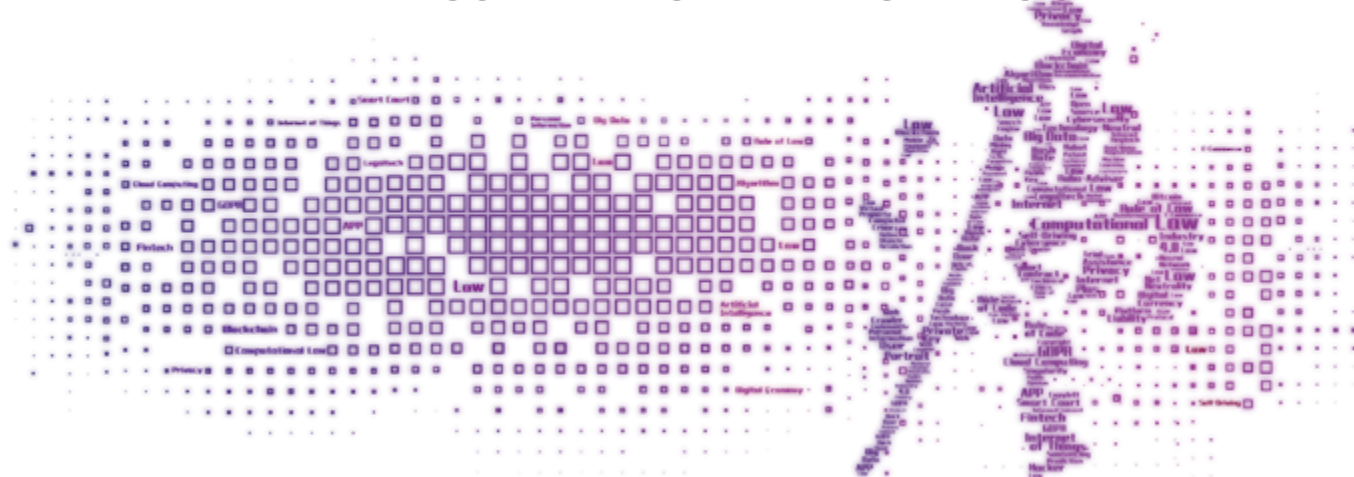




第四届计算法学国际论坛 数据治理与法律科技

4TH INTERNATIONAL COMPUTATIONAL LAW FORUM
DATA GOVERNANCE AND LEGAL TECH



议程 Agenda

9月25日 Sep. 25th

会议签到

Registration

地点 | 时间：清华大学法律图书馆楼 一楼大厅 | 下午 13:30-14:00

Venue & Time: Entrance Hall of the Law Library (the Leo KoGuan Building) Tsinghua University
13:30-14:00 p.m.

开幕式与主论坛：数据治理与法律科技

Opening Ceremony & Main Forum: Data Governance and Legal Tech

地点 | 时间：清华大学法律图书馆楼 模拟法庭 | 下午 14:00-17:30

Venue & Time: Moot Court of the Law Library (the Leo KoGuan Building) Tsinghua University
14:00-17:30 p.m.



开幕式 Opening Ceremony

主持人：申卫星（清华大学法学院院长、智能法治研究院院长）

Moderator: SHEN Weixing, Professor and Dean, Tsinghua University School of Law, Director of Institute for Studies on Artificial Intelligence & Law of Tsinghua University (THUIAIL)

开幕致辞：彭刚（清华大学副校长）

Opening Remarks: PENG Gang, Vice President and Professor, Tsinghua University

主论坛 Main Forum

主持人：高丝敏（清华大学法学院副院长）

Moderator: GAO Simin, Associate Dean, Tsinghua University School of Law

发言人：

Speakers:

- 周光权（清华大学法学院教授、全国人大宪法和法律委员会副主任委员）
- 数据获取行为的刑法界限
- ZHOU Guangquan, Professor, Tsinghua University School of Law, Vice Chairman of the Constitution and Law Committee of the 13th National People's Congress
- The Boundaries of Data Access in Criminal Law
- 王瑞贺（全国人大常委会法制工作委员会副主任）
- 个人信息保护和数据治理的基础性制度保障
- WANG Ruihe, Deputy Director, Legislative Affairs Commission of NPC Standing Committee
- Fundamental Institutional Safeguards for Personal Information Protection and Data Governance
- Philip Howard（英国牛津大学教授）
- 数字经济发展与全球信息生态
- Philip Howard, Professor, University of Oxford
- Digital Economy Development and the Global Information Environment
- Viktor Mayer-Schönberger（英国牛津大学教授）
- 访问规则 - 平台扼杀创新的原因及对策
- Viktor Mayer-Schönberger, Professor, University of Oxford
- Access Rules - Why Platforms Stifle Innovation and What to Do about It
- 许建峰（最高人民法院信息中心主任）
- 基于客观信息论的大数据度量研究
- XU Jianfeng, Director, the Information Center of the Supreme People's Court
- Study on Big Data Metrics Based on Objective Information Theory
- 林维（中国社科院大学副校长、教授）
- 过失泄露公民个人信息罪的设置
- LIN Wei, Professor and Vice President, University of Chinese Academy of Social Sciences
- The Setting of Negligent Crime in the Divulgement of Citizen's Personal Information



合影 & 茶歇

Group Photos & Tea Break

主论坛 Main Forum

发言人：

Speakers:

- 文德浩（维也纳大学法学院教授）
■ 强数据保护与数据经济的协调
■ Christiane Wendehorst, Professor, University of Vienna Faculty of Law
■ Reconciling Strong Data Protection and the Data Economy
- 张雯（北京互联网法院院长）
■ 北京互联网法院参与网络空间治理的实践探索
■ ZHANG Wen, President, Beijing Internet Court
■ Practical Exploration of Beijing Internet Court's in Cyberspace Governance
- John Armour（英国牛津大学教授）
■ 为法律科技构建司法数据获取的管理框架 - 英国视角
■ John Armour, Professor, University of Oxford
■ Building a Framework for Governing Access to Justice Data for Legal Tech – A UK Perspective
- 陆志鹏（中国电子信息产业集团有限公司副总经理）
■ 数据要素“三阶”确权法
■ LU Zhipeng, Deputy General Manager of China Electronics Corporation
■ The "Three-Tier" Identification Method for Data Rights
- I. Glenn Cohen（美国哈佛大学教授）
■ 医疗保健中的人工智能和机器学习：法律与伦理问题
■ I. Glenn Cohen, Professor, Harvard University
■ AI/ML in Healthcare: Legal and Ethical Issues

9月25日 Sep. 25th分论坛一
Division I个人信息保护与利用
Personal Information Protection and Utilization

地点 | 时间：清华大学法律图书馆楼 110 | 晚上 19:00-22:00

Venue & Time: Room 110 of the Law Library (the Leo KoGuan Building) Tsinghua University
19:00-22:00 p.m.

主持人：王洪亮（清华大学法学院教授）

Moderator: WANG Hongliang, Professor, Tsinghua University School of Law

发言人：

Speakers:

- Lyria Bennett Moses（澳大利亚新南威尔士大学教授）
■ 数据问题与法律对策：超越隐私的若干思考
■ Lyria Bennett Moses, Professor, The University of New South Wales
■ Data Problems and Legal Solutions: Some Thoughts Beyond Privacy



- Andreas Sattler (德国慕尼黑大学高级讲师)
- 个人数据处理与私法 - 欧洲视角
- Andreas Sattler, Senior Lecturer, LMU of Munich
- Processing of Personal Data and Private Law - a European Perspective
- 高志宏 (南京航空航天大学人文与社会科学学院副院长、教授)
- 大数据时代知情同意机制的适用困境与制度重构
- GAO Zhihong, Associate Dean and Professor, Nanjing University of Aeronautics and Astronautics School of Humanities and Social Sciences
- The Dilemma of Application and Institutional Reconstruction of Informed Consent Mechanism in the Era of Big Data
- 姚佳 (中国社会科学院法学研究所教授)
- 中国《个人信息保护法》上个人信息主体的权利体系
- YAO Jia, Professor, Institute of Law, Chinese Academy of Social Sciences
- Individual's Rights System in the Personal Information Protection Law of PRC
- 刘权 (中央财经大学法学院副教授)
- 个人信息保护的第三方规制：数据安全认证
- LIU Quan, Associate Professor, Central University of Finance and Economics School of Law
- Third-Party Regulation of Personal Information Protection: Data Security Certification

茶歇

Tea Break

发言人：

Speakers:

- 韩旭至 (华东政法大学数字法治研究院副院长、特聘副研究员)
- 刷脸的法律治理：由身份识别到识别分析
- HAN Xuzhi, Associate Dean and Associate Researcher, Digital Law Institute of East China University of Political Science and Law
- Legal Governance of Face Recognition: From Identification to Profiling
- 杜换涛 (沈阳师范大学法学院副教授)
- 民法典视野下个人信息侵权赔偿的规范续造——以《个人信息保护法》第 69 条为中心
- DU Huantao, Associate Professor, Shenyang Normal University of Law
- The Continuation of Personal Information Infringement Compensation from the Civil Code Perspective- Centered on Article 69 of Personal Information Protection Law
- 康宁 (中国人民公安大学法学院讲师、数据法学研究院)
- 个人信息保护的区块链难题及规则应对
- KANG Ning, Lecturer, People's Public Security University of China School of Law
- Problems and Rules for Personal Information Protection on Blockchain
- 何乐心 (中国工商银行 (澳门) 股份有限公司 法律合规部助理总经理)
- 论《个人信息保护法》对境外银行的适用性——以澳门为视角
- HO Lok Sum, Assistant General Manager of Industrial and Commercial Bank of China (Macau) Limited
- Application of Personal Information Protection Law to Overseas Banks - from Macao Perspective



- 肖山（成都农村商业银行股份有限公司合规总监兼总法律顾问）
- 银行业机构个人数据采集的合规性探讨
- XIAO Shan, Compliance Director and Corporate General Counsel, Chengdu Rural Commercial Bank Co., Ltd.
- Discussion on the Compliance of Personal Data Collection in Banking Institutions

与谈人：葛江虬（复旦大学法学院讲师）

Panelist: GE Jiangqiu, Lecturer, Fudan University School of Law

与谈人：林涸民（浙江大学光华法学院讲师）

Panelist: LIN Huanmin, Lecturer, Zhejiang University Guanghua Law School

9月25日 Sep. 25th

分论坛二 Division II

数据资产与数据流通 Data Assets and Data Exchange

地点 | 时间：清华大学法律图书馆楼 111 | 晚上 19:00-22:00

Venue & Time: Room 111 of the Law Library (the Leo KoGuan Building) Tsinghua University
19:00-22:00 p.m.

主持人：蒋舸（清华大学法学院副教授）

Moderator: JIANG Ge, Associate Professor, Tsinghua University School of Law

发言人：

Speakers:

- Matthias Leistner（德国慕尼黑大学教授）
- 欧洲数据市场的形成：欧盟的 2020 系列数据政策和 2021 年数据法提案前瞻
- Matthias Leistner, Professor, University of Munich
- The Establishment of a Data Market in Europe: Data Package of 2020 and the EU Commission's Envisaged Data Act Proposal 2021
- 周围（武汉大学法学院副教授）
- 人工智能时代个性化定价算法的反垄断法规制
- ZHOU Wei, Associate Professor, Wuhan University School of Law
- Antitrust Regulations of Personalized Pricing Algorithms in the Era of AI
- 李陶（中央财经大学法学院讲师）
- 数据的集体管理
- LI Tao, Lecturer, Central University of Finance and Economics School of Law
- Collective Management: from Copyright to Data
- 森下哲朗（日本上智大学（东京）法学院教授）
- 作为财产的数据：物权法和债法的互动
- Morishita Tetsuo, Professor, Sophia University School of Law
- Data as Property: the Interaction of Property Law and Law of Obligations
- 朱晓武（中国政法大学商学院教授）
- 基于 B-S 期权模型的数据用益权定价研究
- ZHU Xiaowu, Professor, China University of Political Science and Law School of Business
- Research on Data Usufruct Pricing Based on B-S Option Model
- 熊文聪（中央民族大学法学院副教授）
- 论数据产权即著作权
- XIONG Wencong, Associate Professor, Minzu University of China School of Law
- On Data Property Right Is Copyright



茶歇

Tea Break

- 丁文杰（复旦大学法学院讲师）
论企业大数据的保护路径：赋权模式之批判与行为规制模式之证成
DING Wenjie, Lecturer, Fudan University School of Law
The Route of Protecting Enterprise Big Data: Criticism of Empowerment Mode and Justification of Behaviour-Regulating Mode
- 卢忆纯（杭州互联网法院法官）
数据权益司法保护之实践探索
LU Yichun, Judge, Hangzhou Internet Court
Practical Exploration of Judicial Protection of Data Rights and Interests
- 王伟伟（北京市社会科学院法学研究所助理研究员）
后匿名化数据财产的合法性与归属规则
WANG Weiwei, Assistant Researcher, Beijing Academy of Social Science
Post-anonymized Data Property Based on Illegally Processed Personal Information
- 安晋城（中国政法大学民商经济法学院讲师）
数据许可合同：共享理念下数据流动的理想形式
AN Jincheng, Lecturer, China University of Political Science and Law School of Law
Data licensing contract: the ideal form of data flow rules

与谈人：张凌寒（北京科技大学副教授）

Panelist: ZHANG Linhan, Associate Professor, Beijing University of Science and Technology

与谈人：李雅男（华中科技大学法学院讲师）

Panelist: LI Yanan, Lecturer, Huazhong University of Science and Technology School of Law

9月26日 Sep. 26th

分论坛三 Division III

智能合约与数字货币 Smart Contracts and Digital Currency

地点 | 时间：清华大学法律图书馆楼 110 | 上午 9:00-12:00

Venue & Time: Room 110 of the Law Library (the Leo KoGuan Building) Tsinghua University
9:00-12:00 a.m.

主持人：龙俊（清华大学法学院副教授）

Moderator: LONG Jun, Associate Professor, Tsinghua University School of Law

发言人：

Speakers:

- Thomas Riehm（德国帕绍大学法学院教授）
德国合同法中的智能合约
Thomas Riehm, Professor, University of Passau School of Law
Smart Contracts under German Contract Law
- 夏庆锋（国际关系学院法律系助理教授）
智能合约的法律性质分析
XIA Qingfeng, Assistant Professor, Law School of University of International Relations
Analysis of the Legal Nature of Smart Contract



- 赵伟（天津师范大学法学院讲师）
合同法视角下的智能合约
ZHAO Wei, Lecturer, Law School of Tianjin Normal University
Smart Contracts from the Perspective of Contract Law
- André Janssen（荷兰拉德堡德大学法学院教授）
国际买卖中的智能合约
André Janssen, Professor, Law School of Radboud University Nijmegen
Smart Contracts in the World of International Sales
- Cristina Poncibò（意大利都灵大学法学院教授）
国际贸易和金融合同的数字化：智能合约的比较法视角
Cristina Poncibò, Professor, University of Turin School of Law
The Digitalisation of Contracts in International Trade and Finance: Comparative Law Perspectives on Smart Contracts
- 陈晨（蚂蚁科技集团法务总监）
智能合约与多元纠纷化解机制的构建
Ellen Chen, Legal Director, Ant Group
The Construction of Smart Contract and Multiple Dispute Resolution Mechanism

茶歇

Tea Break

- 王新锐（世辉律师事务所合伙人）
数字人民币“可控匿名”特性与个人信息保护
Raymond Wang, Partner, Shihui Partners
E-CNY's "Anonymity for Small Value and Traceable for High Value" Principle and Personal Information Protection
- 冯洁语（南京大学法学院副教授）
论私法中数字货币的规范体系
FENG Jieyu, Associate Professor, Nanjing University School of Law
On the Regulatory System of Digital Currency in Private Law
- 周怡君（中国铁建投资集团法律合规部资深法务）
数字人民币担保制度框架构建
ZHOU Yijun, Senior Counsel, CRCC Investment Group
Framework of Secured Transaction of E-CNY
- Lerong Lu（英国国王大学高级讲师）
张龄升（上海财经大学博士生）
中国央行数字货币跨境应用的风险识别与监管应对
Lu, Lerong, Senior Lecture, King's College London
ZHANG Lingsheng, Ph.D Candidate, Shanghai University of Finance and Economics
Contextualizing Regulatory Aspects and Risks for China's CBDC Cross-Border Use: Could the 'Dragon' Now Fly Beyond Borders?

与谈人：施伟东（上海市法学会专职副会长、《东方法学》主编）

Panelist: SHI Weidong, Vice President, Shanghai Law Society, Chief Editor of Oriental Law

与谈人：苏宇（中国人民公安大学数据法学研究院院长、副教授）

Panelist: SU Yu, Chief of the Institute of Data Law Research and associate professor, People's Public Security University of China

9月26日 Sep. 26th分论坛四
Division IV法律自然语言的计算机处理
Natural Language Processing (NLP) in Legal Practices

地点 | 时间：清华大学法律图书馆楼 111 | 上午 9:00-12:00

Venue & Time: Room 111 of the Law Library (the Leo KoGuan Building) Tsinghua University
9:00-12:00 a.m.

主持人：陈杭平（清华大学法学院党委副书记）

Moderator: CHEN Hangping, Vice Party Secretary, Tsinghua University School of Law

发言人：

Speakers:

- 孙晓锐（中国司法大数据研究院人工智能技术研发中心主任）
自然语言处理赋能类案检索
SUN Xiaorui, Director, China Judicial Big Data Research Institute Co. AI Technology R&D Center
The Empowerment of Natural Language Processing to the Retrieval of Similar Cases
- How Khang Lim（新加坡管理大学法律与计算机科学（实践）助理教授）
在法律 NLP 任务中结合领域专业知识实践使用弱监督
How Khang Lim, Assistant Professor, Singapore Management University Department Law and Computer Science
Incorporating Domain Expertise Practically Using Weak Supervision for Legal NLP Tasks
- Nikolaos Aletras（谢菲尔德大学计算机科学系讲师）
法律文本的自然语言处理
Nikolaos Aletras, Lecturer, University of Sheffield Department of Computer Science
Natural Language Processing on Legal Text
- Dan Hendrycks（加州大学伯克利分校博士生）
用于法律合同审查的专家注释 NLP 数据集
Dan Hendrycks, Ph.D. Candidate, University of California, Berkeley
An Expert-Annotated NLP Dataset for Legal Contract Review
- 蒋士淼（阿里巴巴达摩院智能司法 NLP 算法专家）
NLP 自然语言处理技术在法律行业的深度应用及挑战
JIANG Shimiao, Expert in Intelligent Justice NLP Algorithms, ALIBABA Damo Academy
In-depth Application and Challenges of NLP Technology in the Legal Industry
- 孙海波（中国政法大学比较法学研究院副教授）
类案检索在何种意义上有助于同案同判？
SUN Haibo, Associate Professor, China University of Political Science and Law College of Comparative Law
In What Sense Can Researching Like Cases Contribute to "Like Cases Be Treated Alike" ?
- 周翔（浙江大学光华法学院特聘研究员）
中国司法场景的数据模型研究现状和法律人的作用
Zhou Xiang, Associate Research Fellow, Zhejiang University Guanghua Law School
Research Status of Data Models in China's Judicial Scene and The Role of Legal Scholars



茶歇

Tea Break

- 翁洋（四川大学数学学院副教授）
面向大规模裁判文书结构化的文本分类算法
WENG Yang, Associate Professor, Sichuan University Department of Mathematics
Paragraph Level Text Classification Approach for Large-Scale Judgment Text Structuring
 - 黎娟（中南大学法学院讲师）
基于语义功能的裁判文书自动摘要标注规范
LI Juan, Lecturer, Central South University Law School
An annotation scheme for summarizing judgment documents based on rhetorical sentences
 - 袁乌日嘎（中国社会科学院法学所助理研究员）
中国刑事判决书文本自动标注及信息抽取模型研究——以 4000 份刑事判决书为例
YUAN Wolerrga, Associate Researcher, Chinese Academy of Social Sciences Institute of Law
Research on Automatic Annotation and Information Extraction Model of China's Criminal Judicial Decisions—an Experiment Based on 4,000 Criminal Judicial Decisions
- 与谈人：王莉（最高检第六检察厅副厅长）
Panelist: WANG Li, Deputy Director, Supreme People's Procuratorate the Sixth Procuratorial Office
- 与谈人：冯岩松（北京大学王选计算机研究所副教授）
Panelist: FENG Yansong, Associate Professor, Peking University Wangxuan Institute of Computer Technology

青年论坛及闭幕式

Youth Forum & Closing Ceremony

地点 | 时间：清华大学法律图书馆楼模拟法庭 | 下午 14:00-17:30

Venue & Time: Moot Court of the Law Library (the Leo KoGuan Building) Tsinghua University
14:00-17:30 p.m.

青年论坛

Youth Forum

- 主持人：郭丹阳（清华大学法学院博士生）
Moderator: GUO Danyang, Ph.D. Candidate, Tsinghua University School of Law
- 特邀嘉宾：
Special Guest:
- 何海波（清华大学法学院教授、《清华法学》副主编）
文章怎么写好看？
HE Haibo, Professor, Tsinghua University School of Law, Associate editor of *Tsinghua Law Review*
How to Write a More Readable Paper?
- 发言人：
Speakers:
- 卢震豪（清华大学法学院博士生）
宪法上的个人信息权
LOU Chan Hou, Ph.D. Candidate, Tsinghua University School of Law
The Constitutional Right to Personal Information



	<ul style="list-style-type: none"> 王从光（吉林大学法学院博士生） 区块链技术应用与个人信息保护的法理解读与治理 WANG Congguang, Ph.D. Candidate, Jilin University School of Law Jurisprudential Interpretation and Governance on the Blockchain Technology Applied on Personal Information Protection <hr/> <p>评议人：姚佳（中国社会科学院法学研究所教授） Discussant: YAO Jia, Professor, Institute of Law, Chinese Academy of Social Sciences</p>
	<ul style="list-style-type: none"> 徐彤（荷兰乌特勒支大学法学院博士生） 数字时代个人信息保护制度的风险路径及其路径风险 -- 以荷兰数字治理构建及 SyRI 政府反福利欺诈工具案为例 XU Tong, Ph.D. Candidate, Utrecht University School of Law On the Risk-oriented Approach and Its Risk in Establishing the Personal Information Protection Regime -- The Construction of Digital Governance in the Netherlands and the SyRI Case as an Example 刘业（厦门大学法学院博士生） 后隐私盾时代跨境数据流动规制：美欧博弈与中国因应 LIU Ye, Ph.D. Candidate, Xiamen University School of Law Regulation of Cross-border Data Flow in the Post-Privacy- Shield Era: US-EU Gaming and China Responding <hr/> <p>评议人：彭臻（北京大学法学院助理教授） Discussant: PENG Chun, Assistant Professor, Peking University School of Law</p>
<h3>茶歇</h3> <h3>Tea Break</h3>	
	<ul style="list-style-type: none"> 程庞悦（新加坡国立大学法学院博士生、研究助理） 解析中国央行数字货币的崛起：设计、问题及展望 CHENG Pangyue, Ph.D. Candidate, Research assistant, Faculty of Law, National University of Singapore Decoding the Rise of Central Bank Digital Currency in China: Designs, Problems, and Prospects 庞冬梅（中国政法大学博士生） 数字货币跨境交易的法律监管问题研究 PANG Dongmei, Ph.D. Candidate, China University of Political Science and Law Research on legal supervision of cross-border transaction of digital currency <hr/> <p>评议人：冯洁语（南京大学法学院副教授） Discussant: FENG Jieyu, Associate Professor, Nanjing University School of Law</p>
	<ul style="list-style-type: none"> 陈亮（上海交通大学凯原法学院博士生） 从数据到知识：反思智能司法的基础设施建设 CHEN Liang, Ph.D. Candidate, KoGuan School of Law, Shanghai Jiao Tong University From Data to Knowledge: Reflection on the Infrastructure Construction of Intelligent Judicial Application



	<p>■ 武建功（华东理工大学法学院硕士生）</p> <p>■ 人工智能时代法律论证的数据化路径研究</p> <p>■ WU Jiangong, Master student, East China University of Science and Technology School of Law</p> <p>■ Research on the Digital Path of Legal Argumentation in the Era of Artificial Intelligence</p> <hr/> <p>评议人：徐雨衡（《清华法学》编辑部主任）</p> <p>Discussant: XU Yuheng, Editorial Director, Tsinghua Law Review</p>
	<p>总结：聂鑫（清华大学法学院副院长）</p> <p>Summary: NIE Xin, Vice Dean, Tsinghua University School of Law</p>

闭幕式

Closing Ceremony

	<p>主持人：刘晗（清华大学文科处副处长、智能法治研究院副院长）</p> <p>Moderator: LIU Han, Deputy Director of Office of Arts, Humanities and Social Sciences Administration, Associated Dean of THUAIL</p> <hr/> <p>优秀论文颁奖典礼</p> <p>Awards Ceremony for Excellent Papers</p> <hr/> <p>闭幕式致辞：邓海峰（清华大学法学院党委书记）</p> <p>Closing Remarks: DENG Haifeng, Chief Secretary, Tsinghua University School of Law</p>
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