

The 7th Peking-Stanford University Internet Law and Public Policy

Conference 2018

New Age, New Rules and New Order

2018 第七届北大-斯坦福互联网法律与公共政策研讨会

新时代、新规则、新秩序

互联网法律与公共政策研讨会自 2012 年始，迄今已举办六届。2018 第七届北大-斯坦福互联网法律与公共政策研讨会由北京大学、斯坦福大学联合主办，北京大学互联网法律中心、北京大学粤港澳大湾区知识产权发展研究院承办，腾讯公司赞助，将于 2018 年 12 月 3 日在中国深圳隆重召开。

本研讨会是目前互联网法律与公共政策领域最为专业的国际学术研讨会。本届会议为期一天，届时将邀请来自国内外的资深专家学者，围绕如下议题展开深入探讨：数据保护与网络安全；人工智能政策、治理与伦理；未成年人网络保护；区块链与金融科技；互联网产业的不正当竞争问题。

The Internet Law and Public Policy Conference has been held for six times since 2012. The 7th Peking-Stanford University Internet Law and Public Policy Conference 2018, which is hosted by Peking University and Stanford University, organized by the Internet Law Center of Peking University and the GHM Great Bay Intellectual Property Research Institute of Peking University, and sponsored by Tencent, Inc., will be held in Shenzhen, China, on December 3rd, 2018.

This is the most professional conference in the area of Internet law and public policy. The conference 2018 will invite distinguished experts and scholars, and focus on the following topics: Data Protection and Cybersecurity; AI Policy, Governance and Ethics; Online Protection of Minors; Blockchain and Fin-tech; Unfair Competition in Internet Industry.

议 程 AGENDA

12月3日（星期一）
December 3rd (Monday)

深圳华侨城洲际酒店
InterContinental Shenzhen Espana ballroom, Lobby Floor

08:30 - 09:00			签到 Registration	30 min
欢迎及开场致辞 Welcome & Opening Remarks				
09:00 - 09:15		主持人 Moderator	潘剑锋 / 北京大学法学院院长 Jian-Feng PAN / Dean of Law School, Peking University	5 min
		发言人 Speakers	Michael Klausner / 斯坦福大学法学院教授 Michael Klausner / Professor of Law School, Stanford University	5 min
			Brent Irvin / 腾讯集团总法律顾问 Brent Irvin / General Counsel, Tencent	5 min
<p style="text-align: center;">第一场 Panel One</p> <p style="text-align: center;">数据保护与网络安全</p> <p style="text-align: center;"><u>Data Protection and Cybersecurity</u></p> <p>全球范围来看，数据治理正在面临三大挑战：如何在促进以大数据为要素的技术产业创新的同时，又能保护好个人数据权利，保障好国家数据安全。这三大挑战既相互关联，又彼此影响，从欧洲的法律制度和美国的司法实践看，数据治理尚未达成共识，各方仍存在较多分歧。本部分将汇集国内外顶尖专家学者、监管部门代表、产业一线代表，进行充分深入的交流沟通。希望能够为建立科学合理、动态平衡的数据治理政策框架提供更多启发和建议。</p> <p>Globally, data governance is faced with three major challenges: (1) how to promote innovation based on big-data in the technological industry, while (2) also protecting citizens' personal data rights and (3) safeguarding national data security. These three major challenges are closely interrelated. Looking at the European legal system and U.S. judicial practices, there is no consensus on data governance, and there are still many divergences between parties. This panel will bring together top foreign and domestic experts and scholars, representatives of regulatory agencies, and industry representatives to engage in an extensive, in-depth dialogue. We aim to develop and exchange new ideas and suggestions for establishing a scientific, rational, dynamic, and balanced framework for data governance policy.</p> <p>具体议题:</p> <ol style="list-style-type: none">1) GDPR 对欧盟以及全球数字经济的影响评估;2) 后 CLOUD ACT 时代, 跨境数据执法政策的发展趋势与影响;3) 数据保护政策与竞争政策的冲突与协调;4) Facebook 事件后, 平台数据开放的趋势以及对数字市场竞争的影响;5) 在发展数字经济, 推动数据流动与共享的背景下, 保护个人权利、保障国家数据安全利益的政策进路与建议。 <p>Specific Issues:</p>				

	<p>1) GDPR's impact on the E.U. and the global digital economy;</p> <p>2) Development trends and impacts of cross-border data enforcement policies during the Post-Cloud Act Era;</p> <p>3) Conflict and coordination between data protection policy and competition policy;</p> <p>4) The trends of opening platform data and the impact on competition in the digital market after the Facebook-Cambridge Analytica scandal;</p> <p>5) Suggestions on how to protect individual rights and safeguard the interests of national data security in the context of developing the digital economy and promoting the flow and sharing of data.</p>	
	<p>主持人 Moderator</p> <p>Michael Klausner / 斯坦福大学法学院教授 Michael Klausner / Professor of Law School, Stanford University</p>	5min
	<p>发言人 Panelists</p> <p>周汉华 / 中国社会科学院研究生院教授&中国社会科学院法学研究所研究员 Han-Hua ZHOU / Professor of Chinese Academy of Social Sciences & Researcher of the Institute of Law, Chinese Academy of Social Sciences</p>	15min
	<p>Isabelle Hajjar / 探格(上海)软件科技有限公司合规负责人 Isabelle Hajjar / Head of Compliance, TekID(Shanghai) Software Technology Co., Ltd</p>	15min
	<p>Andrew Grotto / 斯坦福大学胡佛研究所研究员 Andrew Grotto / Research Fellow of the Hoover Institute of Stanford University</p>	15min
	<p>王 融 / 腾讯研究院资深专家 Rong WANG / Senior Expert of Tencent Research Institute</p>	15min
	观众提问 Q&A	20min
10:40 - 10:55	茶 歇 Break 合 影 Group Photo	15min
10:55 - 12:20	<p>第二场 Panel TWO</p> <p>人工智能政策、治理和伦理 AI Policy, Governance and Ethics</p> <p>人工智能持续渗透到各行各业, 开始广泛影响我们的社会和个人, 算法社会正在成为现实。人工智能的应用在促进经济增长、带来社会福祉、帮助解决人类社会所面临的重大挑战的同时, 也带来了新的法律、政策及伦理问题。在行业细分领域如自动驾驶和人工智能医疗, 全球多个国家都已开始陆续出台法律政策, 对其测试、准入、安全标准、责任、保险、伦理等事项做出制度安排。因此, 该环节旨在讨论人工智能在自动驾驶、智慧医疗等细分领域的法律和伦理问题, 分享各国在相关领域的最新进展与最佳实践。</p> <p>Artificial Intelligence (AI) is becoming a part of every aspect of our lives and is beginning to widely influence both individuals and our society; the “algorithm society” is becoming a reality. While the application of AI is promoting economic growth, increasing social well-being, and helping solve major challenges that human society is faced with, it is also creating new policy, legal, and ethical issues. In</p>	

	<p>industry subdivision areas such as self-driving cars and AI medical care, many countries have started to issue legal policies to make institutional arrangements for testing, admittance, safety standards, liability, insurance, and ethics. Therefore, this panel aims to discuss the legal and ethical issues of AI in such areas as self-driving cars and smart medical services and to share the latest progress and best practices of countries in related fields.</p> <p>具体议题:</p> <ol style="list-style-type: none"> 1) 无人驾驶汽车监管; 2) 人工智能医疗监管; 3) 人工智能发展的伦理原则。 <p>Specific Issues:</p> <ol style="list-style-type: none"> 1) Regulation of driverless vehicles; 2) Regulation of AI medical services; 3) Ethical principles for the development of AI. 	
	<p>主持人 Moderator</p> <p>Roland Vogl / 斯坦福大学法律、科学与技术项目执行主任 Roland Vogl / Executive Director of the Stanford Program in Law, Science and Technology</p>	5min
	<p>发言人 Panelists</p> <p>Tom Rubin / 斯坦福大学法学院讲师 Tom Rubin / Lecturer of Law School, Stanford University</p>	15min
	<p>江 溯 / 北京大学法学院教授, 北京大学法律人工智能实验室&法律人工智能研究中心副主任 Su JIANG / Professor of Law, Deputy Director for Law and Artificial Intelligence Lab & Research Center, Peking University</p>	15min
	<p>Angel Gómez / 西班牙格拉纳达大学讲师 Angel Gómez / Lecturer of University of Granada, Spain</p>	15min
	<p>司 晓 / 腾讯研究院院长 Jason SI / Dean of Tencent Research Institute</p>	15min
	<p>观众提问 Q&A</p>	
<p>12:20 - 13:30</p>	<p>斯坦福校友会华南分会揭牌仪式 Opening Ceremony of Stanford Club of South China</p> <p>午 餐 Lunch</p>	
<p>13:30 - 14:55</p>	<p>第三场 Panel Three 未成年人网络保护 Online Protection of Minors</p> <p>中国正在制定《未成年人网络保护条例》，修订《未成年人保护法》。本环节将分享欧美日韩等国未成年人网络保护的立法实践和面临的问题，分享各国未成年人网络保护的最佳实践，共同探讨未成年人网络保护热点难点问题的解决思路。</p>	

<p>China is currently formulating the Regulations on the Online Protection of Minors and amending the Minors Protection Law. This panel will share legislative practices and problems dealing with the online protection of minors in Europe, the United States, Japan, South Korea, etc., and share best practices of online protection for minors in each jurisdiction, and jointly explore solutions to the main issues and challenges of online protection of minors.</p> <p>具体议题:</p> <ol style="list-style-type: none"> 1) 未成年人保护立法（包括不限于个人信息保护）及实践经验； 2) 中美欧企业在未成年人上网保护方面的典型做法及经验交流； 3) 游戏对未成年人成长的影响。 <p>Specific Issues:</p> <ol style="list-style-type: none"> 1) Minors' protection legislation (including but not limited to the protection of personal information) and practical experience; 2) The exchange of current common practices and experience between Chinese and American companies regarding the online protection of minors; 3) The influence of games on the growth and development of children. 		
主持人 Moderator	Stephen Balkam / 美国家庭网络安全研究所创始人与首席执行官 Stephen Balkam / Founder & CEO of Family Online Safety Institute of the United States	5min
发言人 Panelists	Orla MacRae / 英国数字、文化、媒体与体育部网络安全司副总监 Orla MacRae / Deputy Director of Online Harms, Department of Digital, Culture, Media, and Sports of the United Kingdom	15min
	王锡铎 / 北京大学法学院教授 Xi-Xin WANG / Professor of Law School, Peking University	15min
	장근영 / 韩国青少年政策研究院高级研究员 Chang Geun Young / Senior Research Fellow, National Youth Research Institute, Korea	15min
	杨 乐 / 腾讯研究院副院长 Le YANG / Deputy Dean of Tencent Research Institute	15min
观众提问 Q&A		20min
14:55 -	<p>第四场 Panel Four</p> <p>区块链和金融科技</p> <p><u>Blockchain and Fin-tech</u></p>	
16:20	<p>当前，区块链已成为最受瞩目的技术，因为它在金融及其他众多领域有着巨大的应用前景，同时区块链技术与金融科技的融合也面临着诸多法律和监管问题，亟需业界研究探讨。本环节将深入探讨区块链与金融科技对于区块链技术应用面临的法律问题、区块链金融领域应用及监管等问题。</p> <p>At present, blockchain has become the most attractive technology, as it has huge application prospects in the financial industry and other fields. At the same time, however, the integration of blockchain and financial technologies brings about many legal and regulatory issues, so it is urgent for the industry to research and discuss these implications. This panel includes an in-depth discussion of the legal issues</p>	

	<p>confronting the applications of blockchain technology, and the application and supervision of blockchain finance.</p> <p>具体议题:</p> <ol style="list-style-type: none"> 1) 区块链技术应用面临的法律问题; 2) 区块链在金融领域的应用及监管; 3) 法定数字货币发行的法律基础及配套制度。 <p>Specific Issues:</p> <ol style="list-style-type: none"> 1) Legal issues that blockchain implementation shall take into account; 2) The application and supervision of blockchain in the financial sector; 3) Legal basis and supporting systems of statutory digital currency issuance. 	
	<p>主持人 Moderator</p> <p>郭 雳 / 北京大学法学院副院长、教授 Li GUO / Deputy Dean & Professor of Law School, Peking University</p>	5min
	<p>发言人 Panelists</p> <p>中国人民银行领导 The Representative of the People's Bank of China</p>	15min
	<p>张 平 / 北京大学法学院/知识产权学院常务副院长、教授 Ping ZHANG / Deputy Dean & Professor of Intellectual Property School, Peking University Law School</p>	15min
	<p>丁华明 / 中国支付清算协会业务协调三部主任 Hua-Ming DING / Director of the Third Department of Service Coordination, Payment & Clearing Association of China</p>	15min
	<p>Ran Canetti / 波士顿大学计算机科学系教授, 可信赖信息系统和网络安全中心主任 Ran Canetti / Professor of Department of Computer Science at Boston University, the Director of the Center for Reliable Information System and Cyber Security</p>	15min
	<p>Carl Wegner / R3 常务董事, 亚太总监 Carl Wegner / Managing Director, Head of Asia at R3</p>	15min
	<p>观众提问 Q&A</p>	5min
<p>16:20 - 16:35</p>	<p>茶 歇 Break</p>	15min
<p>16:35 - 18:00</p>	<p>第五场 Panel Five</p> <p><u>互联网产业的不正当竞争</u> <u>Unfair Competition in Internet Industry</u></p> <p>中国的《反不正当竞争法》在 2017 年进行了修订, 其中专门对互联网典型不正当竞争行为进行了规定, 本环节将讨论这一制度设计能否满足行业发展需求, 对其他国家有无借鉴意义。此外, 在进行互联网不正当竞争案件审判时, 如何处理一般条款和专门规定两者之间的关系, 也将是本环节主要讨论的问题。本环节也将分享各国在互联网不正当竞争行为规制方面的最佳实践。</p> <p>China's Anti-Unfair Competition Law was amended in 2017 to specifically account for unfair Internet competition behavior. This panel will consider whether or not this system design can meet the developing industry's needs and if it can be adapted to</p>	

	other countries. Another issue to be discussed is how the relationship between general and special provisions should be dealt with in trials on cases regarding unfair Internet competition. Lastly, this panel also aims to share countries' best practices in the regulation of unfair Internet competition behavior.		
	主持人 Moderator	辛 群 / 国家市场监管总局价监竞争局反不正当竞争处副处长 Qun XIN / Deputy Director of Anti Unfair Competition Division, State Administration of Market Regulation	5min
	发言人 Panelists	Johan Vandromme / 欧盟驻华代表团一等参赞 Johan Vandromme / First Counsellor, Delegation of the European Union to China	15min
		宋 健 / 江苏省高级人民法院审判委员会委员, 二级高级法官 Jian SONG / Senior Judge (Second Rank) and the Member of the Adjudication Committee of Jiangsu High People' s Court, P.R.C.	15min
		杨 明 / 北京大学法学院教授 Ming YANG / Professor of Law School, Peking University	15min
		张钦坤 / 腾讯研究院秘书长 Qin-Kun ZHANG / Secretary-General of Tencent Research Institute	15min
	观众提问 Q&A		20min
18:00- 18:10	闭幕致辞 Closing Remarks	北京大学法学院代表 The Representative of Peking University Brent Irvin / 腾讯集团总法律顾问 Brent Irvin / General Counsel, Tencent	10min