



# PERSONAL DATA PROTECTION IN TIMES OF BIG DATA

大数据时代的个人信息保护

// 2017 ACADEMIC CONFERENCE // 3 NOVEMBER 2017  
// 2017 中欧法学院国际学术会议 // 2017 年 11 月 3 日



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## Organiser

China-EU School of Law at the  
China University of Political  
Science and Law

## Venue

Beijing Jingyi Hotel  
No. 9 Dazhongsi East Road  
Haidian District  
Beijing 10098

## 主办单位

中国政法大学中欧法学院

## 会议地点

北京京仪大酒店  
第六会议室  
大钟寺东路9号

Big data, big problems? Legal experts from Europe and China will examine the challenges which information and communication technologies pose to the protection of personal data as well as the implications of massive data collection. They will compare regulatory framework in the People's Republic of China and the European Union with a special focus on current developments such as China's 2017 Cybersecurity Law and the EU's 2018 General Data Protection Regulation (GDPR).

大数据意味着大问题？中国与欧洲的专家、学者将在本次国际学术会议中研讨信息与通讯科技究竟给个人信息保护带来了哪些挑战，以及大数据储存和利用的时代意义。与会学者和专家将对中国和欧盟的相关法律框架进行比较，尤其是聚焦于当前的新发展、新趋势，例如中国2017年开始实施的《中华人民共和国网络安全法》与欧盟将于2018年实施的《一般数据保护条例》



# AGENDA

// 3 NOVEMBER 2017

# 会议日程

// 2017 年 11 月 3 日



## 8.30 Registration

## 8.30 注册

## 9.00 Opening

## 9.00 开幕式

### Welcome

### 主持人

- ▶ Liu Fei, Professor of Law and Chinese Co-Dean of the China-EU School of Law at the China University of Political Science and Law, Beijing

- ▶ 刘飞，中国政法大学中欧法学院中方联席院长，教授

### Opening remarks

### 主办方发言人

- ▶ Ma Huaide, Vice President, Professor of Law, China University of Political Science and Law, President, Administrative Law Society, China Law Society (CLS), Beijing
- ▶ Zhang Fusen, Chinese Co-Chair of the Joint Managerial Committee of the China-EU School of Law at the China University of Political Science and Law, Former Minister of Justice of the People's Republic of China, Beijing
- ▶ Hinrich Julius, European Co-Chair of the Joint Managerial Committee of the China-EU School of Law at the China University of Political Science and Law, Professor of Law at Universität Hamburg

- ▶ 马怀德，中国政法大学副校长、教授，中国法学会行政法学研究会会长
- ▶ 张福森，中国政法大学中欧法学院联合管理委员会中方联席主席，中华人民共和国司法部前部长
- ▶ 尤翰林，中国政法大学中欧法学院联合管理委员会欧方联席主席，汉堡大学教授



## Keynote Speeches

- ▶ “An incentive-compatible mechanism for personal data protection” Zhou Hanhua, Vice President of the Internet and Information Law Society, China Law Society (CLS), Vice President of the Administrative Law Society, CLS, Researcher, Assistant to the Director of the Law Institute, Chinese Academy of Social Sciences (CASS), Beijing
- ▶ “Main innovations in GDPR” Giusella Finocchiaro, Professor of Private Law and Internet Law, Department of Law, University of Bologna

## 9.45 Group photo

## 10.00 Tea break

## 10.15 Session 1: Data ownership

- ▶ Chair: Tibor Tajti, Professor of Law, Department of Legal Studies, Central European University, Budapest
- ▶ “Systematic research on personal data rights” Shen Weixing, Professor of Law and Dean, Law School, Tsinghua University, Beijing
- ▶ Wu Tao, Professor of Law and Secretary of the Party Committee, Law School, Central University of Finance and Economics, Beijing
- ▶ “Why ‘data ownership’ is not a legal concept in EU law” Kristina Irion, Senior Researcher, Institute for Information Law, University of Amsterdam, and Associate Professor, School of Public Policy, Central European University, Budapest
- ▶ Li Aijun, Professor of Law and Director of the Financial Innovation and Internet Financial Legal System Research Center, China University of Political Science and Law, Beijing
- ▶ Summary: Dr Clemens Richter, Vice-Director, CDIR Sino-German Institute of Law, Beijing and Zheng Yongliu, Professor of Law, China-EU School of Law at the China University of Political Science and Law, Beijing

## 主题报告

- ▶ “探索激励相容的个人数据保护之道” 周汉华, 中国法学会互联网与信息法学研究会副会长, 中国法学会行政法学研究会副会长, 中国社科院法学所所长助理, 研究员
- ▶ “欧盟《一般数据保护条例》的主要创新” Giusella Finocchiaro, 意大利博洛尼亚大学法律系, 私法与网络法教授

## 9.45 合影

## 10.00 茶歇

## 10.15 专题一：数据所有权

- ▶ 主持人：Tibor Tajti, 匈牙利布达佩斯中欧大学, 法律系教授
- ▶ “个人数据权利体系化研究” 申卫星, 清华大学法学院院长、教授
- ▶ 吴韬, 中央财经大学法学院党委书记、教授
- ▶ “为何欧盟法中没有数据所有权的法律概念” Kristina Irion, 阿姆斯特丹大学信息法中心高级研究员, 布达佩斯中欧大学公共政治学院副教授
- ▶ 李爱君, 中国政法大学互联网金融法律研究院院长、教授
- ▶ 评议人：Clemens Richter, 中国政法大学中德法学院, 德方副院长
- ▶ 郑永流, 中国政法大学中欧法学院教授





## 11.30 Questions & Answers

## 12.00 Lunch break

## 13.00 Session 2: Data security and the protection of private information

- ▶ Chair: Nicolas Nord, Professor of Law and Vice Dean, Faculty of Law, University of Strasbourg
- ▶ “Proposal of legislation for Chinese personal information protection law” Sun Xianzhong, Director of the Civil Law Research Office and European Law Research Office, Institute of Law, Chinese Academy of Social Sciences (CASS), Executive Vice President, Civil Law Society, China Law Society (CLS), Beijing
- ▶ “Data security and the personal information protection” Wu Jingsong, Professor of Law, Law School, South China Normal University, Guangzhou
- ▶ “Data protection governance: accountability and demonstrating compliance under the GDPR” Cosimo Monda, Director of the Maastricht European Centre on Privacy and Cybersecurity, Maastricht University
- ▶ “Rebalancing between the utilization and protection of the personal information under the trust concept” Dr Wu Hong, Lecturer, Guanghua Law School, Zhejiang University, Hangzhou
- ▶ “Cyber security and personal information protection in the system of insolvency registration: a comparison between China and the EU” Dr Chen Xiahong, Senior Associate Editor of the Journal of China University of Political Science and Law, Beijing
- ▶ Summary: Zheng Chunyan, Vice Dean, Professor of Law, Guanghua Law School, Zhejiang University, Hangzhou, and Xie Libin, Professor of Law, Director, Sino-German Institute of Law, China University of Political Science and Law, Beijing

## 14.30 Questions & Answers

## 11.30 问答环节

## 12.00 午餐

## 13.00 专题二：数据安全与个人信息保护

- ▶ 主持人：Nicolas Nord，法国斯特拉斯堡大学，法学院副院长，教授
- ▶ “中国《个人信息保护法》的立法建议”孙宪忠，中国社会科学院法学研究所民法研究室主任，欧盟法研究室主任，中国法学会民法学研究会常务副会长
- ▶ “数据安全与个人信息保护”伍劲松，华南师范大学法学院教授
- ▶ “数据保护规制：欧盟《一般数据保护条例》框架下的责任与合规性证明”Cosimo Monda，荷兰马斯特里赫特大学，马斯特里赫特与欧盟个人信息与网络安全研究中心主任
- ▶ “信赖理念下个人信息使用与保护的再平衡”吴泓，博士，浙江大学光华法学院讲师
- ▶ “破产登记系统的数据安全与个人信息保护：中国与欧盟的比较”陈夏红，博士，中国政法大学学报副编审
- ▶ 评议人：郑春燕，浙江大学光华法学院副院长，教授
- ▶ 谢立斌，中国政法大学中德法学院院长，教授

## 14.30 问答环节



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## 15.00 Tea break

### 15.15 Session 3: The utilization of data and big data

- ▶ Chair: Elisa Torralba, Professor of Law, Autonomous University Madrid
- ▶ “Big data in the classifying society” Giovanni Comandè, Professor of Private Comparative Law, Institute of Law, Politics and Development, Sant’Anna School of Advanced Studies, Pisa
- ▶ “Open and utilization of government data” Wang Wanhua, Professor of Law, Law School, China University of Political Science and Law, Beijing
- ▶ “Privacy regulation in the smartphone context: apps, platforms, and big data” Joris van Hoboken, Senior Researcher, Institute for Information Law, University of Amsterdam
- ▶ “The antitrust problem of the big data industry” Dr Wan Jiang, Partner, Global Law Office, former Senior Case Handler at the Price Supervision and Anti-Monopoly Bureau of the National Development of Reform Commission (NDRC), Beijing
- ▶ Summary: Zhang Li, Professor of Law, Law School, China University of Political Science and Law, Beijing

## 16.30 Questions & Answers

### 16.50 Closing remarks

- ▶ Bengt Lundell, European Co-Dean of the China-EU School of Law at the China University of Political Science and Law, Associated Professor, Law School, Lund University

## 17.00 Conference closes

## 15.00 茶歇

### 15.15 专题三：数据利用与大数据

- ▶ 主持人：Elisa Torralba，马德里自治大学，法学教授
- ▶ “大数据与社会分类” Giovanni Comandè，比萨圣安娜高等学校，法学院，比较私法教授
- ▶ “政府数据的开放与利用” 王万华，中国政法大学法学院教授
- ▶ “智能手机时代的隐私法规范：应用软件、平台与大数据” Joris van Hoboken，荷兰阿姆斯特丹大学数据法研究所高级研究员
- ▶ “大数据产业的反垄断问题” 万江，博士，环球律师事务所北京合伙人，国家发改委价格监督与反垄断局前高级法官
- ▶ 评议人：张莉，中国政法大学法学院教授

## 16.30 问答环节

### 16.50 闭幕词

- ▶ Bengt Lundell，中欧法学院欧方联席院长，瑞典隆德大学法学院教授

## 17.00 会议结束



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