



主题研讨:个人信息保护法研究

信息作为惩罚

——为被遗忘权辩护

翟小波 5

认真对待个人信息保护的社会结构:

AI 科技时代的不对称性挑战

杨建 18

告知同意在政府履职行为中的适用与限制

赵宏 36

已公开个人信息保护和利用的规则建构

刘晓春 52

“个人信息已公开”作为合法处理事由的法理基础

和规则适用

宁园 69

敏感个人信息的概念界定与要素判断

——以《个人信息保护法》第28条为中心

王苑 85

GLOBAL LAW REVIEW is a bimonthly academic journal of law published by the Institute of Law, Chinese Academy of Social Sciences and distributed in China and abroad. Scholars and practitioners from all countries are cordially invited to contribute articles for the journal. Articles submitted may be in foreign languages or in Chinese. Any translations must be accompanied by author's authorization. Two copies of the journal will be sent to the writer or translator as soon as the article is published. All rights reserved.

理论前沿

论权益侵害与获利交出 洪国盛 100

我国洗钱罪名体系的适用困局与法益认定 时方 116

故意杀人罪死刑裁量机制的反思与改进 王复春 131

环球评论

美国强制疫苗接种案的司法审查标准
——雅各布森案的法治遗产及其争议 李广德 147

国际法研究

中国《反外国制裁法》中“歧视性限制措施”的识别 周艳云 162

论阻断法的实施机制及其中国实践 丁汉韬 176

GLOBAL LAW REVIEW

Published by Institute of Law, Chinese Academy of Social Sciences(CASS)

15 Shatan Beijie, Beijing 100720, China

Email: glawreview@cass.org.cn

Tel: 010-64022194

Website: <http://www.globallawreview.org>

GLOBAL LAW REVIEW

(Bimonthly)

Volume 44

March 2022

Number 2

CONTENTS

THEME DISCUSSION: Studies on Personal Information Protection Law

Information as Punishment - A Defense of the Right to Be Forgotten	<i>Zhai Xiaobo</i>	5
Treating the Social Structure of Personal Information Protection Seriously		
- The Challenge of Asymmetry in the Era of AI Technologies	<i>Yang Jian</i>	18
Application and Limitation of Informed Consent in the Performance of Government Duties	<i>Zhao Hong</i>	36
Formulating the Rules for the Protection and Utilization of Publicly Disclosed Personal Information	<i>Liu Xiaochun</i>	52
“Personal Information Publicly Disclosed” as a Legitimate Cause for Processing		
- Jurisprudential Basis and Application of Rules	<i>Ning Yuan</i>	69
Definition of the Concept and Identification of the Elements of Sensitive Personal Information		
- An Analysis Centered on Article 28 of the Personal Information Protection Law	<i>Wang Yuan</i>	85

THEORETICAL FRONTS

On Rights Infringement and Surrender of Benefit	<i>Hong Kuokseng</i>	100
The Money Laundering Crime System in China - Application Dilemma and Legal Interests Identification	<i>Shi Fang</i>	116
Reflections on and Improvement of the Mechanism for the Application of the Death Penalty		
in Cases of Intentional Homicide	<i>Wang Fuchun</i>	131

REVIEW OF FOREIGN LAWS

Judicial Review Standards for Cases of Compulsory Vaccination in the US		
- Legal Legacy of the Jacobson Case and Controversies Over It	<i>Li Guangde</i>	147

INTERNATIONAL LAW ISSUES

Identification of “Discriminatory Restrictive Measures” in China’s Anti-Foreign Sanctions Law	<i>Zhou Yanyun</i>	162
The Implementation Mechanism of Blocking Law and Its Implementation in China	<i>Ding Hantao</i>	176