfill the fundamental task of fostering morality among primary and secondary school students. It seeks to help them understand the state of the nation, cultivate a love for the motherland, broaden horizons and acquire knowledge. Additionally, it emphasizes enhancing their sense of social responsibility, the spirit of innovation and practical abilities.

Design/Methodology/Approach – Based on the Yellow River culture and study tours, the curricula are constructed by taking policy advantages, utilizing the abundant Yellow River cultural resources, integrating and innovating the forms of the Yellow River cultural resources, and creating distinctive brands and tourism routes focused on study tours based on the Yellow River culture.

Findings – This paper delves into the construction of practical curricula for study tours based on the Yellow River culture.

Research Implications – This research can propel the ideological and political development of practical curricula, underscore the value of ecological civilization education and facilitate interdisciplinary education.

Keywords: the Yellow River culture, study tours, practical curricula

JEL Classifications: I21,Z20,L83

Fund Projects: Soft Science Research Program of Henan Province (Project No. 222400410341), Soft Science Research Program of Xinxiang City (Project No. RKX2021002).

^a Lecturer, School of History and Culture, Henan Normal University, China ,First Author, E-mail: 438160420@qq.com

^b Teaching assistant, School of Social Work, Henan Normal University, China , Second Author, E-mail: 466271629@qq.com

^c Corresponding Author, E-mail: 767781587@qq.com

© 2023 The NLBA Eurasian Institute Limited. All rights reserved.

I. Introduction

As a vital component of Chinese traditional culture, the Yellow River culture has consistently garnered the attention of scholars. Currently, academic research on the Yellow River culture primarily focuses on its formation and development, interpretation and dissemination, historical significance, and contemporary relevance. Regarding the Yellow River culture in educational contexts, the academic community primarily emphasizes the cultivation of geographical subject literacy and discusses, at a relatively superficial level, how to conduct research, develop activity plans and design content. How to undertake the protection, inheritance and promotion of the Yellow River culture, and how to better integrate it into the holistic development of students in the new era, are crucial research topics.

In 2016, the collective *Opinions* issued by 11 departments, including the Ministry of Education, on fostering study tour opportunities for primary and secondary school students, presented an inspiring concept. The term “study tour” stands as an abbreviation for research-based learning, encapsulating educational endeavors where students, guided by educators, actively engage with problems or topics. Students take the initiative to dissect and resolve issues, acquiring knowledge and gaining experiences creatively through scientific methodologies such as inquiry, investigation, experimentation and production. Within the framework of the study tour curricula, the “life world” of students becomes the focal point for curricular content and resources, with study routes serving as the conduit for delivering these educational elements. Through independent exploration and thematic activities, students gain firsthand and personal experiences, constructing their own thoughts and emotions. The objectives of the curricula for study tours based on the Yellow River culture are multifaceted: they aim to delve deeply into and embody the spirit of General Secretary Xi Jinping’s important speeches, uphold the development philosophy of “innovation, coordination, greenness, openness and sharing”, and fulfill the fundamental task of moral cultivation. The curricula strive to assist primary and secondary school students in understanding the state of the nation, cultivating a love for the motherland, broadening horizons and acquiring knowledge. Simultaneously, they emphasize enhancing students’ sense of social responsibility, the spirit of innovation and practical abilities. Henan, nestled in the middle and lower reaches of the Yellow River in China, boasts an abundance of cultural and tourism resources. Hence, developing a study program rooted in the Yellow River culture holds unique geographical, historical and temporal significance.

II. Analysis of the Value of the Practical Curricula for Study Tours Based on the Yellow River Culture

1. Ideological and Political Education Value of the Practical Curricula for Study Tours Based on the Yellow River Culture

The Yellow River, known as the mother river of Chinese civilization, is not only the cradle of Chinese civilization but also a hub of China’s excellent traditional culture. The core ideas, traditional Chinese virtues and the humanistic spirit embedded in the Yellow River culture provide a profound interpretation of Chinese civilization. Through in-depth study and practical activities, students can more comprehensively explore and understand the abundant connotations of the Yellow River culture, thereby further enhancing their awareness and appreciation of it. Integrating the Yellow River culture into practical curricula for study tours not only

enhances teaching effectiveness but also allows students to deeply appreciate the charm of the Yellow River culture. By utilizing the spiritual achievements of the Yellow River Basin, educators can instill patriotism and foster national pride among students (XU Xiutan, Hao Peipei, & Ma Shengjun, 2023). Simultaneously, they can guide students in developing a spirit of the times centered on reform and innovation. The heroic deeds and the unyielding spirit of the sons and daughters of the Yellow River Basin in their resistance against foreign enemies embody the spirit of the Chinese nation. These spiritual resources provide invaluable moral education materials, enabling students to deeply perceive and inherit the excellent traditions and spiritual outlook of the Chinese nation during their studies.

2. Ecological Civilization Education Value of the Practical Curricula for Study Tours Based on the Yellow River Culture

General Secretary Xi Jinping's visionary concept, "Green water and green mountains are gold and silver mountains", has ignited the flame of ecological civilization education within us. Through our research and studies, we delve deeply into the intricate relationship between ecological preservation and economic and social progress in the Yellow River Basin. This endeavor not only provides students with a profound understanding of green development but also illuminates the philosophical insights into the materiality, objective interconnectedness and unity of opposites inherent in nature. The abundant history of the Yellow River Basin boasts inspiring tales of water management wisdom and dedication from figures such as Dayu, Jia Rang and Chen Huang. Their lives and achievements serve as vivid educational tools for fostering an ecological perspective, life outlook and values. Their deeds underscore that the governance and development of the Yellow River represent a relentless quest for harmonious coexistence between man and nature. The study content, imbued with historical significance and infused with practical inspiration, holds immense value in nurturing students' comprehensive literacy and philosophical thinking skills.

3. Interdisciplinary Education Value of the Practical Curricula for Study Tours Based on the Yellow River Culture

Establishing a study framework centered around the Yellow River culture aims to seamlessly integrate core academic curricula for students and foster interdisciplinary collaboration. To gain a profound appreciation of the "timeless, vast and profound essence of Chinese culture", educators may find it enriching to quote the renowned verse "The Yellow River stretches afar, veiled by white clouds", extracted from the ancient poem Liangzhou Ci, to illustrate the dual roles of the Yellow River as both a tangible geographical feature and an intangible spiritual nourishment. The Longshan culture, the Western Zhou civilization and the agricultural traditions nurtured by the Yellow River Basin are intricately bound to its distinctive geological and morphological landscapes. During this endeavor, we transcended the confines of a singular discipline, guiding students through immersive learning experiences and dedicating ourselves to fostering their holistic literacy. As a result, we have achieved remarkable educational outcomes and teaching accomplishments.

III. Paths to Constructing the Practical Curricula for Study Tours Based on the Yellow River Culture

1. Taking Policy Advantages

The Yellow River, a majestic and ancient waterway, holds the title of the mother river of the Chinese nation. Its enduring presence and vitality have been pivotal in sustaining and advancing Chinese civilization. More than merely a river, it stands as a symbol of profound historical and cultural significance. Leaders throughout the ages have placed immense importance on safeguarding the Yellow River and perpetuating its abundant cultural heritage. During the Symposium on Ecological Protection and High-Quality Development of the Yellow River Basin held on September 18th, 2019, General Secretary Xi Jinping emphasized the crucial role of the Yellow River culture (Ji Junchang, 2019). He advocated for a deep exploration of its contemporary value, urging us to continue its historical narrative and thereby bolster our cultural confidence. This directive has set a clear path forward and infused new energy into the preservation and evolution of the Yellow River culture. In 2019, the Henan Provincial Department of Culture and Tourism introduced a strategic vision: “Focusing on one line, breaking through two cities and lighting up several stars.” The “focusing on one line” aspect entails vigorously promoting the study tour program of the Yellow River culture, with the Yellow River as its core (Jin Yifei et al., 2022). This initiative not only aims to elevate the profile of the Yellow River culture but also to stimulate economic growth in the surrounding regions, fostering a harmonious blend of cultural and economic prosperity. The Henan River Affairs Bureau further elaborated on this vision in 2020 with the release of the *Work Plan for Protecting, Inheriting and Promoting the Yellow River Culture in Henan*. This plan underscores the creation of renowned cultural brands that encapsulate the unique characteristics of the Henan segment of the Yellow River Basin and the establishment of corresponding promotional and educational platforms. These measures provide a robust institutional framework for the preservation and advancement of the Yellow River culture. As study tours gain momentum, Henan Province continued to innovate and explore new avenues. In 2022, Henan aimed to fully propel the development of study tours, with the aspiration of creating its own study brands through the “Walking in Henan and Understanding China” program. This endeavor contributes to the dissemination of the Yellow River culture and regional development. Additionally, Henan’s new college entrance examination reform system presents fresh opportunities for study tours. This shift from exam-oriented education to quality education encourages students to prioritize comprehensive skill development over mere academic scores, which is a boon for study tours based on the Yellow River culture. The study tours based on the Yellow River culture should capitalize on these historic junctures, taking policy advantages to accelerate their growth. By crafting a series of distinctive study and practice programs, they can attract a broader audience of students. Through personal engagement, students can appreciate the enchantment of the Yellow River culture, bolster their cultural confidence and contribute to the realization of the Chinese dream of national rejuvenation.

2. Utilizing the Abundant Yellow River Cultural Resources

The Yellow River, the lifeblood of the Chinese nation, embodies a profound historical and cultural heritage, encapsulating boundless wisdom and prosperity. The Yellow River culture transcends being a solitary cultural expression; it is a holistic amalgamation of diverse material, spiritual and institutional cultures. Within

the realm of material culture, the Yellow River has been a testament to the evolution of China's arid-land agriculture, fostering pivotal historical milestones such as the advent of rammed earth construction, the birth of polychrome ceramics and the propagation of China's "Four Great Inventions". Spiritually and culturally, this riverine civilization harbors the genesis of the philosophical thoughts contained in *Hetu Luoshu*, while witnessing the assimilation and transformation of *Zhouyi* theories, Confucianism, Taoism and Buddhism onto its shores. Institutionally, the Yellow River culture holds sway, having nurtured the refinement of the imperial succession model, the patriarchal structure, the imperial examination system, the legal frameworks and the agricultural land taxation. The Yellow River culture's distinctive appeal and historical significance bestow upon us invaluable cultural treasures and impart us with cherished historical lessons and inspiration. It is imperative that we cherish and perpetuate this culture, ensuring it takes deep root in our hearts and blossoms into an even more resplendent cultural tapestry. Nestled in the heart of the Central Plains, Henan Province boasts abundant tourism resources, laying a robust foundation for the advancement of study tours based on the Yellow River culture. Its strategic geographical positioning has facilitated the development of its highly developed road, railway and air transportation networks, making it a crucial national transportation hub. These convenient transportation links not only serve as a vital conduit for national connectivity, but also draw numerous tourists. Henan Province excels in reception facilities as well, with numerous high-star tourist hotels offering cozy accommodation experiences that ensure the seamless progression of study tours. Notably, Henan Province has also diligently invested in the establishment of study sites, leveraging the expertise of thousands of practitioners and nearly a thousand professional study instructors, thereby accumulating extensive experience and a sturdy groundwork for the growth of study tours.

3. Integrating and Innovating the forms of the Yellow River Cultural Resources

Nestled in the middle and lower reaches of the Yellow River, Henan Province boasts exceptional cultural resources tied to this iconic waterway. To fully harness the depth and breadth of these resources, educators must strive to develop and utilize these resources effectively through a diverse array of methodologies, embrace a tailored approach that adapts to local conditions, and nurture students according to their individual aptitudes. Regarding the natural splendor of the Yellow River Basin, educators must uphold the principle that "protection is development", ensuring students marvel at the wonders of the Yellow River Basin and immerse themselves in its grandeur and mystery during study tours. Educators can ingeniously integrate the Yellow River culture into live performances, seamlessly aligning them with students' educational syllabi. By meticulously collecting, screening and adapting legends, stories and the spirit of the characters from the Henan segment of the Yellow River Basin, educators can transform relevant scenic spots into vibrant stages that showcase the Yellow River culture. These performances, not only highlighting the Yellow River's cultural heritage, but also incorporating interactive question-and-answer sessions, will allow students to engage personally and experience the culture deeply while enjoying the spectacles. Furthermore, educators must systematically organize and integrate the Yellow River cultural resources, revitalizing the relics that lie dormant in museums, the water conservancy heritage that stands tall on the earth, and the river management imagery and texts inscribed in ancient tomes. To achieve this, it is imperative to accelerate the construction of a national-level Yellow River Museum and harness the potential of Yellow River museums and education bases of water conditions across the country. Through innovative exhibition and publicity techniques, we can bring the Yellow River cultural heritage into people's daily life and strike an emotional chord with them. The nationwide Yellow River Cultural Creativity

Competition has infused a robust momentum into the creation of the industry chain of the Yellow River Cultural creativity. In this manner, we are poised to write a new glorious chapter in the inheritance and innovation of the Yellow River culture.

4. Creating Distinctive Brands Focused on Study Tours Based on the Yellow River Culture

In recent years, the momentum behind the growth of study tours has been nothing short of remarkable, yet they still lacks the adequate social recognition they deserves. To propel the popularity of study tours, it is imperative that we disseminate relevant concepts more widely. In terms of audience analysis, our primary focus should be on engaging educators actively. We can organize promotional activities featuring the concept of study tours and led by university professors to elevate their understanding and secure their endorsement and recognition from their respective institutions. Educators must integrate study tours into curricula for various academic disciplines, thereby broadening students' horizons. Through this approach, students will not only acquire knowledge through practical experience but will also develop a more holistic set of abilities and qualities. Furthermore, educators must intensify their publicity efforts to garner the support of parents. By organizing parent meetings, leveraging social media platforms and disseminating educational bureau documents, educators can cultivate a favorable image of study tours. Only by doing so can we ensure that study tours gradually gain widespread societal recognition and establish a solid foundation for their sustained development.

Moreover, with the theme "Hometown Henan", we can design study products and produce promotional videos to showcase the Yellow River culture to a broader audience, enhancing the appeal of the Henan study tours. By selecting high-profile platforms such as Henan Satellite TV and CCTV, we can draw more attention to and deepen the understanding of the abundant cultural heritage of this region.

5. Creating Tourism Routes of Study Tours Based on the Yellow River Culture

Study tours based on the Yellow River culture emphasize linear heritage and node cities, dedicated to promoting a diverse array of tourism routes that encapsulate the Yellow River's ecology, history, revolution, culture, exchanges and educational journeys. By collaborating with provinces and cities along the Yellow River, as well as international organizations, we will host the Grand River Civilization Development Forum and the Cultural Tourism Expo, showcasing the profound essence of the Yellow River culture. Leveraging the "Belt and Road" initiative, the study tours aim to disseminate the Yellow River culture to over 60 countries, enabling more individuals to appreciate and experience the allure of it. These means will further elevate the international standing of the cultural tourism of the Yellow River and make positive contributions to fostering the exchange and mutual learning among civilizations.

IV. Conclusion

The curricula prioritize the achievement of moral education as their core and study tours as their mainstay, guiding students to explore and collaborate in their learning endeavors. By fully integrating the natural,

geographical, cultural and historical resources of the Yellow River, we have created a curricular system centered on study tours based on the Yellow River culture. The curricula emphasize safety, realism, practice and experience, while focusing on subject integration and independent exploration. They encourage multipartite participation and open teaching methods, striving to foster an engaging and stimulating learning environment. Additionally, they prioritize phased planning tailored to local conditions. The overarching goal of this construction is to empower students to comprehend the spiritual essence of the Yellow River culture through exploration, fostering a correct worldview and values, enhancing teamwork and cooperation, nurturing critical thinking and innovation abilities, and laying a solid foundation for their future endeavors.

References

- Jin Yifei, Wang Xiaobing, Zhou Zhiyang, et al. Research on the integrated development of Yellow River culture and research and travel in Henan Province [J]. *Tourism Review*, 2022, (18):79-82.
- Ji Junchang. Weaving the magnificent "red carpet" of Lide and people [J]. *People's Education*, 2019, (23):61-63.
- Xu Xiutan, Hao Peipei, Ma Shengjun. Integration of Yellow River culture into high school ideological and political teaching and practical strategies [J]. *Tianjin Education*, 2023, (16):120-122.

International Business Strategy Analysis of Chinese Biomedical Enterprises

Jiying Zhang^a

^a International Business, Shinhan University, South Korea

Received 07 January 2024, Revised 03 April 2024, Accepted 01 July 2024

Abstract

Purpose – With significant transformations in China's economy and society, the heightened living standards have led people to yearn for a better life and health, thus bringing traditional Chinese medical theories back into the spotlight and invigorating traditional Chinese medicine. The rapid advancement of technology worldwide, especially the development of the internet, information technology, and artificial intelligence, has profoundly impacted the traditional Chinese medicine business model. To help Chinese biopharmaceutical companies better adapt to global changes.

Design/Methodology/Approach – This paper mainly uses PEST analysis to deeply analyze the current situation of overseas expansion of Chinese medicine companies and related access policies as well as the various challenges faced. Additionally.

Findings – In the context of the internet and big data era Chinese pharmaceutical companies face various issues in their international operations. In addition to conventional solutions, new paths for the internationalization of Chinese medicine enterprises need to be explored to ensure their successful global expansion.

Research Implications – The research suggests that enhancing the development of cross-border e-commerce in Chinese medicine, strengthening online and offline academic exchanges, developing online APP medical services and applications, increasing the analysis and application of international medical network data, utilizing the "Belt and Road" initiative to expand sales channels and creating new models of online medical training marketing, can help Chinese biopharmaceutical companies break through innovation models and accelerate their internationalization process.

Keywords: Internationalization of operations, pharmaceutical industry, PEST environmental analysis, independent innovation

JEL Classifications: L65, M16, F23

^a First Author, E-mail: 275782586@qq.com

I. 研究背景

近年来由于对环境保护及健康饮食的日益重视，中草药的市场需求不断上升。在 21 世纪全球经济一体化浪潮的推动下，中国的医药企业积极参与国际分工，在面对国际政治、经济、文化、政策、法律法规等不确定因素时，往往陷入被动，甚至遭遇重大挫折（林兆功，2015）。究其原因无非是：中国企业海外经营过程缺少系统、全面的战略指导，对国际环境的研究成果本能基于本国视角，可以借鉴的行业经验较少，理论和实践经验都不足，盲目追求国际效益，对企业的战略经营有很大挑战。为了更好地应对这一挑战，我们需要多方面探索，制定出切实可行的措施，才能将中药制剂快速推向国际市场。

II. 中国医药企业国际经营现状分析

跨国企业面临的外部环境存在多样性、复杂性、可控程度低和外部环境对内部环境渗透性较大等诸多特点。本文运用 PEST 分析法，分别从政治环境、经济环境、社会环境和技术环境四方面探讨中国医药企业国际经营可行性的外部环境。

1. 中药企业国际化政治环境分析

中药具有独特性，与化学药相比在理论、用药、作用机理上都不同。国际上流通的药物根据化学药注册流程进行审批。世界卫生大会 2009 年批准关于传统医药政策的决定，有利于全世界范围内中药的传播。中国政府加入 WTO 后对国际贸易发展更加重视，这为中药产品的传播提供了良好环境基础（李燕，2023）。

2. 中药企业国际化经济环境分析

随着人民对于生活质量水平要求持续提高，相比化学药品对人体有一定的不良反应和副作用之后，人们更偏向于天然药物，这是天然药物在世界需求不断上升的重要原因。据统计，全球有超过八成的人曾接触过天然药物，证明植物药的影响力（李燕，2023）。价格低廉的中药材通过现代医学技术及科研设备进行萃取加工，可制造出具有很高附加值的天然药品，使得全球天然药品行业更具国际市场竞争力。

3. 中药企业国际化社会环境分析

由于东西方文化历史与思考模式存在显著差异，欧美地区民众对中医药接纳程度有限；中、日、韩三国对中药的认知和理解程度较高，而且中国企业在实施国际经营战略时，往往缺乏复合型人才及高素质管理者，这严重阻碍了企业国际化经营战略的实施。

4. 中药企业国际化技术环境分析

中药企业研发创新能力不足，整体缺乏自主性与创新性。一款新药的研发可能花费数亿美元，耗费十几年或者几十年，研发投入多周期长；中药企业创新突破较难，导致创新意识缺失，中小企业追

求短期效益,无暇长期研发;而且中国是一个仿制药的大国,无疑一定程度上也阻碍了科技创新的动力,阻碍中医药事业的持续创新发展(张志超,2020)。

III. 新时代背景下中国药企国际经营遇到的主要问题

改革开放以来,中国药企争先跃跃欲试寻求国际市场,但进入国际市场困难重重,且中西文化差异很大,文化药与植物药药理药效截然不同,对国际化的道路望洋兴叹。究其原因主要有:对国际环境、法律法规不熟悉;国际化欠缺系统专业的战略规划;国内中药产品现代化技术和产品质量很难通过国际 GMP 注册要求;传统中草药的质量管理复杂;市场上成熟的中药企业间会对产品进行互相模仿,中医药产业整体缺乏自主创新和研发;技术研发投入不足;高素质医药研发及复合型人才稀缺;中医药企业跨境电商贸易发展力度不足。

IV. 新时代背景下中国药企国际经营遇到问题的常规对策

随着世界上人们对中药认识的加深及消费观念的不断改变,未来的中药产业属于科技创新型企业,科技创新给中药产业带来更大的市场潜力(李洁,2009)。国际上大多数国家对中药进入本国市场都制定了严格的法律法规(郭岚,孙玲,2014)。如何突破中国医药企业国际经营中的壁垒,发挥中医药企业在国际社会中的作用,是值得研究的重大课题,针对中国医药企业国际经营过程遇到主要问题,可以采取以下措施:对标中药国际准入标准,针对不同国际市场选择不同进入策略;提高中医药产品创新研发实力;中药企业开展标准化与本土化的高效融合的战略;大力培育国际复合型人才战略;构建一种充满活力的创新文化,助力中国医药产业模式的成功转型;加强国际知识产权的保护意识及措施,增强自我防护能力,有效抵御侵犯知识产权的行为。

V. 互联网与大数据时代背景下中医药企业国际化发展新策略

1. 注重互联网与大数据下中医药跨境电商贸易发展

中医药的跨境电商贸易也在快速发展,做好“引进来”和“走出去”的战略规划,使中医药行业可以利用新型的销售模式进行销售,在确保中草药品质前提下,网络与实体店结合;引入智慧供应链物流管理模式;提供优质的中药用药线上专业客服或 AI 服务;同时应并争取政府、银行的大力支持。

2. 加强线上线下学术交流,促进中医药技术及产品宣传

参与全球学术会议、经济贸易论坛等线上线下活动,可学习前沿领域的研究成果,提升企业品牌、分享最新的临床治疗经验,对提高治疗水平及优化治疗方案起到重要推进作用,也有利于中医技术及产品在全球的广泛宣传。

(1) 加强线上 APP 医疗服务的开发

当今 5G、6G 信息时代,开发线上问询软件,有效解决时间和地域的问题。如在线 APP“搜疾病问医生”;线上针对客户使用保健食品建立 VIP 专属医生管家服务,定期检测身体的指标,对比用药前后的身体变化,在线指导用药及用量,给客户及时的指导,大幅提升客户的体验和满意度。

(2) 加强国际医疗网络数据分析与应用

面对全球的应用市场，应当熟练并善于使用国内外先进医疗数据库，进行相关领域数据分析，先进医疗技术的探索，为中药企业的研究做数据准备，在当今社会高速发展的新时代大数据背景下，中医药企业国际化的进行中，加强国际医疗网络数据分析与应用，可大幅提升本企业的科研水平和实力。

(3) 利用“一带一路”开拓新营销渠道

线上医学培训由不同国家和地区的专家、医生在线参与，也是医学技术及产品的有效宣传路径。可以响应国家“一带一路”的政策，不断推出全球性的医学线上培训，这种培训模式可以帮助专业人士了解医学技术，掌握有关的诊断、治疗技术，还能帮助医护人员熟练地进行疾病的诊断与护理。

(4) 构建国际医疗战略联盟

目前中国境内的中药行业呈现出多元化、复杂化趋势，国家应培育中药典型企业，帮助其在科研、资源、技术、人才等方面进行优化配置和支持，促进企业通过品牌或技术等建立国际联盟，寻求更多国际合作伙伴及全球知名的医疗组织，可有效降低中药企业的出海的风险。

(5) 与国内外高校展开深入校企合作

随着中国医药行业的国际化发展，应积极开展国内外优质高校合作与开发，不断深入探索医学原理，加强医学研究与深入交流，培育医药科研精英，为国内外医药行业的发展提供强有力医学理论及医学人才支撑，助力中国医药行业国际化大发展。

VI. 结论

随着全球经济一体化的加速发展，实施国际化战略已成为中国药企跨国发展的必要条件，也是国家战略发展的重要组成部分，中医药作为世界医学的重要组成部分，具有广泛的发展前景和国际市场机会。本文对中国中药企业国际化影响因素，进行 PEST 国际环境分析，同时对中药企业国际竞争力进行分析，并提出构建现代化中药企业可持续发展的一些建设，希望能为中国中药企业的国际竞争力提升、国际化发展路径的全面探索提供有用信息，为进一步促进中药企业的国际化发展起到一定的积极促进作用。

参考文献

- 林兆功. 中国企业海外经营的国际环境比较研究 [D]. 山东财经大学, 2015.
- 李燕. 我国中药企业国际化发展建议 [D]. 昆明理工大学, 2023. DOI:10.27200/d.cnki.gkmlu.2023.002480.
- 张志超. 吉林省中药企业发展现状及对策研究 [D]. 长春中医药大学, 2020. DOI:10.26980/d.cnki.gcczc.2020.000208
- 李洁. 我国中药企业跨国经营策略探讨 [J]. 中国药房, 2009, 20 (24) :1841-1843.
- 郭岚, 孙玲. 中药产业发展态势、问题和对策 [J]. 中医药管理杂志 .DOI:10.16690/j.cnki.1007-9203.2014.10.041.

Research on legal protection of geographical indications of agricultural products under the background of rural revitalization

Yali Zhai^a Shuangwei Xiong^b

^{ab}Law School Law Major, Panzhihua University, China

Received 07 January 2024, Revised 03 April 2024, Accepted 01 July 2024

Abstract

Purpose – The purpose of this paper is to break through the predicament of legal protection for geographical indications of agricultural products and thereby enhance the legal protection of such indications, facilitating rural revitalization and the development of the rural economy.

Design/Methodology/Approach – The paper employs comparative and literature research methods. By analyzing the issues present in the process of law application and studying judicial precedents related to cases, it investigates the criteria and steps for determining tort liability. It also examines the primary forms of infringement, thereby summarizing the challenges in recognizing infringement of rural geographical indications. Finally, it proposes reasonable steps and suggestions for infringement recognition.

Findings – Due to the low level of legal protection for agricultural products, inconsistent definitions of legal concepts, weak administrative protection, insufficient standards and logical sequence in infringement determination during judicial application, as well as difficulties in safeguarding the rights of human rights defenders, it is essential to formulate the Geographical Indications Law, strengthen administrative law enforcement, clarify the applicable rules for infringement determination, and smooth judicial relief channels to protect the geographical indications of agricultural products.

Research Implications – This paper examines the legal issues associated with geographical indications of agricultural products and resolves the legal protection problems regarding geographical indications of agricultural products, thereby providing guidance for judicial administration, agricultural associations, and producers and operators of agricultural products.

Keywords: Rural Revitalization, Geographical indications, Legal protection

JEL Classifications: Q13, K23, R11

^a Law School Law Major, Panzhihua University, China, First Author, E-mail: 32446565@qq.com

^b Corresponding Author, E-mail: 946678672@qq.com

© 2023 The NLBA Eurasian Institute Limited. All rights reserved.

I. 引言

2023 年发布了中央一号文件明确了现阶段要全面推进乡村振兴，加快农业生产现代化，发展特色农产品，在农产品的特色上抓制度保护建设，共同促进特色农产品产业的发展。在《中华人民共和国乡村振兴促进法》中也明确提到了要倡导农业农产品的知识产权保护，国家也出台各种探索性的行政法规来促进农产品地理标志的法律保护。同时人们对知识产权的权属和知识产权所附带的商业价值的认知进一步加强，农产品地理标志的管理主要为规范农产品地理标志的使用，保证地理标志农产品的品质和特色，提升农产品市场竞争力。农村地理标志的保护有利于保护农产品的商业收益，从而促进乡村产业振兴，达到乡村整体振兴发展的战略目标。

II. 农产品地理标志的基本理论

1. 农产品地理标志的概念

地理标志保护制度最早起源于欧洲的法国，1935 年开始，法国陆续建立了世界上最早的葡萄酒产地保护体系。地理标志概念的法律化开始于 1883 年的《巴黎公约》《巴黎公约》中地理标志被正式纳入知识产权的法律保护范畴，之后又通过《马德里协定》《里斯本协定》《与贸易有关的知识产权协议》等国际条约不断修改得到确定。1994 年的《与贸易有关的知识产权协议》中首次提出了地理标志的定义，首次对地理标志进行明确界定，对“原产地名称”“货源标记”这两个词也进行了概念区分，设置了国际保护义务、提出了保护标准以及要求建立多边注册保护体系，现如今已被世界大多数国家立法采纳。

农产品的概念是指来源于农业的初级产品，即在农业活动中获得的植物、动物、微生物及其产品。其中，《农产品地理标志管理办法》第二条：“本办法所称农产品是指来源于农业的初级产品，即在农业活动中获得的植物、动物、微生物及其产品”。“农业活动”既包括传统的种植、养殖、采摘、捕捞等农业活动，也包括设施农业、生物工程等现代农业活动；“植物、动物、微生物及其产品”是广义的农产品概念，包括未改变其基本自然性状和化学性质的初加工产品。农业农村部《农产品地理标志管理办法》中所解释的农产品地理标志更为清晰准确，按照概念所指的范围属于《中华人民共和国商标法》和《地理标志产品保护规定》的“子集”，是一种特殊类型的商标，通过以上农产品的基本概念可以明确地得知农产品地理标志是农业活动中获得的植物、植物、动物、微生物及其产品的地理标志。

2. 农产品地理标志与普通商标的区别

如表 1 可见，农产品地理标志与一般商标进行对比可以发现的不同大致分为以下几个方面。

表 1. 农产品地理标志与普通商标的区别

| 类别 | 普通商标 | 农产品地理标志 |
|-------|---|--------------------------------------|
| 概念内涵 | 可以在使用或者申请时使用，商标的内涵也会因注册人、使用人的商标设计理念不同、商标指向的商品的类型不同、商标维护的手段等不同而具有不同的内涵 | 地域所产生的特色产品，是当地劳动人民经过几百年乃至上千年的摸索而寻找到的 |
| 主体 | 注册人包括自然人、法人或其他组织 | 能够代表和管理整个地理标志产业的非营利性质的协会或组织 |
| 构成要件 | 由法律规定的构成要素组成，表示具有识别性即可 | 构成要件相当复杂 |
| 标识的构成 | 不会大量使用商品的通用名称 | 一般在商品的通用名称的标识上使用通用名称 |
| 产地范围 | 商品没有产地范围限制 | 商品只能产自于特定的自然区域 |
| 权利的限制 | 是私权，可转让 | 具有集体属性，不能随意转让 |

来源：根据相关资料整理得出

3. 农产品地理标志的权属

3.1 集体属性

(1) 农产品地理标志内涵具有公共性

地理标志产品是产地人民在特定自然条件共同创造的产物，属于产地人民共同所有，是一定区域自然与人文相结合的实践产物，具有集体权利属性。

(2) 主体具有公益性

农产品地理标志的申请与注册在《农产品地理管理办法》中第八条规定为农民专业合作社经济组织、行业协会等组织，商标法中规定地理标志证明商标的取得主要是当地政府、协会或团体组织且具有非营利的性质。

(3) 使用具有无偿性

在农产品地理标志使用的规定中规定农产品地理标志登记证书持有人不得向农产品地理标志使用人收取使用费。所有权人对农产品地理商标具有监督和管理农产品地理标志及其产品、为地理标志农产品生产、加工、营销提供指导服务。

(4) 管理经费来源具有公共性

农产品地理标志地从申请与后期管理相关的费用都是县级政府相关部门给予财政的支持，从管理经费来源看也有很大的公益属性。

3.2 私权属性

关于农产品地理标志的权利属性，存在着不同的观点，对权利属性的不同认识，影响着农产品地理标志法律保护方式。公权力说认为农产品地理标志应当是一种公权力，根据该观点，认为对于农产品地理标志的保护应当主要依赖公权力来对其进行保障。（易健雄，2007）

私权说一般是在承认农产品地理标志具备集体性的前提下，肯定其是作为一种私权利存在的。（张玉敏，2007）

作者认为地理标志属于知识产权，在《中华人民共和国民法典》中也作出了明确的归属，按照学术界中“智力成果说”的解释，农产品地理标志属于劳动人民长期生产劳作与经营凝结出的一种知识成果，如果农产品地理标志主要作为知识产权，那么应当属于私权。在《TRIPS》中将知识产权同样也视为一种私权，地理标志权属于知识产权的一类，于法理上应该被视为私权，产生相关的纠纷时采用的救济手段一般为停止侵权、赔偿损害等民事救济手段。

农产品地理标志在推进乡村全面振兴的工作部署中强化扶持稳收益，增加绿色优质农产品供给，推进农产品品质提升、区域农产品品牌打造和标准化生产。因此，准确界定农产品地理标志产品概念、厘清农产品地理标志与其他相关概念关系、明确农产品地理标志权属对于研究农产品地理标志法律保护，进而推进现代农业全产业链标准化、促进乡村农产品的产业振兴有着非常重要的促进作用。

III. 农产品地理标志法律保护现状及问题

1. 农产品地理标志法律保护立法现状

相对于整个国际社会来说，中国有关地理标志特别是农产品地理标志保护工作开展的较晚，对于地理标志保护仍处于一种不断探索的阶段。（吴泓，2001）中国关于农产品地理标志法律保护存在三种不同的法律保护途径，曾经形成原质检总局、原农业部和原商标局共同管理地理标志的局面。中国最早以商标法保护模式对农产品地理标志进行法律保护。随后，在2005年原质检总局出台的《地理标志产品保护规定》中将“原产地标识”的概念变更为“地理标志”，明确了地理标志申请人资格与申请文件要求等具体内容，原质检总局负责保护地理标志产品，监督地理标志的产品质量，逐步打造出“地理标志保护产品”的质检体系，在2013年实施的《地理标志产品保护规定》继续细化了地理标志产品的相关程序规范与监管部门的权责。在2007年12月，原农业部针对农产品地理标志进行登记管理相关问题发布了《农产品地理标志管理办法》。2018年机构改革后，国家知识产权局与农业农村部两大部门在整体上对农产品地理标志进行管理与保护的新局面。

中国目前对于农产品地理标志的立法主要有《中华人民共和国农业法》《中华人民共和国商标法》《地理标志产品保护规定》和《农产品地理标志管理办法》等，还有一些一般性法律，如：《中华人民共和国反不正当竞争法》《中华人民共和国消费者权益保护法》和《中华人民共和国产品质量法》等，这些法律为地理标志提供了一般性的保护。在商标法的基本立法中对于农产品地理标志的保护还比较弱，现在各个地方市级也出了促进农产品地理标志保护的相关规章来弥补保护的细节性欠缺，整体来看，中国还是缺乏对农产品地理标志进行专门性保护的基本法与地方性法规。

目前，中国对于农产品地理标志目前存在三种保护模式，分别为农业农村部可以对农产品地理标志进行保护（农业农村部目前已停止农产品地理标志登记工作）、国家知识产权局可以对地理标志产品进行登记管理、国家知识产权局商标局可以对地理标志以集体商标或证明商标的形式进行注册保护，但是从整体来看，中国目前农产品地理标志的法律保护体系并不完善，三种法律保护机制之间存在冲

突尚未形成有效的协调机制（金丽，2023）。

2. 农产品地理标志法律保护问题

2.1 立法位阶低，缺乏顶层设计

中国农产品地理标志商标法保护制度和农产品地理标志专门法保护制度这两种不同保护制度并存保护，由于缺乏协调衔接机制，两种保护制度之间不能进行充分交流，两者相对彼此都处于闭塞的状态，导致在保护农产品地理保护时发生冲突混乱，出现重叠保护、权利主体、保护标准等不一致的乱象。中国《农产品地理标志管理办法》是关于农产品地理标志而产生的专属立法，国内一些省份和地市分别通过此管理办法制定了属于地方的行政方面的立法来保护农产品地理标志。但是由于地方立法位阶较低，在保护力度方面还存在一些不足，在行政执法时，有时候都没有采用农产品专属的立法进行行政处罚。在《农产品地理标志管理办法》的基础下，还存在少量地区没有相关的行政立法，还存在一些专属立法较少的现象，从而使得农产品地理标志得不到很好的法律保护。

法律适用存在重叠保护，重叠保护在维权时虽然有一定好处，但是这也导致了保护机制之间出现冲突，这个重叠保护会造成法律资源的重复使用，造成法律资源的浪费，在商标法和农产品地理标志权产生冲突时，地方行政法的话语权较低，还存在同一农产品地理标志被不同主体在不同的申请注册部门进行申请，这就会造成多个权利主体对同一农产品地理标志所有权产生冲突。这也就凸显了农产品地理标志在申请的时候就造成法律资源的浪费。在后续遭受侵权时，还是多重保护能更好地促进权利人维权还是投诉时投诉无门，职能部门互相推诿造成维权不及时等困难都有发生的可能。

2.2 法律概念界定不统一

农产品地理标志的基本概念，现阶段在中国的相关立法中没有一个比较统一的概念，在知识产权领域的商标法中为“地理标志”，在知识产权局颁布的法律中为“地理标志产品”，在农业部颁布的法律中为“农产品地理标志”，在农业部的《农产品地理标志管理办法》中所指的产品更多地倾向于直接农业生产而产生植物、动物、微生物及其产品，而《地理标志产品保护规定》中所包括的是：1.来自本地区的种植、养殖产品，2.原材料全部来自本地区或部分来自其他地区，并在本地区按照特定工艺生产和加工的产品。《地理标志产品保护规定》第二条：“本规定所称地理标志产品，是指产自特定地域，所具有的质量、声誉或其他特性本质上取决于该产地的自然因素和人文因素，经审核批准以地理名称进行命名的产品。地理标志产品包括：（一）来自本地区的种植、养殖产品。（二）原材料全部来自本地区或部分来自其他地区，并在本地区按照特定工艺生产和加工的产品”。

2.3 行政执法保护力度弱

中国关于地理标志保护的法律法规存在称谓不统一、保护角度和层次各不相同的问题，导致法律的权威和统一性受损，造成具体的行政执法困难。如四川省宜宾市市场监督管理局（知识产权局）查处侵犯“宜宾芽菜”证明商标专用权案弥勒香州豆制品有限公司侵犯“石屏豆腐皮”地理标志保护产品专用权案；安徽省亳州市谯城区市场监管局查处擅自使用“新会陈皮”地理标志产品名称案；某农产品经营部销售假冒“新会陈皮”地理标志产品名称的陈皮产品，被责令改正违法行为，并处以罚款。从以上案件中可以看出，市场监督管理局在对相关侵权行为使用的是商标法中相关的侵权责任来进行处罚，在作出这个行政处罚时适用的法条同样也适用其他普通的商标侵权，属于一般性处罚，处

罚或多或少没有充分考虑地理标志的集体性，对于农产品地理标志的针对性不够，因此，行政处罚的合理性不够，这些案例反映了农村品牌地理标志行政执法保护力度弱的问题。

2.4 司法适用中侵权认定标准和逻辑顺序存在不足

司法实践中，法官认定地理标志侵权采用的认定标准是“商标性使用”“近似性对比”“混淆/误认”标准，这些标准是《中华人民共和国商标法》对普通商标侵权的认定规定，从地理标志与普通商标之辩可以了解，地理标志与普通商标存在根本的差异，对于农产品地理标志的侵权认定应当根据其特殊性进行认定的标准的调整。

在这几个认定标准的顺序中也或多或少地存在差异，在有的司法判例中把是否取得授权作为侵权认定的第一步，这显然是商标法的所有权归属的体现，在地理标志农产品侵权中并非都能普遍适用这种认定顺序，应当确定一套合理的认定标准的逻辑顺序，切实保护农产品地理标志的合法权益。

2.5 维权主体存在维权难

当地理标志证明商标的合法权益受到侵害时，直接造成利益损害的是地理标志所代表的区域内的农产品的生产者和销售者。但是当受到侵权时，使用人又无法直接提起维权的相关诉讼，要想提起维权的相关诉讼只能通过地理标志的注册人发起相关的诉讼。在非营利性团体和组织提起诉讼时，能负责诉讼的专业人员和前期的相关维权所需资金又成了一大难题，有时候又不得不向检察机关寻求帮助，所以造成一些知名度和经营规模较小的地理标志权利人维权困难。

IV. 完善农产品地理标志法律保护的建议

农产品地理标志的法律保护亟待加强，针对中国目前农产品地理标志的上述立法、执法、司法中存在的相关问题，提出适合农产品地理标志发展和促进乡村振兴的一系列的制度完善建议。

1. 制定《地理标志法》

1.1 地理标志法律体系

(1) 选定合适的法律保护模式

完善地理标志法律保护规范，在国内国外多种立法模式下，中国应当选择适合中国国内发展，有利于中国本土农产品地理标志发展的保护模式，根据现有法律基础，以及中国的基本国情和历史文化，相关学者和专家的研究与分析，大部分还是支持两种立法共同作用，互为补充。对地理标志进行专门立法，产生侵权纠纷时，以专门立法为主，商标法为辅，《中华人民共和国反不正当竞争法》兜底进行农产品地理标志的保护。由全国人民代表大会常务委员会制定《地理标志法》，在地理标志的申请、注册和使用的各个环节中明确各个部门的相关职责，以及地理标志法指导其他地方性法规和地方规章。地理标志法在位阶上和商标法属于同一位阶，把原来商标法的地理标志管理直接删除，由《地理标志法》进行管理。

(2) 《地理标志法》与其他法律相衔接

《地理标志法》为农产品地理标志的基本法，制定后坚持“上位法优于下位法、特殊法优于普通法、

新法优于旧法”的原则。立法时综合《地理标志产品保护规定》与《农产品地理标志管理办法》的相关条款。做好与商标法的衔接以及做好之前商标法管理期间的注册衔接问题，对于在先注册的地理标志商标可以被《地理标志法》保护，在《地理标志法》实施后农产品地理标志在先注册的，享有在先权利，地理标志权利主体可以对关于地理标志的农产品申请商标提出异议。《地理标志法》是《中华人民共和国民法典》关于地理标志的规定的细化，是特殊法与一般法的关系。在地理标志法中明确农产品的地理标志的范围。

2.2 《地理标志法》基本内容

《地理标志法》在专门法律保护层面进行宏观性把控，细节方面由地方立法部门和行政机关进行地方性法规、规章颁布。在法律概念界定方面，地理标志法中明确农产品地理标志概念范围属于地理标志的“子集”，具体的产品分类参照现有的 GB/T 43583-2023《地理标志认定 产品分类与代码》进行区分，其他细节的规定由各个地方根据区域特色进行详细的设定，使农产品地理标志立法更加符合保护的需。在注册的监管与审批方面，主要由国务院下设部门的农业农村部进行相关的注册与组织评审、审批的相关工作。市场监督管理部门对市场上的违法违规使用农产品地理标志作出相应的行政处罚，情节严重、社会影响较大的由检察机关提起诉讼。在侵权赔偿方面：1. 明确侵权赔偿范围。明确规定侵权人的具体的侵权责任，产生侵权时，被侵权人有权利要求停止侵害、排除妨碍、消除影响、赔偿相应损失等，赔偿范围明确为地理标志相关权利人的实际损失、预期损失、维权等费用。2. 设置惩罚性赔偿。农产品地理标志的侵权设置合理数额的财产性罚款来对侵权人进行惩罚，在中国侵犯知识产权的刑事案件中也存在“重主刑，轻罚金”的问题，通过侵权造成的社会影响，比较潜在的无法直接估量的损害，使用惩罚性赔偿来弥补后续的损失，因为农产品地理标志的侵权影响在确认相关赔偿时候很难准确估量。行政部门设置较高的罚款，相应的加大处罚力度，让侵权人的侵权收益小于赔偿金额，让侵权人形成不敢侵权的心理机制，从而达到农产品地理标志的保护，减少生活中侵权行为的发生。

2. 加大行政执法力度

通过地理标志法中的相关规定，在地方性法规中对于农产品地理标志的侵权责任因地制宜做出更加明确且详细的相关规定，作出充分有利于农产品地理标志发展的法律制度，加大行政处罚的力度，充分利用地方性法规，因地制宜、因产品决策，切实落实好执法前的责任判定，执法后的落实力度。如《广东省地理标志条例》中第二十六条规定：违反本条例第二十条规定的，由县级以上人民政府知识产权部门责令限期改正，没收违法生产、销售的产品，并处违法生产、销售产品货值金额等值以下的罚款；有违法所得的，并处没收违法所得；在上面法条中“等值”以下的罚款有点处罚力度不够，为了达到农产品地理标志保护的目，应当加大处罚，从而来维护公众合法权益。农产品地理标志使用者向当地的行政管理部门进行举报或投诉，由当地的管理部门对侵权人进行调查，确定侵权事实后对相关货物和款项进行查封、扣押、没收，由执法部门收集相关证据，解决被侵权人收集证据和举证难的问题。

3. 明确侵权认定法律适用规则

3.1 明确侵权认定标准和侵权认定标准的逻辑顺序

通过相关的司法案例中认定标准的逻辑顺序大体都是“商标性使用”位于第一步顺序“近似性对比”位于第二步顺序“混淆/误认”位于第三步顺序，这三步骤顺序的确定来判断被诉商品是否存在攀附注册商标的嫌疑，对侵权认定标准的完整步骤进行逐层分析，使司法实践中运用侵权认定标准具有规范性。对地理标志侵权认定步骤进行规范性的描述，可以减少大众的认识偏差，可以提供有效司法裁判思路。

通过地理标志侵权认定步骤的研究，可以将各侵权认定标准间的顺序梳理清晰。所以应将步骤的认定顺序明确到法律规定中，使经验成为固定的模式，为更多地理标志侵权认定案件提供一条逻辑完整的认定思路。

3.2 完善“合理使用”的适用规则

常规的地理标志的授权与使用，是需要本区域的生产者和经营者向取得该商标的所有权的团体或组织按照相关管理办法进行申请。还有一种是本区域内的生产者和经营者的商品只要能满足相关的质量和特征要求也是可以对商标进行使用，但是在这种使用过程中如果被所有权人诉讼侵权后，在最后判决考量的时候又会把相关授权与否作为侵权的参考标准。

地理标志农产品的合理使用规则，主要是农产品地理标志所代表的区域内的生产者和经营者在未明确取得所有权人的授权同意而对地理标志的使用，为繁琐的授权减负，农产品本身归属还是区域内的生产者或者经营者，不能因为注册人的一些原因而损害地理标志范围内的生产者和经营者的合法权利，地理标志的“合理使用”可以有助于平衡利益关系和实现公平的市场竞争。推动“合理使用”是商标法赋予产地相同品质生产者或销售者的合法权益，同时，也有利于保护农产品地理标志商品消费者的合法权益。

4. 畅通的司法救济途径

随着现代社会的高速发展，侵权的情况时有发生，特别是现在互联网平台上参差不齐的侵权现象，这就要求加强司法保护，在立法方面应当更加细化，及时对不符合社会发展需要和阻碍社会发展的制度条款进行更新，同时促进农产品地理标志寻求司法维权常态化。提高司法审判效率，为大众提供更为高效便捷的司法服务。中国农产品的生产区域主要在乡镇上，在江苏实行了村（居）法律顾问和法律明白人的基层法律专业人员，为基层的法治做出了非常大的贡献。通过江苏省的村（居）法律顾问和法律明白人的人才配置试点，提供了乡村人才振兴促进产业振兴提供了非常好的发展途径。因此，应当加大乡村法律人才的配置，为乡村振兴工作平稳推进。

近年来，最高人民检察院对公益诉讼的态度逐渐从“稳妥、积极”调整为“积极、稳妥”。《最高人民检察院关于全面加强新时代知识产权检察工作的意见》指出，要“稳步开展知识产权领域公益诉讼”“重点加强国家地理标志产品相关生态环境和资源保护”。为了切实避免地理标志证明商标在受到侵权时所有权人能很好地维护使用者的利益，地理标志的侵权保护可以纳入公益诉讼的范畴是比较好的一种利益保护方式。在一些地区的实际司法维权时，这些协会既无法务人员也无维权经验，故向检察机关寻求法律帮助，对协会的民事诉讼请求予以支持，检察机关遂向法院递交了支持起诉书，最终使得地理标志得到了保护。在目前最新的某些地方立法中也作出了明确规定将农产品地理标志侵权纳入公益诉讼。《广东省地理标志条例》第二十七条规定：“人民检察院在履行职责中发现损害社

会公共利益的地理标志违法行为，可以依法支持起诉或者提起公益诉讼”。因此，将地理标志商标保护案件纳入民事检察公益诉讼受案范围有理论和实践的支撑。

参考文献

- 易健雄. 地理标志与地理标志权考辨 [J]. 法学杂志, 2007 (06) : 19-23.
张玉敏. 地理标志的性质和保护模式选择 [J]. 法学杂志, 2007(06):6-11.
吴泓. 农产品地理标志的法律保护研究 [D]. 南京: 江南大学, 2021 年 6 月.
金丽. 农产品地理标志法律保护研究——以河北省为例 [D]. 唐山: 华北理工大学, 2023 年 6 月.

Research on the Development of Health and Wellness Tourism in the Ethnic Regions of Panzhihua under the Perspective of Common Prosperity

Yixing Rong^a Dongyan Ma^b

^a School of Administration, PanZhihua University, China

^b Law School, Panzhihua University, China

Received 07 January 2024, Revised 03 April 2024, Accepted 01 July 2024

Abstract

Purpose – This paper aims to explore the development strategies of health and wellness tourism in Panzhihua ethnic areas under the vision of common prosperity, analyze the current situation and problems, and propose corresponding solutions to promote regional economic balanced development and provide references for other ethnic areas.

Design/Methodology/Approach – Based on the analysis of the current situation of health and wellness tourism in Panzhihua ethnic areas, this paper combines local characteristics and actual problems, and proposes targeted strategies from multiple aspects such as government support, standardized operation, industrial chain extension and integration, and cluster effect enhancement.

Findings – This paper is the achievement of the school-level project of Panzhihua College, the phased achievements of the Research on the Mechanism Innovation and Promotion path of Sanitation Tourism in Panzhihua Minority areas from the Perspective of Common Prosperity (2023PY03) and Provincial Innovation Project of Panzhihua University: Research on Empowering the Rural Health and Wellness Industry in Panxi for Common Prosperity in the New Era (S202411360012).

Research Implications – In the management of health and wellness tourism in ethnic areas, it is necessary to strengthen government guidance and support, improve the standardization level, promote industrial integration and innovation, and strengthen regional cooperation to achieve sustainable development and contribute to common prosperity. Future research can focus on continuous monitoring and evaluation of the implementation effect of strategies and exploration of new development models and trends.

Keywords: Health Tourism, Common Prosperity, Path, Minority Concentrated Region

JEL Classifications: L83, P28, R1, Z1

^a First Author, E-mail: bzxywyn@163.com

^b Professor, Law School, Panzhihua University, China, Corresponding Author, E-mail: 3216762584@qq.com

© 2023 The NLBA Eurasian Institute Limited. All rights reserved.

I. 引言

随着我国经济步入共同富裕阶段，康养旅游作为融合健康、养生与旅游的新兴业态应运而生，其对于民族地区经济增长以及居民生活质量提升有着不可忽视的重要性。攀枝花民族地区坐拥丰富自然资源与多元民族文化，这为当地康养旅游的蓬勃发展筑牢了根基。深入探索该地区康养旅游发展策略，不仅能够深度挖掘地方特色，推动区域经济均衡发展，进而助力实现共同富裕，还可为其他民族地区提供极具价值的借鉴范例。但当前聚焦攀枝花民族地区康养旅游发展还存在政府支持不足、规范化欠缺、产业链短、集群效应弱等问题。本研究立足攀枝花民族地区康养旅游发展现状，紧密围绕共同富裕目标，致力于结合地方特色与实际问题提出能切实解决现存问题的针对性策略，以期为民族地区康养旅游发展赋予全新视角并提供切实可行的实践指导。

II. 攀枝花民族地区康养旅游发展现状

攀枝花市位于四川省西南部，是一个多民族聚居的城市，共有 42 个民族，少数民族中彝族人口最多，其次是傈僳族、苗族、纳西族等，民族文化丰富多彩，文化交流与融合活跃，文化活动众多。且这里山水环绕，民族村落遍布，非遗汇聚，地区地域特色鲜明，自然资源丰富，空气质量优良，民族聚居与田园风光交融，建筑与康养设施互补，民族风情与旅居体验共融，被誉为“中国康养胜地”“阳光花城”。

当前，攀枝花民族地区康养旅游发展呈现多维度的良好势态（王欣，2020）。一是在民族文化融合上成果显著。盐边县拥有 31 项各级非遗代表性项目名录，其中省级 10 项（晏洁，2024），通过谈经古乐、笮山若水盐边茶制作等非遗项目申报相关基地与工坊并新增体验基地，将民族文化深度融入康养旅游，让游客在旅行中感受传统文化魅力，增添旅游文化底蕴（高琳菲，2024）。二是旅游资源开发多元且富有特色。借助民族与生态优势打造了攀枝花全龄康养旅居地图，涵盖 170 多个旅居点及 5 条精品线路，盐边县发展“山地特色农业”并开发“康养+”民族风情乡村游，民族聚居地的特色建筑与民俗成为吸引游客的亮点，游客还能体验特色餐饮与手工艺（蒋君芳，2024）。三是产业规模不断壮大。2023 年康养产业增加值达 171.19 亿元（朱燕，2023），同比增长 13.2%，占 GDP 的 13.1%，米易贤家村与东区阿署达村康养产业收入可观（蒋薇，2024）。活动品牌效应逐步凸显，成功举办攀枝花阳光康养节等众多活动，连续 5 年入选全国康养 20 强市并获中国气候宜居城市称号，有力推动了民族地区康养旅游发展。不过，其发展过程中仍存在政府支持力度欠佳、规范化运作不足、产业链条较短、集群效应微弱等问题，亟待解决以实现攀枝花民族地区康养旅游的进一步高质量发展。

III. 攀枝花民族地区康养旅游发展现存问题

1. 政府支持不足

政府支持在康养旅游产业发展中起着关键的推动作用，然而攀枝花民族地区在这方面存在明显欠缺。一方面，税收优惠政策缺乏针对性，未能专门针对康养旅游产业制定有效措施，同时宣传力度不足，使得企业难以充分享受政策红利，影响其投资积极性。另一方面，专项基金支持匮乏，政府投入有限且资金来源渠道单一，主要依赖企业自身筹资或银行贷款，这无疑加重了企业的财务压力与风险。此外，基础设施建设滞后，交通、通讯、医疗等设施不完善，制约了游客出行与景区的可达性，影响游客在

旅游过程中的信息获取、沟通需求，降低了游客的安全感和满意度。

2. 缺乏规范化运作

规范化运作是康养旅游产业健康发展的重要保障，而攀枝花民族地区在这一环节存在匮乏。一方面表现为行业标准缺失。康养旅游产品开发、运营及服务流程缺乏统一标准，致使市场上产品良莠不齐，企业管理混乱，服务质量与效率低下，服务流程不规范，服务人员素质参差不齐，服务设施不完善，严重影响游客的康养体验。另一方面，监管环节不完善。缺乏专门的监管机构，监管法规不健全，监管手段单一且多依赖行政手段，对市场违规行为惩处力度不够，导致监管责任不明确，市场秩序难以有效维护。

3. 产业链短且融合度低

产业链的完善与融合程度直接影响康养旅游产业的发展潜力与竞争力，但目前攀枝花康养旅游发展在此方面较为薄弱。一是产业链延伸不足，康养旅游相关上下游产业发展滞后，主要集中在传统旅游服务领域，产品单一，难以满足游客多样化需求，限制了产业的进一步创新与发展。二是产业融合程度低，与农业、文化、体育等产业缺乏深度融合，合作机制尚未建立，利益分配不明确，导致康养旅游产品缺乏特色与差异化，无法适应市场多元化需求。龙头企业缺乏，现有企业规模普遍较小、实力较弱，缺乏具有强大竞争力的龙头企业引领带动，产业难以形成规模效应和集群效应，整体发展受限。

4. 集群效应作用微弱

集群效应的发挥对于康养旅游产业的可持续发展至关重要，但攀枝花民族地区在这方面却施展乏力。一方面是由于康养旅游集群发展滞后，资源分散，缺乏统一规划布局，产品同质化严重，企业规模较小，缺乏有影响力的龙头企业，难以形成有效的规模效应和集群效应。另一方面是集群区域合作不够紧密，与周边地区在康养旅游资源开发、产品互补、市场营销等方面缺乏协同合作，合作机制不完善，企业合作意识与能力薄弱，导致资源利用效率低下，市场竞争力不足。

IV. 攀枝花民族地区康养旅游发展策略

1. 强化政府支持力度

1.1 制定针对性税收优惠政策

政府需组织专业团队深入康养旅游企业调研，详细了解其投资建设、运营管理、服务提供等各环节的成本结构与资金需求。依据调研结果，精准制定税收减免政策，例如对新建康养旅游设施的企业给予一定期限的房产税、土地使用税减免；针对提供特色康养服务（如中医疗养、康复护理等）的企业实行优惠税率。同时，利用新媒体平台、行业论坛、专题讲座等多样化渠道，全方位、多角度地宣传税收优惠政策，确保企业及时、全面掌握政策信息。此外，设立专门的政策咨询服务热线，安排专业人员为企业答疑解惑，协助企业顺利享受政策红利，切实提高企业投资康养旅游产业的积极性。

1.2 拓宽专项基金支持渠道

政府在加大财政投入力度设立康养旅游专项发展基金的基础上,积极探索多元化的资金筹集方式。通过出台优惠政策,吸引民间资本以参股、独资、合作等多种形式参与康养旅游项目建设与运营。鼓励风险投资机构关注康养旅游领域的创新项目,为具有发展潜力的企业提供资金支持。与金融机构合作,创新金融产品,如开发针对康养旅游企业的专项贷款、项目收益债券等,拓宽企业融资渠道。同时,设立人才培养专项资金,用于资助行业培训、引进高端人才等,全方位促进产业健康发展,减轻企业财务压力与风险。

2. 推进规范化运作进程

2.1 建立行业标准体系

政府牵头成立康养旅游行业标准制定委员会,成员涵盖行业专家、企业代表、消费者代表等多方利益相关者。借鉴国内外先进的康养旅游标准,结合攀枝花民族地区实际情况,制定详细、可操作的康养旅游产品开发标准,包括产品设计原则、资源利用规范、生态环境保护要求等;运营管理标准,明确企业的组织架构、人员配备、服务流程管理等;服务质量标准,对服务人员的仪容仪表、服务态度、服务技能等提出具体要求,以及设施设备配备标准,规定各类康养旅游场所应具备的基础设施、休闲娱乐设施、安全防护设施等。定期组织企业开展标准培训,加强企业对标准的理解与执行能力。

2.2 健全监管机制

设立独立的康养旅游监管机构,明确其市场准入、日常运营、服务质量监督、安全管理等方面的监管职责与权限,避免职能交叉和监管空白。完善监管法规体系,依据行业特点和发展需求,制定《康养旅游市场监管条例》,明确市场主体的经营行为规范、违规行为认定标准和处罚措施。加强对市场准入的监管,严格审查企业的资质条件、设施设备、人员配备等,确保进入市场的企业具备相应的经营能力和服务水平。在日常运营监管中,采用定期检查与不定期抽查相结合的方式,加强对企业服务质量、价格行为、安全管理等方面的监督检查。同时,加强社会监督,鼓励消费者、媒体、行业协会等参与市场监督,形成全社会共同参与的监管格局。对违规企业依法依规进行严肃处理,公开曝光典型案例,起到警示作用,维护市场秩序。

3. 延伸与融合产业链条

3.1 延伸产业链

加大对康养资源开发与保护的投入。一方面,加强对当地特色康养食材的资源调查与开发利用,建立标准化的种植、养殖基地,确保食材的安全、优质供应。同时,深入挖掘当地传统养生药材资源,加强与科研机构合作,开展药材种植技术研发与推广,提高药材品质和产量。另一方面,加强对康养旅游资源(如自然景观、温泉资源等)的保护力度,制定科学合理的开发规划,避免过度开发。在下游产业,积极拓展康养旅游服务领域。除了发展康复护理、健康管理、老年旅游等传统领域外,还应结合市场需求和行业发展趋势,开拓新兴服务领域,如心理康养咨询、互联网+康养服务平台等。

3.2 加强产业融合

建立康养旅游与农业、文化、体育等产业的深度融合机制。与农业融合开发田园康养旅游产品，如农耕体验康养游；与文化产业结合打造文化康养旅游线路，如民俗文化康养之旅；与体育产业合作开展体育康养活动，如户外健身康养赛事等。明确合作各方利益分配机制，激发企业合作积极性，打造特色差异化康养旅游产品，适应市场多元化需求。培育和引进龙头企业，通过政策扶持、资源整合等方式，培育一批规模较大、实力较强的康养旅游龙头企业，发挥其引领带动作用，促进产业形成规模效应和集群效应。

4. 增强集群效应作用

4.1 统筹康养旅游集群发展

组织专业规划团队，对攀枝花民族地区康养旅游资源进行全面普查和评估，在此基础上制定统一的康养旅游集群发展规划。根据不同区域的资源特色，进行差异化定位和布局。如民族文化资源丰富的区域，打造民族文化康养小镇，集中展示民族建筑、民俗风情、传统手工艺等，吸引游客体验。培育和扶持龙头企业，通过政策支持、资金扶持等方式，鼓励龙头企业通过并购、参股、合作等多种形式整合产业链上下游资源，扩大企业规模，提高企业在市场中的影响力和竞争力。引导龙头企业发挥示范引领作用，带动集群内中小企业在产品开发、服务质量提升、市场营销等方面协同发展，形成分工明确、协作紧密的产业集群，避免同质化竞争，提高整个集群的经济效益和市场竞争力。

4.2 加强集群区域合作

建立与周边地区（如凉山州、丽江市等）的康养旅游合作长效机制。整合各方优势资源，形成互补优势，联合开发大型康养旅游项目。在产品互补方面，加强区域间康养旅游产品的差异化设计与开发，实现产品多样化和互补性，满足不同游客的需求。在市场营销方面，联合开展旅游宣传推广活动，整合区域内的旅游宣传资源，共同打造统一的康养旅游品牌形象，提高品牌知名度和影响力。例如，共同制作旅游宣传画册、宣传片，联合举办旅游推介会、旅游节庆活动等。加强区域内企业间的交流与合作，建立企业合作联盟，促进信息共享、技术交流、人才流动，提高资源利用效率，降低运营成本，增强市场竞争力，推动攀枝花民族地区康养旅游产业可持续发展。

V. 结论

本研究深入剖析了攀枝花民族地区康养旅游发展状况，揭示了存在的问题，提出了从政府层面制定税收优惠政策、强化宣传等，从规范化角度建立体系、加强培训等，从产业链延伸方面扶持上下游产业、促进产业融合，从集群效应增强着手统筹规划、加强区域合作来采取相应策略，旨在推动攀枝花民族地区康养旅游可持续发展，实现区域经济均衡，助力共同富裕，也为其他民族地区提供借鉴。未来，攀枝花民族地区康养旅游应持续关注市场动态与游客需求变化，不断优化发展策略。积极融入国内外旅游市场，提升地区康养旅游品牌国际影响力，为攀枝花民族地区发展作出更大贡献。

参考文献

- 王欣,邹统钎,耿建忠.中国康养旅游发展报告,2020.
- 晏洁,冬日暖阳“晒出”百亿产业 攀枝花日报 2024-12-04,001.
- 高琳菲,养生年轻化文旅康养新探索,文化产业 .36(2024):25-27.
- 蒋君芳,“乡融合发展”这道必答题四川期待打造更多样本和经验 四川日报 2024-03-08, 007, 特刊,
doi:10.28672/n.cnki.nscrb.2024.001103.
- 吴欣,A公司康养旅游地产发展模式研究,2024,北京交通大学,MA thesis.doi:10.26944/d.cnki.
gbfju.2024.000001.
- 朱宏佳,朱创业.银发经济背景下康养旅游产业高质量发展的米易实践,新西部 .04(2024):69-74.
- 蒋薇,张掖乡村康养旅游体验价值提升对策研究.旅游纵览 .06(2024):22-27.
- 彭莉,罗向明,融合“刚”与“甜”攀枝花文旅产业谋“出彩”四川日报 2023-08-17, 008, 市州观察·攀
枝花, doi:10.28672/n.cnki.nscrb.2023.004652.
- 朱燕,康养产业发展及资本投资机会解析.大众投资指南 .19(2023):37-39.
- 韩坤,河南省南太行乡村康养旅游发展研究,2022 宁夏大学,MA thesis.doi:10.27257/d.cnki.
gnxhc.2022.001979.

Research on Development Strategies for Applied Administrative Management Professionals in the New Era

Xueru Huang^a Dongyan Ma^b

^a School of Administration, PanZhihua University, China

^b Professor, Law School, Panzhihua University, China

Received 07 January 2024, Revised 03 April 2024, Accepted 01 July 2024

Abstract

Purpose – The purpose of this paper is to explore the construction path of the Applied Administrative Management major in the New Era. It aims to address the problems in current major construction, such as imbalanced courses and weak practical teaching, to promote integration with social development and improve talent cultivation quality.

Design/Methodology/Approach – Based on literature review, this paper summarizes the research status, analyzes problems in the major's construction, and proposes strategies. It evaluates achievements and deficiencies, reasons about problem causes, and offers solutions like optimizing curriculum and strengthening practical teaching.

Findings – This paper is the achievement of the research and reform of Panzhihua University: the construction of applied administrative management in the new period(JJ24044).

Research Implications – In major construction management, attention should be on aligning with social needs and improving teaching quality. Future research can focus on evaluation systems, comparative studies of development models, and strengthening the connection between theory and practice to enhance the major's adaptability and provide talent support.

Keywords: New Era, Applied, Applied Administrative Management major, Major Construction

JEL Classifications: M12, A22, I23

^a First Author, E-mail: hz1370406520@163.com

^b Professor, Law School, Panzhihua University, China, Corresponding Author, E-mail: 39057019@qq.com

© 2023 The NLBA Eurasian Institute Limited. All rights reserved.

I. 引言

在全面深化教育改革的新时期下，习近平总书记强调“要坚持教育优先发展、科技自立自强、人才引领驱动，加快建设教育强国、科技强国、人才强国”，提出“推动教育、科技、人才协同创新发展”的总体战略要求，这一要求为应用型人才培养注入新内涵，强调专业建设要全方位提升系统性、整体性与协同性，促使应用型行政管理专业积极构建优质教育体制。但随着新时期下经济社会的快速发展，行政管理领域对应用型人才需求大增，职能与工作方式加速变革，该专业建设面临理论与实践课程配置模糊、实践教学对外交流匮乏、师资队伍实践素养不足等问题，制约其发展与社会需求的适配性。深入探究其应用型行政管理专业建设策略，对促进新时期应用型行政管理专业的发展，实现其与社会发展的深度融合与良性互动具有重要的现实价值与实践意义。

II. 新时期应用型行政管理专业建设策略研究现状

通过对已有的文献资料整理研究发现，新时期应用型行政管理专业建设主要集中于两大层面：一是在理论层面对传统教学的突破，构建起理论实践融合且多方要素协同的教学体系；二是在实践层面探寻应用型行政管理专业教学提质增效的有效路径。

传统行政管理专业教学重理论传授，学生虽有基本认识但存在不足，难以构建结合现实问题的认知体系，对理论掌握不准、不熟，无法灵活运用调研解决理论与现实偏差问题（邓世伦，2024）。该专业课程理论性强，缺实例易使学生浅尝辄止、疏于思考，且理论讲授枯燥影响学习兴趣（焦晶，2024）。地方探索“三阶递推式”混合教学模式，是信息化时代翻转课堂教学模式的继承创新与对传统教学模式的反思，为教学体系改革提供新思路（黎雅婷，2024）。从专业发展史考察，行政管理专业专注于行政知识应用和公共服务，其理论基础、基本内容以及服务方向等长期保持相对稳定（王敦辉，2024）。

实践中，基于应用型人才培养目标开展教学改革，需转变教学观念，以学生为主体、技能培养为主、职业岗位需求为导向，调整教学内容，融合理论与实践知识，增加应用型教学成分（王利清，樊金岳，2021）。当前建设研究有必要聚焦特定院校情境，剖析效能低下困境根源，基于治理能力视角探寻提升路径，这对理解和优化教学机制意义重大（张丹婷，2024）。学生专业实训可借鉴“三本”理念，即本地生源、本地培养、本地发展，与本地企业共建实训基地，强化实训资源体系构建，提升人才培养与社会需求匹配度，为区域发展精准培育输送人才，促进地方与专业人才培养协同共进（王鹤霖，2024）。

综上，当前在理论层面有“三阶递推式”混合教学模式等创新思路以突破传统教学局限，在实践层面有着转变教学观念、借鉴“三本”理念等积极对策。但针对理论与实践课程配置模糊、实践教学对外交流环节欠缺、师资实践能力薄弱等问题，目前尚未提出针对性应对策略。本研究以现有学术研究成果为基石，秉持问题导向，致力于深入探究能够有效弥补上述问题的策略。

III. 应用型行政管理专业建设现存问题

1. 理论与实践课程配置模糊

在高等教育中，课程是培育应用型人才的核心要素，理论与实践课程配置的清晰界定至关重要。

然而,当前存在着显著的模糊性问题。一是理论与实践课程的比重界定不清。在课程体系设计初期,缺乏科学严谨的规划流程来确定理论与实践课程各自所占的比重。有些课程计划里,理论课程占据了绝大部分课时,实践课程被严重压缩,使得学生在学习过程中缺乏足够的动手操作与实际应用机会,只能纸上谈兵,无法将理论知识有效转化为实践技能。二是课程内容衔接混乱。理论课程所传授的知识未能与实践课程的操作要求和项目任务紧密结合,学生在实践中难以运用所学理论指导操作,导致教学效果大打折扣,难以实现理论与实践教学的有机协同,导致学生知识技能与实践岗位要求不匹配,陷入“学非所用”或“用非所用”困境。

2. 实践教学对外交流环节薄弱

应用型行政管理专业侧重提升学生实践与综合素养,其中实践教学的对外交流环节极为关键。但当前该专业此环节薄弱,视野拓展受阻。国际交流上,与国外高校及行政机构的实践教学合作项目匮乏。在全球治理体系改革与电子政务快速发展之际,国外发达国家行政管理实践教学已广泛运用国际化案例教学、跨国政务实习交流等创新模式,我国应用型行政管理专业与之对接不足,师生难以汲取国际前沿经验与信息技术成果。国内校际交流方面,机制不完善,资源共享渠道不通畅。不同地区、各类型院校在行政管理专业实践教学资源与特色模式上交流互鉴不足。沿海院校口岸行政管理实践教学成果难以推广至内陆院校,内陆院校基层行政服务创新经验也难被其他院校借鉴,无法满足社会对具有广阔视野和创新能力的应用型行政管理人才的需求。

3. 师资队伍实践素养欠缺

师资队伍是应用型行政管理专业建设的核心力量,其实践素养的高低直接影响教学创新与人才培养成效。目前,该专业师资实践素养普遍存在欠缺,对创新教学形成阻碍。其一,教师任用考核重理论轻实践。在教师的选拔任用环节,过于侧重理论知识水平的考核,对教师的实践经历和实践能力考查不足。众多教师直接从高校到高校,缺乏在政府部门、社会组织等实际行政管理岗位的历练,难以向学生传授真实决策情境中的利益博弈、风险评估等实践要点。其二,针对教师实践能力提升的培训内容存在缺陷。培训内容多聚焦理论研究前沿与教学方法改进,对行政实务操作技能培训不足。无法有效引导学生掌握前沿的行政管理信息化技术与创新实践模式,制约了应用型行政管理专业教学质量的提升与创新发展。

IV. 新时期应用型行政管理专业建设策略

1. 优化课程体系

1.1 精准量化课时比例

调研行政管理领域工作与岗位技能要求,运用大数据整合行业报告、企业反馈等多源数据,挖掘核心任务与技能点,构建知识技能图谱,为课时比例确定提供依据。规律与潜在的需求,精准确定理论课程与实践课程在不同学期、不同课程模块中的合理课时比例。将理论课程比重设为 30% - 40%,使学生掌握行政学经典及前沿理论,为研究、咨询等奠基。实操性课程如公文写作实训、会议组织实践等,实践课时比重不少于 50%,充分保障学生拥有充裕时间开展如模拟行政公文处理、行政会议组

织等实践活动，切实将理论知识有效运用于实践场景之中。同时，构建动态课程评估调整机制，广泛收集学生反馈信息，深入分析学业成绩、实践成果以及职业发展跟踪数据，据此对课时比例、课程内容与教学方法进行持续优化，使课程体系始终与行业发展动态及学生实际需求紧密相连、协同共进。

1.2 设计一体化课程内容

课程内容设计要侧重知识与技能的一体化融合。通过深入剖析行政管理学科知识体系的内在逻辑关联、层次结构以及前后连贯特性，构建具有高度逻辑性、清晰层次性以及严密连贯性的课程内容框架。以城市社区治理项目、政务服务流程优化项目等典型且具有现实意义的行政管理实践项目为蓝本，构建理论与实践紧密交融的课程内容体系。在教学实践环节，创新性地引入项目驱动教学范式，即在教学过程中，以完整的项目任务为驱动，引导学生在完成任务的过程中同步学习和应用理论知识。借助引导学生参与项目任务的执行过程，促使其在完成项目的实践进程中同步研习并熟练运用行政学原理、公共政策分析等核心理论知识，从而实现理论学习与实践操作在时空维度与知识技能维度的无缝对接与深度融合，提升学生在行政管理学科领域的综合素养与专业实践能力，使其能够精准对接并有效适应复杂多变且具有高度专业性的行政管理工作环境与要求。

2. 加强实践教学对外交流

2.1 深化国际交流合作

积极与国际知名高校行政管理专业构建长期稳定合作关系，打造多元交流网络，涵盖多洲特色高校。着重开展应用型导向的合作项目，如师生互访中围绕城市智慧交通管理等实际课题组建跨国小组，深度交流经验与策略。联合培养紧扣行业需求创新课程融合，开发“国际商务环境下行政管理实务”等模块，让学生在跨文化情境里掌握实用技能。国际实习拓展丰富岗位，涉及发达国家政府部门与国际组织等，学生可在相应机构参与项目行政运作，亲身体会高效管理流程，增强解决实际问题与跨文化协作能力，切实提升应用素养。定期选派师生赴外实习，邀请国外专家学者开展前沿讲座与工作坊，引入电子政务实操、公共危机应急处置等先进经验，强化师生国际化视野与实践能力，为社会培育精通国际规则与实务的应用型行政管理人才，助力专业紧密对接全球行业需求，提升应用水平与竞争力。

2.2 完善国内校际交流机制

搭建专门的国内应用型行政管理专业校际交流平台，定期举办各类学术研讨会、实践教学成果展示会等活动，为各院校提供交流互动的机会。建立线上资源共享库，全面收录各院校优秀的行政管理实践教学案例、课程设计方案、实习基地建设经验等丰富资源，供全体成员院校共享。例如，将沿海地区院校在口岸行政管理实践教学中的成功经验和成果推广至内陆院校，同时内陆院校基层行政服务创新经验也能被其他院校借鉴，促进整体实践教学水平的提升，满足社会对具有广阔视野和创新能力的应用型行政管理人才的需求。

3. 提升师资实践素养

3.1 重塑教师任用标准

在教师招聘环节,设立专门且严格的实践能力考核环节。从单纯的学术导向转变为实践与学术并重,强调教师不仅要有深厚的理论知识储备,更要具备丰富且贴合专业应用场景的实践经验与能力,能够将理论知识有效转化为学生可操作、可应用的实践技能。理论考核方面,除了考查行政管理专业的核心理论知识,如公共行政学、政策科学、组织行为学等基础理论的掌握程度,还应增加对理论前沿知识与行业实际应用结合点的考查。实践考核方面,应聘者需提供在实践工作中形成的可证明其实践能力的成果,优先录用具有在政府综合管理部门、基层行政单位、大型企业行政部门等不少于两年全职工作经历的应聘者。在面试环节设置实践技能测试项目,要求其详细阐述工作中的主要职责、参与的重大项目及在项目中的角色与贡献,特别是涉及利益博弈处理、风险评估与应对等方面的经历。优先录用具有多年政府政策研究室工作经历的专家、在大型社会组织从事行政管理工作的骨干等富有实践经验人员,充实师资队伍,优化师资结构,为教学带来更多实际案例和实践经验。

3.2 创新教师在职培训方式

与政府部门、企业联合开展教师实践能力提升培训项目,采用多元化的创新培训方式。一是制定鼓励挂职实践政策,选派教师到政府政务服务中心挂职锻炼,参与实际的行政审批、政务服务优化等工作,或者组织教师到企业参与行政管理制度设计与运营管理项目。在挂职周期内,教师可全面参与各类实际工作项目运作,精准洞悉行政管理领域的前沿动态与现实诉求。借挂职实践所积累的经验,将鲜活案例与实践感悟带回课堂,充实教学内容,提升教学品质。二是开展线上线下相结合的实践技能培训课程,邀请行业精英进行案例教学与实践操作演示,如邀请电子政务系统开发企业技术人员讲解政务信息平台的搭建与维护技术,提升教师在行政管理信息化教学方面的能力水平,为创新教学奠定坚实基础。同时,鼓励教师参与行业研讨会、学术论坛等活动,与同行交流经验,拓宽视野,不断提升自身的专业素养和实践能力。

V. 结论

新时期应用型行政管理专业建设是一项复杂而长期的系统工程。面对社会发展对应用型行政管理专业人才的新需求,我们必须深刻认识当前专业建设中存在的问题,积极借鉴现代学术经验,通过优化课程体系、加强实践教学对外交流、提升师资实践素养等方面的策略,持续提高专业应用水平,以培育出理论扎实、技能熟练、思维创新、协作良好的高质量应用型人才。同时,我们应紧密依循社会发展动态,持续调适专业建设方案,确保专业保持强适应性与生命力,在新时期进程中充分发挥其关键效能、展现其核心价值。

参考文献

邓世仑,基于福格行为模型的线上线下混合式教学模式研究——以行政管理专业“社会研究方法”课程为例,黑龙江教育(理论与实践)1-5.

-
- 焦晶, 行政管理专业应用型人才培养模式探析." 学周刊, 25(2024):41-44.doi:10.16657/j.cnki.issn1673-9132.2024.25.011.
- 黎雅婷, 地方行政管理专业“三阶递推式”混合教学模式的理论基础、重要意义与构建路径, 学园 17.23(2024):80-82.
- 王敦辉, 独立学院行政管理专业应用型人才培养的实践逻辑、困境与路径优化. 福建轻纺 .06(2024):69-72.
- 王利清, 樊金岳. 以 OBE 理念为导向的行政管理专业应用型人才培养的教学模式设计. 呼伦贝尔学院学报 29.03(2021):50-53+57.
- 张丹婷, 王璐, 孙云鹏." 提升治理能力视角下高职院校行政管理效能研究——以陕西省 Z 职业院校为例. 才智 34(2024):137-140.
- 王鹤霖, 高职行政管理专业助力乡村振兴的困境与进路, 智慧农业导刊 4.22(2024):185-188.doi:10.20028/j.zhnydk.2024.22.045.
- 郑丽芬, “专创融合”背景下行政管理专业人才培养模式探析——以广州华商学院为例, 中国管理信息化 27.16(2024):236-238.
- 黄晋. 高等院校行政管理专业教学改革探析." 学周刊 . 22(2024):13-16.doi:10.16657/j.cnki.issn1673-9132.2024.22.004.

Ethical Guidelines

Chapter 1. General Rules

Article 1 (Purpose)

The purpose of the following rules is to present the basic ethical principles and direction needed to ensure the research ethics of editorial board members, peer-reviewers, and authors who examine or submit articles to the Journal of Advanced Academic Research and Studies (JAARS). NLBA Eurasian Institute publishes these rules to present the procedure and actions for research misconduct.

Article 2 (Object of the Study and Scope)

The research is subject to sanction, investigation and judgement to determine whether research ethics were followed when any of the following occurs:

- i. The study was submitted to the Journal of Advanced Academic Research and Studies,
- ii. The study was confirmed to be published in the Journal of Advanced Academic Research and Studies,
- iii. The study has already been published in the Journal of Advanced Academic Research and Studies.

Chapter 2. Honesty and Social Responsibility of the Research

Section 1. Honesty in the Research

Article 3 (Honesty of the Research)

- a. Researchers must conduct every research behavior (proposing research, researching, reporting and presenting research, investigating and judging) honestly and sincerely.
- b. Researchers must describe the content and the importance of the study clearly and objectively, and must not delete or add results arbitrarily.
- c. Researchers must carry out every study without any bias or prejudice.

Article 4 (Ethics for Researchers)

- a. Researchers must not commit research misconduct during any part of the research process.
- b. A study must not be submitted if it has been published in other journals, and researchers must not request review of the study to different journals at the same time. However, a thesis or a paper presented in a conference as a working paper shall be exceptions.

Article 5 (The Record, Storage, and Report of Research Data and its Disclosure)

- a. All research information must be clearly and precisely recorded, processed, and preserved so that it may be accurately analyzed and confirmed.
- b. Researchers shall use proper research methods and statistics, and those shall be available to the public if necessary.

Section 2. Fairness in Researchers' Contributions

Article 6 (Collaborative Research)

Researchers must make the roles and contributions of all contributors clear if they conduct a joint study with other researchers, and shall take full responsibility for establishing this. Prior to conducting research, mutual agreement and understanding shall be made with regard to property rights and ownership issues, research director selection, authorship and the standard of order. the data collection method. individual role in the study. and expectations and objectives of the study.

Article 7 (Responsibility and Duty, Order of Authors)

- a. Researchers are responsible only for the study that they carry out or are involved in as an author, and are recognized for that achievement.
- b. Authors must accept requests for proof of their contributions.
- c. The order of authors must accurately reflect the academic contribution by each author to the research contents or results, regardless of the authors' relative positions.

Article 8 (Corresponding Author)

- a. Corresponding authors shall take overall responsibility for the results of the study and proofs.
- b. Corresponding authors shall have the burden of proof with respect to the order of the author and co- author(s).

Article 9 (Affiliation of Author)

When indicating the affiliation of author(s), the author's current status in principle shall be given. However, it is possible to follow the customs of the author's academic field if their field of affiliation follows a different custom.

Chapter 3. Research Misconduct and Unethical Research Conduct

Section 1. Methods and Principles of Citation

Article 10 (Methods and Principles of Citation)

- a. The author may cite a part of other researchers' studies in his/her research paper using their original text, or the translated version by introducing, referring to or making a comment on the original.
- b. The author shall take all possible measures to ensure the accuracy in stating sources and making the list of references. The author must confirm all elements of a citation (author's name, number/volume of the journal, page and published year) not depending on the secondary source but solely on the original work. However, when inevitable, the author can include with acknowledgment.
- c. The author must cite in a reasonable manner and use the good faith principle, so that uncited works can be clearly distinguished from cited works.
- d. The author must cite published works only. However, in the case of citing unpublished academic materials that have been acquired through personal contact, paper review or proposal review, the author must acquire consent from the relevant researcher(s).
- e. When the author introduces ideas or theories in his/her work that have been presented in another study, the source must be stated.

- f. The author must distinguish his/her own ideas from cited materials when borrowing substantive parts from one source, so readers can clearly recognize the author's work.
- g. If a reference has a significant impact on the direction of the research or can help the reader understand the contents, the author must include all such works on the list of references, except in such cases where the relevant research can theoretically and empirically be inferred.

Article 11 (Method of General Knowledge Citation)

- a. If the author uses someone else's idea or a fact provided by them, the source should be provided. However, general knowledge or material that general readers will already recognize shall be an exception.
- b. If the author is unsure whether any concept or fact qualifies as general knowledge, it is recommended to cite the original text.

Section 2. Research Misconduct

Article 12 (Definition of Research Misconduct)

“Research misconduct” refers to any instances of forgery, falsification, plagiarism, failure to give proper credit to co-authors or redundant publications that may emerge during the entire research process (research proposal, conduct of research, report and presentation of research, investigation and judgement).

- a. “Forgery” refers to the act of presenting non-existent data or research results.
- b. “Falsification” refers to the acts which artificially manipulate research processes, randomly modify, or delete data resulting in distorted research content or research results. (Here, “deletion” refers to the act of using only favorable data and intentionally excluding the data that might cause unexpected or undesired results.).
- c. “Fabrication” refers to the act of intentionally creating a document or record that does not exist.
- d. “Plagiarism” refers to the acts which pirate other's work, ideas or research, using ideas, hypotheses, theories, research contents, or research results without justifiable approvals, citation, or quotations, as if those were his/her own.
 - i. “Idea Plagiarism” refers to the act of using someone else's ideas (explanations, theories, conclusions, hypothesis and metaphors) in full, substantial proportions or in a fragmented revised form without giving appropriate credit to the originator of the words and ideas. Authors have moral responsibility to indicate the source of ideas through a footnote or a reference. Authors must furthermore not steal other's ideas which are known through peer review of research proposals and submitted articles.
 - ii. “Text plagiarism” refers to the act of copying text from another's work without clarifying the original author.
 - iii. “Mosaic plagiarism” refers to the act of combining a part of a text with a few words added, inserted or replaced with synonyms, and others without clarifying the source or the original author.
- e. “Redundant Publication” refers to the act of publishing a paper that is identical or highly similar text to one that has already been published in the past in another academic journal without alerting the editors or readers of the fact that this work was previously published elsewhere. If the contents of the paper are almost the same as his/her previously published paper, the later paper is regarded as a redundant publication even if the text has a different point of view or perspective, or including a different analysis based on the same data that has been previously published. In the case in which the author would like to publish a paper using a previously published paper, he/she must acquire permission from the chairperson after providing the information about the publication and double-checking whether it is a redundant publication or duplication of a publication.

- f. “Self-plagiarism” refers to the act of using images, graphs or part of one’s own research already published without identifying the source, and it is regarded as redundant publication.
- g. “Failing to give proper credit to co-authors” refers to the act of failing to list those who have contributed academically to the research process or results as a co-author or conversely to the act of listing those who have not made any academic contribution as co-authors.

Article 13 (Research Misconduct and Copyright Infringement)

- a. Generally, the copyright of all papers and instances published through NLBA Eurasian Institute is assigned to the author. However, if they are utilized for public objects like education, NLBA Eurasian Institute owns the right of use.
- b. The full term of copyright is assigned to the academic journal publisher in all papers published in academic journals.
- c. It should be noted that “Redundant Publication” may cause copyright violation.
- d. It should be noted that the author should use proper quotation marks when widely citing text from copyrighted sources, and even if the text is properly cited, it could infringe copyright.

Section 3. Inappropriate Writing

Article 14 (Inappropriate Writing)

The following are regarded as inappropriate writing:

- i. Inappropriate citations
- ii. Distorting references
- iii. The act of depending on abstracts when citing the published paper
- iv. Citing papers that the author did not read or understand
- v. The act of partially citing despite intensively borrowing from a single source
- vi. The act of reusing text

Article 15 (Prohibition of Distortion of References)

- a. References must only include documents that are directly related to the article content. Unrelated references for the purpose of intentionally manipulating the citation index of the paper or academic journal should not be included.
- b. As a moral responsibility, the author should not only cite the references which will be favorable to his/her data or theory, but also cite references which may contrast with his/her point of view.

Article 16 (Reuse of Text)

- a. “Reuse of Text” refers to the act of re-using a part of the manuscript that he/she has used in a previous paper.
- b. Text reuse is an act contradictory to ethical writing, so the author must avoid re-using text already used. In case of unavoidable text re-use, the author should not violate copyright infringement by following standardized reference practices including the use of quotation marks or proper indication.

Chapter 4. Ethical Rule Enforcement

Section 1. Research Ethics Committee

Article 17 (Ethical Rule Pledge)

New members who have enrolled in the research pool of NLBA Eurasian Institute shall acquaint and pledge to abide by these research ethics when submitting to the “Journal of Advanced Academic Research and Studies” and conducting research. Current members shall be regarded as having pledged to abide by these research ethics when initiated.

Article 18 (The Announcement of Violation of Ethical Rule)

If a member learns that another member has violated any ethical rules, he/she should endeavor to correct the mistake by helping make him/her be aware of the rules. However, if he/she does not correct the violation or the ethical violation is obviously unveiled, the member must report to the committee immediately.

Article 19 (Organization of the Research Ethics Committee)

NLBA Eurasian Institute shall establish a Research Ethics Committee (hereinafter referred to as the “Committee”) mandated to deliberate on matters falling under each of the following sub-paragraphs:

- a. Matters concerning establishment and revision of these rules.
- b. Matters concerning acceptance and handling of misconduct.
- c. Matters concerning beginning actual investigation and decision, approval, and re-deliberation of investigation results.
- d. Matters concerning protection of informant and examinee.
- e. Matters concerning investigation of research integrity, handling of investigation results and follow up measures.
- f. All the matters concerning operations of other committees.

Article 20 (Organization of Research Ethics Committee)

- a. The Committee shall consist of one chairperson and members of no less than five but no more than nine persons.
- b. The chairperson and the members shall be appointed by the chairman of NLBA Eurasian Institute.
- c. The members of this committee shall hold a one year term and they may be reappointed.
- d. The chairperson and the members of this committee shall maintain independence and confidentiality with respect to the details relating to deliberations and decisions.

Article 21 (Organization of Research Ethics Committee)

- a. The chairperson of the committee shall convene any meeting and preside over such meetings.
- b. The committee's meetings shall open with the attendance of a majority of the total members including the chairperson and resolve with the concurrent vote of a majority of those present.
- c. No meeting of the committee shall be open to the public. [The meeting shall not be open to the public in principle, but whenever deemed necessary, the committee can ask the related party and hear their opinions.]
- d. Whenever deemed necessary, the committee can ask the related party and hear their opinions.
- e. Any member who is involved in the research subject to an investigation will not be permitted to attend the concerned meeting due to a conflict of interest.

Article 22 (Authorities and Responsibilities of the Committee)

- a. The committee can summon for attendance and data submission any informants, examinees, witnesses and testifiers, in the process of an investigation.
- b. When the examinee refuses to attend the meeting or data submission without a justifiable reason, it could be presumed as an indication that he/she has acknowledged the allegations.
- c. The committee can take substantial measures to prevent any loss, damage, concealment or falsification of research records or evidence.
- d. The committee members should comply with confidentiality concerning deliberation-related matters.

Section 2. Research Integrity Investigation**Article 23 (Reporting a Fraudulent Act)**

An informant can report a fraudulent act using any means available when reporting using their real name. However, when reporting anonymously, he/she must submit the title of the paper, and the evidence and detail of the misconduct in writing or by e-mail.

Article 24 (Confidentiality and Protection of Rights of Examinee and Informant)

- a. The committee should not reveal the personal information of the informant unless it is necessary.
- b. The committee must take action to protect the informant if the informant experiences illegitimate pressure or threats due to reporting the fraudulent act.
- c. Until the investigation of a fraudulent act is completed, the committee must be careful not to infringe upon the rights or reputation of the examinee. If the person turns out to be innocent, the committee must make efforts to recover the reputation of the person.
- d. The identity of the informant, investigators, testifiers, and consultants should not be disclosed.
- e. All facts relating to research ethics and authenticity investigations must remain confidential and the people involved in the investigation must not reveal any information obtained during the process. If there is a need to disclose related information, the committee can vote to make such a decision.

Article 25 (Raising an Objection and Protection of Defense Right)

- a. The committee must ensure the informant and examinee have equal rights and opportunities to state their opinions and objections. Such procedures must be informed to them beforehand.
- b. An examinee or informant may require the avoidance of deliberation and decision after explanation in case he/she expects an unfair decision.
- c. The research ethics committee must give the examinee a chance to submit their opinion and clarify any fact revealed during the first report or any additional report.

Article 26 (Preliminary Investigation of Research Misconduct)

- a. The committee must investigate the presence of misconduct if there is a considerable doubt about legitimate conduct or detailed information about misconduct.
- b. The chairperson can officially carry out the investigation (hereinafter referred to as the "preliminary investigation") which is a procedure to decide whether the suspected misconduct should be investigated after consultation with the chairman of NLBA Eurasian Institute.

- c. The committee shall form the preliminary investigation committee consisting of no more than five members within 30 days of reporting.
- d. The committee shall inform the informant and examinee of the formation of such a committee, and give the examinee a chance to clarify within 30 days.
- e. A preliminary investigation is initiated within 30 days of the formation of the preliminary investigation committee and the investigation should be completed within 30 days of the start of the investigation except in unavoidable circumstances.
- f. If it has been more than five years since a misconduct was committed, the reporting is not handled in principle even if the reporting is accepted.
- g. Through preliminary investigation, the following is reviewed:
 - i. Whether the reported instance qualifies as research misconduct
 - ii. Whether the reporting is specific and clear enough to lead to an actual investigation
 - iii. Whether more than five years has passed since the reported misconduct was committed

Article 27 (Report and Notice of the Preliminary Investigation Result)

- a. The result of the preliminary investigation shall be notified to the informant and examinee within ten days of the committee's decision, and reported to the chairman of NLBA Eurasian Institute.
- b. The result report of the preliminary investigation must include the following:
 - i. Specific information regarding the alleged misconduct
 - ii. Facts regarding the alleged misconduct
 - iii. Grounding for decision on whether to conduct an actual investigation

Article 28 (Raising an Objection and Protection of Right of Defense)

- a. The committee must ensure that the informant and examinee have equal rights and opportunities of opinion statement and objection. Such procedure must be informed beforehand.
- b. The informant and examinee can make an objection within ten days from the day of being notified of the preliminary investigation.

Article 29 (Beginning and Duration of an Actual Investigation)

- a. The actual investigation begins within 30 days after a positive result from a preliminary investigation. During the period, the actual investigation committee consisting of no more than nine persons (including the preliminary investigation committee) must be formed to conduct an actual investigation.
- b. The actual investigation must be completed within 90 days from the beginning date.
- c. If the investigation committee decides that it cannot be completed within the specified period, it can explain the reason to the committee and request a 30 day extension (one time only).

Article 30 (Formation of an Actual Investigation Committee)

- a. An actual investigation committee is composed of no more than nine members.
- b. Formation and duration of an actual investigation committee is determined by the committee. The chairperson of the actual investigation committee is elected among the actual investigation members.
- c. The investigation committee shall include at least two members with specialized knowledge and experience in the relevant field.
- d. A person who has a stake in the investigated matter must not be included in the actual investigation committee.

Article 31 (Request for Appearance and Document Submission)

- a. The actual investigation committee can request the examinee, informant(S), and testifiers to appear for testimony and the examinee must comply.
- b. The actual investigation committee can ask the examinee for submission of a document, and retain and store the relative research materials about the person involved in the misconduct after the approval of the head of the research organization in order to preserve evidence relating to the investigation.

Article 32 (Exclusion, Avoidance and Evasion)

- a. The examinee or informant(s) can require exclusion by identifying the reason if there are reasons to believe that a committee member is unable to maintain fairness. When such request for exclusion is recognized, the member subjected to the request shall be excluded from the concerned investigation.
- b. If the committee member is directly related to the corresponding matter, he/she shall be excluded from all deliberation, decisions and investigation of the matter.
- c. The chairperson can suspend the qualification of a member who is related to the corresponding matter in connection with the corresponding investigation.

Article 33 (Investigation Report Submission)

The actual investigation committee must submit the result to the committee within the actual investigation period, and the result must include the following:

- i. Specific details of the alleged misconduct
- ii. Facts regarding the alleged misconduct
- iii. Evidence, witness list and affidavits
- iv. Investigation results
- v. Other data useful for decisions

Article 34 (Decision)

- a. The decision must be made within six months from the beginning of the preliminary investigation.
- b. The committee shall make the decision confirming that the examinee committed research misconduct after reviewing the result report.

Section 3. Action after Investigation**Article 35 (Action in accordance with Investigation Result)**

When a decision is made confirming the research misconduct, the committee can sanction the author with applicable punishment to each of following, or impose corresponding retribution.

- i. The publication is postponed until the final decision of the research ethics committee is made even if the paper has been confirmed to the author that it will be published.
- ii. The publication of the paper to which the research misconduct is related is to be canceled and deleted from the article list of the journal even if the volume has already been published.
- iii. The author found to have committed such misconduct is prohibited from submitting papers to the journal for three years, and these facts are made public on the homepage of the journal (<http://www.nlbaei.org>).

- iv.If there is an author found to have committed plagiarism or redundant publication, the editorial board stores the relevant investigation details for five years.
- v.The chairperson of the organization with which the author(s) is affiliated is notified of the final decision.

Article 36 (Investigation Result Notification)

The chairperson of the committee shall immediately notify the related persons such as the informant and examinee of the committee's decision regarding the investigation result in writing.

Article 37 (Investigation Result Notification)

- a.If the informant or the examinee refuses the committee's decision, he/she must submit a re-deliberation request to the committee within 15 days from receipt of the result notice as prescribed in Article 37.
- b.The committee must decide whether re-deliberation is necessary within 10 days of the receipt of the re-deliberation request.
- c.The committee will decide there-deliberation procedure and method.

Article 38 (Follow-ups such as Recovery of Author's Honor)

If the results of the investigation confirm that no research misconduct has been identified, the committee must take follow-up steps to recover the reputation of the examinee.

Article 39 (Storing the Record and Confidentiality)

- a.All records regarding the preliminary and actual investigation are stored for five years from the date of the investigation's conclusion.
- b.All facts relating to research ethics and the investigation must remain confidential and the people involved in the investigation must not reveal any information obtained during the process. If there is a need to disclose investigation information, the committee can vote to make such decision.

Article 40 (Etc.)

Matters that are not determined by these rules are to be decided by the editorial board.

Article 41 (Date of Effectiveness)

These regulations shall be effective as of January 1, 2024.

Editorial Regulations

Journal of Advanced Academic Research and Studies (JAARS)

Chapter 1. General Roles

Article 1 (Purpose)

The purpose of the following rules is to prescribe matters regarding the editorial work and standards for the Journal of Advanced Academic Research and Studies (hereinafter referred to as “JAARS”) published by NLBA Eurasian Institute.

Chapter 2. Editorial Committee

Article 2 (Editorial Committee)

The editorial committee (hereinafter referred to as “committee”) is established in order to accomplish the purpose of Article 1.

Article 3 (Formation of Editorial Committee)

- a. The editorial members shall be appointed by the chairman of NLBA Eurasian Institute, and the committee shall consist of no more than 50 members.
- b. The chief editor shall be appointed by the chairman of NLBA Eurasian Institute and is in charge of all editing.
- c. The editorial committee shall be composed of two chief editors, one editor, and one managing editor. The editors are appointed by the chairman of NLBA Eurasian Institute among editorial members.
- d. The term for the chief editor is three years, and the term for the editorial members is two years, and editorial members may be reappointed.
- e. This committee makes decisions with a majority attendance of the members and a majority agreement of the members present.

Article 4 (Qualification of Editorial Members)

The editorial members shall meet the following qualifications:

- i. Being at least an associate professor in a domestic/international university or a person equally qualified
- ii. Someone who studies in an area within the JAARS's specialty and who has published at least 3 articles in a journal (or 1 article in an SCI, SSCI and/or SCOPUS indexed journal) within the last three years

Article 5 (Responsibilities and Obligations of Editorial Members)

- a. Editorial members are fully responsible for the decision to publish JAARS-submitted papers, confirm their integrity during the deliberation process, and observe candidates during the editing process.
- b. Editorial members should respect the author's person and independence as a scholar, and make the process of the evaluation of the research paper public if there is a request.
- c. Editorial members should handle submitted papers only based on the quality and submission guidelines, not based on the author's gender, age, or affiliation.

- d. Editorial members should request a reviewer with specialized knowledge and fair evaluation ability in the relevant field to evaluate submitted papers. However, if evaluations of the same paper are remarkably different, editorial members can acquire advice from an expert in the relevant field.
- e. Editorial members should not disclose the matters of the author and the details of the paper until a decision is made pertaining to the publication of the submitted paper.

Chapter 3. Paper Submission and Peer Review Committee

Article 6 (Qualification of Submission and Submission)

- a. All the paper submitters must be members registered with JAARS.
- b. All papers should be submitted through the JAARS's online submission system (<http://www.nlbaei.org/>) and Email: edubscon@outlook.com, and can be submitted at any time. English-language papers from authors outside of the United States of America may also be submitted using e-mail.

Article 7 (Formation of Peer Review Committee)

- a. Peer reviewers are appointed by the chief editor, and selected based on the field of the reviewer's expertise. (According to circumstances, a peer reviewer who is not a member of JAARS may be appointed.)
- b. Editorial members for each content subject such as international economy, international management, or practice of trade can also serve as peer reviewers.
- c. The chief editor represents editorial members, handles all the matters relating to review, and reports the results of peer review to the committee.
- d. The managing editor is in charge of the procedure relating to review.
- e. The classification and selection of submitted papers is decided by the chief editor and the managing editor, and they report it to the committee.

Article 8 (Qualification of Peer Reviewers)

Peer reviewers shall have the following qualifications:

- i. Being at least an associate professor in a domestic/international university, or a person who is as equally specialized as the person above.
- ii. Someone who studies an area within the JAARS's specialty and has published at least 3 articles in a journal (or 1 article in an SCI, SSCI and/or SCOPUS indexed journal) within the last three years.
- ii. Someone who presents a paper, chairs a session or serves as a discussant at an academic conference at the same level of the institution, or has served as a reviewer of a study which has been indexed in a domestic or international journal within the last three years.

Article 9 (Responsibility and Duty of Peer Reviewers)

- a. Peer reviewers should evaluate papers and report the results of the evaluation to the committee within the time period set by the committee. However, if he/she believes that they are not appropriately qualified to review the paper, they should notify the committee without delay.
- b. Peer reviewers should respect the author's person and independence as a scholar. Peer reviewers may request for revision of the paper with detailed explanations if needed in the evaluation of the research paper.

- c. Papers are reviewed confidentially using a method in which the name and affiliation of the author is confidential to the public. Showing the paper and/or discussing the contents of the paper with a third party is not desirable unless a consultation is needed for purposes of review.

Article 10 (Unethical Behavior in the Review Process)

- a. Peer reviewers must not manipulate either directly or indirectly the related research-specific information contained in the research proposal or review process without the consent of the original author.
- b. Peer reviewers must be careful of the following since it could be regarded as unethical research practices in the review process:
- i. The act of handing over a requested paper to students or a third party
 - ii. The act of discussing the details of a paper with colleagues
 - iii. The act of obtaining a copy of the requested material without shredding it after review
 - iv. The act of disgracing the honor of others or fabricating a personal attack in the review process
 - v. The act of reviewing and evaluating a research paper without reading it

Article 11 (Personal and Intellectual Conflict)

- a. Peer reviewers must fairly evaluate using an objective standard regardless of personal academic conviction.
- b. Peer reviewers must avoid personal prejudice when reviewing a paper. If there is a conflict of interest including personal conflict, it must be notified to the committee.
- c. Peer reviewers must not propose rejecting a paper due to a conflict in interpretation or with the point of view of the reviewer.

Chapter 4. Principle and Process of Paper Review

Article 12 (Papers for Peer-review)

Review shall proceed based on the writing and submission guidelines. If the submitted paper substantially diverges from the writing and submission guidelines, the paper may not be reviewed.

Article 13 (Request for Review and Review Fee)

- a. The chief editor discusses the selection of reviewers with editorial members and selects two reviewers for each paper after submitted papers pass the eligibility test.
- b. The chief editor immediately requests the two selected reviewers to review the relevant submitted paper.
- c. Papers are reviewed by confidential method in which the name and affiliation of the author is confidential to the reviewer, the name of the reviewer is confidential to the author.
- d. The chief editor requests a review after deleting the name and the affiliation of the author from the submitted paper, so that the reviewer cannot obtain the identity of the author.
- e. A review fee shall be paid to the reviewer.

Article 14 (Review of Paper and Decision)

- a. Reviewers shall submit a decision report via the JAARS's online submission system (<http://www.nlbaei.org/>) and Email: edubscon@outlook.com within two weeks after they are asked to review a paper.

b. The reviewer shall decide whether the paper should be published based on the following standard. However, if the paper receives less than 30 points in the suitability and creativity of the topic, it will not be published.

- i. The suitability of the topic (20 points)
- ii. The creativity of the topic (20 points)
- iii. The validity of the research analysis (20 points)
- iv. The organization and logic development of the paper (20 points)
- v. The contribution of the result (10 points)
- vi. The expression of the sentence and the requirement of editing (10 points)

The reviewer must give one of the following four possible marks within the two week period: A (90~100 points, acceptance), B (80~89 points, acceptance after minor revisions), C (70~79 points, re-review after revision), F (Rejection), and write an overall review comment concerning the revision and supplementation of the paper.

c. In an instance where the reviewer does not finish the review within the two week period, the chief editor can nominate a new reviewer.

Article 15 (Correction of Papers according to the Editing Guideline)

a. Before holding an editorial committee meeting, the chief editor shall request editorial staff correct those papers that receive “acceptance” or “acceptance after minor revisions”, using the journal's paper editing guidelines. However, if there is a paper that receives “acceptance” after the editorial committee meeting, the chief editor will request the editorial staff to correct the paper after the meeting.

b. The chief editor shall notify each author of the result of his or her paper review after receiving the corrected version of the paper from the editorial staff. However, papers which receive a “rejection” shall not be notified of their result.

Article 16 (Decision of Paper and Principle of Editing)

a. The chief editor shall call an editorial board meeting and make publication decisions after receiving finished papers from reviewers.

b. The editorial board will make decisions to publish based on the following chart. The editorial board should respect reviewers' decisions on relevant papers, but can make decisions based on the editorial policy of the JAARS.

| Results of 2 peer-reviews | Overall evaluation(average) | Decision to publish |
|----------------------------------|------------------------------------|----------------------------------|
| AA | A | Acceptance |
| AB, AC, BB | B | Acceptance after minor revisions |
| AD, BC, BD, CC | C | Re-evaluation after revision |
| CD, DD | F | Rejection |

c. The paper that is awarded “acceptance” should receive a “B” or higher from reviewers or the level of overall evaluation (average) should be “B” or higher, and the paper that is awarded “acceptance after minor revisions” should have its satisfactory revisions and/or developments confirmed by the initial reviewer after re-submission.

d. The editorial board shall confirm that papers in consideration for publication are suitable to the writing and submission guideline of JAARS, look through detailed matters, and decide particular issue policies such as the number of papers and the order of them.

- e. In the case where a paper was presented or submitted for review previously, it cannot be published in JAARS.
- f. In the case where an author submits two or more papers for consideration, only one paper that receives “acceptance” shall be published in the same issue.

Article 17 (Notification of the Result)

- a. The chief editor shall notify an author of the review result after the initial evaluation or re-evaluation is finished, but can request the author to revise and develop the paper based on the evaluation report. If the editorial board makes a final decision on publication, the author should be notified.
- b. The author must be notified of the review result within one month from the day of receiving the paper or revised paper (or the deadline of submission). If it is impossible to notify the author within one month, the reason and the due date of notification must be notified to the author.
- c. Unless there is a specific reason, the author must submit a file including a response to the evaluation report, revision to and/or development of the paper to the chief editor after editing the paper within the period the editorial board suggests when he/she is asked to edit the paper. The changed details must be confirmed by the editorial board as well. In case the author does not submit the revision and development to the editorial board within the period, it shall be automatically postponed until this process is finished.
- d. A paper that receives a “C” in the overall evaluation (average) shall be re-evaluated after the chief editor sends the revised article and revision report to the initial reviewer(s).
- e. In cases where the evaluations of the same paper are remarkably different among reviewers, the chief editor can nominate a third reviewer and request a re-evaluation. In this case, the chief editor shall send the evaluation report to three different reviewers and have them submit the final evaluation report based on the details of the paper, and the paper can be published after revision only if the final mark awarded the revised paper is higher than a “B” in the overall evaluation.
- f. The chief editor will issue an acceptance letter for the papers confirmed to be published.

Article 18 (Proofreading and Editing)

- a. The chief editor shall request domestic/international members to proofread and edit papers confirmed to be published.
- b. Proofreading and editing members shall be recommended by the chief editor and appointed by the chairman of NLBA Eurasian Institute.
- c. The chief editor shall send the results of proofreading and editing to the original author and request the author to edit the paper appropriately.
- d. The author, unless there is a specific reason, must submit the revised paper and revision report to the chief editor after editing the paper within the period the editorial board suggests when he/she is asked to edit the paper. The changed details must be confirmed by the editorial board as well.
- e. Even if a paper is confirmed to be published, it will be rejected if it has not fulfilled the editing procedure following the result of proofreading and editing, or has been found to have committed research misconduct of any kind.
- f. If an editing member finds plagiarism, inadequate form, or low quality in the process of editing a paper that the journal has confirmed to be published, he/she must notify the chief editor and can suggest proper responses to the findings. g. The chief editor suggests whether to avoid publication of a paper or have the author re-submit the paper after revision and development according to the guidelines stipulated in Article 5. In the case of a paper requested to be revised and developed, publication can be postponed based on the degree of completion and the schedule of revision and development.

Chapter 5. Editing and Publication

Article 19 (Editing and the Date of Publication)

JAARS is published twelve times a year in principle. However, if there is a reason such as the number of submitted papers, the committee can increase or decrease the number of issues.

Article 20 (Notification of Editing)

- a. The chief editor shall acquire publication consent from the authors of the confirmed papers before printing.
- b. The chief editor shall report to the chairman of NLBA Eurasian Institute when the editorial process following editorial policy is completed, and shall further follow the outlined process for printing and editing.

Article 21 (Sanction on Plagiarism and Redundant Publication)

If the ethics committee finds that a submitted paper or a published paper contains plagiarism or was published in another journal, the following sanctions will be taken:

- a. Distributing after deleting the relevant paper in the journal if the journal has not been distributed yet,
- b. Notification of paper deletion on the website if the related issue has already been distributed,
- c. Notification of the plagiarism or redundant publication of the relevant paper on the website,
- d. Banning the relevant author from submitting papers to all journals published by JAARS for two years from the date when plagiarism and redundant publication is found and from presenting in conference,
- e. Notifying the author's affiliated organization or institution of the fact of the plagiarism or the redundant publication, if necessary.

Article 22 (Transfer of the Rights of Publication, Duplication, Public Transmission, and Distribution)

- a. The right of publication of the paper is owned by NLBA Eurasian Institute unless specified.
- b. The author(s) shall transfer the right of duplication, public transmission, and publication to NLBA Eurasian Institute. If they do not agree, the relevant paper cannot be published in JAARS.

Article 23 (Notification of Paper on Homepage)

Papers published in JAARS shall be publicly notified on the JAARS homepage (<http://www.nlbaei.org/>)

Article 24 (Etc.)

The matters that are not decided in these rules are either subject to the submission guidelines or decided by the editorial board.

Article 25 (Date of Effectiveness)

These regulations shall be effective as of January 1, 2024.

Author's Check List

Journal of Advanced Academic Research and Economics (JAARS)

Title of Manuscript: _____

Manuscript ID: _____

Please check to confirm fulfillment of instructions below before submitting your manuscript.

1. General guidelines

- The submission contains an original manuscript, a checklist, and a copyright transfer agreement.
- The manuscript follows the journal template, using MS Word.
- The manuscript consists of a title page, abstract, keywords, JEL Classifications, acknowledgement (if any), main text, references, appendix (if any), tables and figures.
- The pages are numbered consecutively beginning with the title page.

2. Title page

- The manuscript consists of title, author(s)name(s), and affiliation(s).
- The lower area of the title page includes the name(s)of the author(s)and e-mail of the corresponding author only.

3. Abstract, Keywords and JEL classifications

- The Abstract is less than 250 words for an original article.
- Includes no more than six keywords.
- Includes no more than five JEL classifications.

4. Main text

- Subtitles are ordered according to the journal template.
- All figures and tables are cited in numerical order as they are first mentioned in the text.
- All figures and tables are referenced within the text.

5. Tables and figures

- The titles of figures and tables are set flush left above them, capitalizing the first letter of each word in these titles except for prepositions and articles.
- Vertical lines are avoided in tables.
- Pictures or photos are supplied in high resolution (minimum 300 dpi) .
- Pictures or photos are supplied at a reasonably legible size for printing if they may be affected by resizing in the printing process.

6. References

- References follow KITRI style.
- Each entry in the reference list is cited in the main text.
- All references are listed in alphabetical order followed by the year published.
- The title of books and journals is expressed in italics.
- Complete references are included with the full title of the article and up to six author names. Where there are seven or more authors,they are identified as “et al.”
- Journal articles have been double-checked as to whether the author name, (published year), title, journal name, volume (issue number) and pages are correct.
- Books have been double-checked as to whether the author name, (published year), title of book (editions, if any), place of publication, publisher’s name, and pages are correct.

Copyright Transfer Agreement

NLBA Eurasian Institute

Title of Manuscript:

All Authors:

All authors of this manuscript must agree to the following:

- 1.All authors certify that the manuscript does not violate any copyright and confirm its originality.
- 2.All authors have made an actual and intellectual contribution to this manuscript and hold responsibility for its contents.
- 3.This manuscript has not been published or will not be submitted to another journal for publication.
- 4.The “Journal of Advanced Academic Research and Studies” has rights in legal action against the infringement of copyright of this manuscript without authors’permission.
- 5.All authors of this manuscript confirm the transfer of all copyrights in and relating to the above-named manuscript, in all forms and media, through the world, in all languages, to “Journal of Advanced Academic Research and Studies”.
- 6.If each author's signature does not appear below, the signing author(s)represent that they sign this Agreement as authorized agents for and on behalf of all the manuscript authors, and that this Agreement and authorization is made on behalf of all the authors.

In order for my manuscript to be accepted for publication in the Journal of Advanced Academic Research and Economics (JAARS), I hereby assign and transfer to the NLBA Eurasian Institute all rights, title, and interest in and the copyright in the manuscript, entitled.

Date:

Corresponding Author:

Signature:

*Submission:You must submit a scanned file (file type: jpg, gif, or pdf) of this signed confirmation and final manuscript file (file type:MS Word) online after the manuscript has been accepted for publication.

Call for Papers

Journal of Advanced Academic Research and Economics (JAARS)

The Journal of Advanced Academic Research and Economics (JAARS) is the official publication of the NLBA Eurasian Institute publishes manuscripts of significant interest that contribute to the theoretical and practical basis of business, economics, and international trade studies. JAARS's broad scope and editorial policies create accessible, thought-provoking content for the general academic community of business, economics, and international trade. The goal of JAARS is to publish insightful, innovative and impactful research on business, economics, and international trade. JAARS is multidisciplinary in scope and interdisciplinary in content and methodology.

Subject Coverage

JAARS is an interdisciplinary journal that welcomes submissions from scholars in business, economics, and trade disciplines and from other disciplines (e.g. political science) if the manuscripts fall within the JAARS domain statement. Papers are especially welcome which combine and integrate theories and concepts that are taken from or that can be traced to origins in different disciplines.

JAARS is a methodologically pluralistic journal. Quantitative and qualitative research methodologies are both encouraged, as long as the studies are methodologically rigorous. Conceptual and theory-development papers, empirical hypothesis-testing papers, and case-based studies are all welcome. Mathematical modeling papers are welcome if the modeling is appropriate and the intuition explained carefully.

Notes for Prospective Authors

Submitted papers should not have been previously published nor be currently under consideration for publication elsewhere. All papers are referred through a peer review process.

All manuscripts should follow the submission guidelines on the JAARS homepage (<http://www.nlbaeai.org/>).

JAARS operates an on-line submission system. Manuscripts should be submitted to the on-line submission system at <http://www.nlbaeai.org> following all prompts on the screen.

There is no firm submission deadline for papers and the submitted articles will be evaluated on a rolling basis. Any queries should be sent to the Editor of JAARS at the following address: edubscon@outlook.com

Guidelines for Authors (In Brief)

[Journal of Advanced Academic Research and Studies (JAARS)]

How to submit the paper

The authors submit their manuscripts (in MS Word Format) to the on-line submission system at <http://www.nlbaei.org>

Blind Review Policy

The journal follows double blind peer review policy. The paper is sent to two reviewers appropriately qualified experts in the field selected by the editor to review the paper in the light of journal's guidelines and features of a quality research paper. For papers which require changes, the same reviewers will be used to ensure that the quality of the revised paper is acceptable.

Manuscript Preparation Guidelines

The author(s) must follow the Manuscript Preparation Guidelines in preparing the manuscript before submission.

1. Language

The language of the manuscript must be English (American English, e.g. "color" instead of "colour").

2. Length of Paper

The length of the paper should not exceed 30 pages (Times New Roman, 12 Font) excluding tables, figures, references and appendices (if any). Articles should be typed in double-space (including footnotes and references) on one side of the paper only (preferably Letter size) with 1 inch margin. Authors are urged to write as concisely as possible, but not at the expense of clarity.

3. Title Page

The title page should include: (i) A concise and informative title, (ii) The name(s) of the author(s), (iii) The affiliation(s) and address(es) of the author(s), and (iv) The e-mail address, telephone and fax numbers of the corresponding author.

4. Abstract

Please provide an abstract of 200 to 250 words. The abstract should not contain any undefined

abbreviations or unspecified references. The content of abstract must include Purpose, Design/Methodology/Approach, Findings, and Research Implications.

5. Keywords and JEL Classification Code

Please provide 4 to 6 keywords which can be used for indexing purposes.

6. Acknowledgement

The author may use acknowledgement section in the title page of the paper (if any).

7. Subdivision of the article

Divide your article into clearly defined and numbered sections. Sections should be numbered in Roman numerals (e.g., I, II). Subsections should be numbered using the decimal system (e.g., 1., 1.1., 1.1.1., 1.1.2., 1.2., ..., 2., 2.1.). The abstract is not included in section numbering.

8. Table and Figure

Present tables and figures within the article, not at the end of the article. Please note that the article will be published in black and white (print), although online version will contain the colorful figures (if any). However, the color print will be available in extreme cases as per the request of the author.

9. References

Author(s) should follow the latest edition of KITRI style in referencing. Please visit www.nlbaei.org to learn more about KITRI style.

■ Citations in the text

Please ensure that every reference cited in the text is also present in the reference list (and vice versa).

■ Reference List

References should be arranged first alphabetically and then further sorted chronologically if necessary.

Guidelines for Authors (In Brief)

[Journal of Advanced Academic Research and Studies (JAARS)]

■ Examples:

Reference to a journal publication:

Wegener, D. T., J. F. Dollan and Soon-Hwan Jeon (2015), "Current Trends of Marketing Activities in Parallel Imports", *Journal of Asia Trade and Business*, 11(5), 55-57.

Hyun, Jun-Seog and Won-Joong Kim (2015), "A Study on the Effects of Export-Import Share and Exchange Rate", *Journal of International Trade & Commerce*, 11(1), 142-145. <http://dx.doi.org/10.16980/jitc.11.1.201502.139>

NB: For Oriental authors such as Korean, Chinese and Japanese authors, the first names are spelled out. Names shall be romanized according to their own preference. For Korean authors, the first and second syllables of first names shall be hyphenated.

Reference to a book:

Schmithoff, C. M. (2010), *Letter of Credit*, New York, NY: Pitman Press, 158.

Jeon, Soon-Hwan (2017), *International Trade Practices* (5th ed.), Seoul: Hanol, 156.

Reference to a chapter in an edited book:

Bomhoff, E. J. (1998), "Introduction". In E.

M. Rogers and S. Taylor (Eds.), *The Global Leadership Mindset* (2nd ed.), Oxford, UK: Oxford University Press, 12-25.

Reference to a web source:

Liu, Chengwei (2005), *Price Reduction for Non-conformity: Perspectives from the CISG*. Available from <http://www.cisg.law.pace.edu/cisg/biblio> (accessed January 11, 2016)

Manuscript Review Timeframe

Manuscripts will be initially reviewed by the Editor within two weeks from submission.

The Editor will contact the corresponding author with news of whether or not the submission will be advanced to the first round of blind reviews (or is being rejected as not suitable for publication in the journal).

Typically, the blind review process takes approximately six to eight weeks.

The JAARS does not process any submission that does not comply with complete requirements of submission guidelines.

Contributors of articles accepted for publication will receive a complimentary copy of the issue in which their article appears.

JAARS



www.nlbaei.org
edubscon@outlook.com
Unit 616, 6/F., Kam Teem Industrial Building, 135
Connaught Road West, Sai Wan, H.K.
USD\$60

ISSN 3006-4007

