



## Regulating Cyberspace and Informatization in China: An Academic Critique of Recent Legislations (26 Nov 2021)

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On June 10, 2021, the Standing Committee of the National People's Congress, China's highest legislature, passed the Data Security Law of the People's Republic of China (the Data Security Law), which came into effect on September 1, 2021. In addition to being the first comprehensive data security law in China, the Data Security Law is a necessary supplement to the China Network Security Law, which came into effect on June 1, 2017. Considering the recent heated debate over Chinese cybersecurity legislation, the Centre for Chinese and Comparative Law (CCCL) of the City University of Hong Kong (CityU) School of Law hosted an online seminar on November 26, 2021, inviting **Associate Professor Dr. Wu Xuan** as the guest speaker to discuss the legal regulation of cybersecurity and information technology in China.

The seminar kicked off with a welcome speech by **Dr. Ding Chunyan**, Associate Dean and Associate Professor of the School of Law at CityU. **Dr. Wu Xuan** is currently an Associate Professor at the School of Law and Political Science of Shanghai Normal University and is also the Executive Director of the Institute of Network and Data Law. Before coming to Shanghai, he was a senior research fellow at the Chinese Academy of Cyberspace Studies (CACs) and a postdoctoral fellow at Tsinghua Law School. He has an extensive history of research in networks and information law and has participated in many pieces of network information legislation, with a focus on data cross-border, cyberspace security, data governance, and personal information protection. Therefore, he has a thorough understanding of the Chinese official regulations on network security and information technology. In his introduction to the judicial system of cyber information, he outlined the legislative memorabilia in recent years and explained how the cohesion of diverse legal systems can protect national security, market order, and personal rights at the same time. He coined the phrase "Nine Dragons Controlling Water" to represent China's existing chaotic regulatory framework, in which the CAC is in charge of coordination and law enforcement, the MIIT of monitoring industrial development, and the MPS of combating cybercrime. Furthermore, he described some key features of the current cyberspace regulations. He emphasized that the government would guarantee cyberspace sovereignty and national security, protect information infrastructure, and act against cyberterror and crimes, according to the strategy released by the Cyberspace Administration of China (CAC). He anticipated that, in

the future, the Chinese could perfect their judicial system in cyberspace, based on more legislative experience from other countries.

Following **Dr. Wu Xuan's** thought-provoking speech, **Associate Professor Michelle Miao** and **Associate Professor Martin Lai Sin Chit** led a discussion and Q&A session in which they shared their insights on Chinese internet law legislation. The majority of attendees jumped on the opportunity to express their opinions, many of which were thoughtful and innovative. **Dr. Ding Chunyan** gave us a brief closing remark in which she thanked all of the attendees for their excellent contributions, which helped to make the seminar a successful.



Associate Professor Wu Xuan and Dr. Ding Chunyan (from left to right).



Associate Professor Michelle Miao and Associate Professor Martin Lai Sin Chit (From left to right).