

CYBERSPACE RULE OF LAW IN AI AGE

ACTIVELY SERVING THE CONSTRUCTION OF
CYBERSPACE RULE OF LAW IN THE AGE OF
ARTIFICIAL INTELLIGENCE, AND PROMOTING AND
IMPROVING THE CYBERSPACE GOVERNANCE SYSTEM*Wang Hongxiang*

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*Wang Hongxiang**

The year 2024 marks the 30th anniversary of China's full access to the Internet, as well as the 30th anniversary of the vigorous development of China's cyberspace rule of law. Since the 18th National Congress of the Communist Party of China, the CPC Central Committee with Comrade *Xi Jinping* at its core has upheld the path of law-based cyberspace governance with Chinese characteristics, deeply promoted the rule of law in cyberspace, and advanced cyberspace legislation, law enforcement, administration of justice, observance of the law, and cultivation of rule of law talents, making historic achievements in building cyberspace rule of law system with Chinese characteristics. For a long time, the China Law Society has attached great importance to the theoretical research of cyberspace rule of law, established the Cyber and Information Law Society, organized the legal community to carry out in-depth theoretical research, actively served the practice of cyberspace rule of law, and contributed wisdom to the development of cyberspace rule of law.

The development of cyberspace rule of law is not only an important task for comprehensively advancing law-based governance, but also an important support and guarantee for building China into a great cyber country. Based on giving play to the basic, overall, and protective role of cyberspace rule of law for building China into a great cyber country, the Third Plenary Session of the 20th Central Committee of the Communist Party of China makes strategic arrangements for strengthening the development of the rule of law in cyberspace, pointing out the way forward and providing fundamental guidance for ensuring building China into a great cyber country with the rule of law.

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I. STRENGTHENING RESEARCH ON THE THEORY OF CYBERSPACE RULE OF LAW

The theoretical research on cyberspace rule of law undertakes the glorious mission of providing scientific theoretical support for building China into a great cyber country. With the rapid development of new technologies and applications in the era of artificial intelligence, and the continuous emergence of new forms of business operation and new models, the development of cyberspace rule of law is facing new situations and tasks, and the theoretical research of cyberspace rule of law is facing new topics and challenges. Legal workers should actively respond to the legislative needs in the development of cyberspace rule of law, focus on the weak points and blank areas that exist in legislation in the cyberspace field, and strengthen legislative research in emerging fields such as digital economy, artificial intelligence, big data, and cloud computing, as well as in key areas such as cyber security and data security, to continuously consolidate the foundation of the rule of law in cyberspace. It is necessary to closely follow the issues of the times, and carry out key research in areas such as new forms of cyberspace rule of law, legal safeguards for new quality productive forces, artificial intelligence risk governance, legal regulation of algorithms, personal information protection, basic data systems, global cross-border data flows, cyber security and platform liability, and international digital rule of law cooperation, so as to promote the development of science and technology with the rule of law and ensure that science and technology pursue integrity. Based on the practice of cyberspace rule of law, it is necessary to strengthen research on major theoretical issues, key reform measures, difficult issues in law enforcement and administration of justice, and prominent issues that the people are strongly concerned about in the field of cyberspace rule of law, further advance all-round innovation in the concept, content, institutions and mechanisms, and patterns and methods of cyberspace rule of law, and better use innovation to lead the deepening of cyberspace rule of law practice.

II. DEEPENING PUBLICITY AND EDUCATION ON CYBERSPACE RULE OF LAW

General Secretary *Xi Jinping* points out: ‘Cyberspace is not ‘a place beyond the rule of law’. Cyberspace is virtual, but the subjects who use

cyberspace are real, everyone should abide by the law, and the rights and obligations of all parties should be clarified.’ The Internet has become a new space for people’s production and life, and the main channel for information dissemination. At the same time, China has a huge number of netizens, numerous enterprise platforms, rich product forms of business operation, and changeable application scenarios, and there exists cyber ecological chaos that has been banned such as cyber rumors, cyber hirelings, cyber violence, cyber fraud, and algorithm abuse, so it is urgent to cultivate a good awareness of cyberspace rule of law in the whole society and create a clear cyberspace. Legal workers should actively participate in activities such as the ‘100 lectures of 100 jurists’ and the ‘popularization of the rule of law culture at grassroots level by young legal volunteers’, and continue to promote the publicity and education of cyberspace rule of law in organs, rural areas, communities, enterprises, schools, military camps, and families, so that the law can reach the masses and enter their hearts. It is necessary to highlight the key points of publicity, focus on key groups such as leading officials, youth groups, cyber industry practitioners, and cyberspace rule of law officials, vigorously publicize laws and regulations in the cyberspace field, and strengthen cyber security education. We should persist in combining online and offline patterns, continue to innovate publicity forms of cyberspace rule of law, enhance the sense of the times and the scientific and technological content of law popularization, and strive to promote the rule of law as a broad consensus and basic norm in cyberspace.

III. ENHANCING THE CULTIVATION OF CYBERSPACE RULE OF LAW TALENTS

The cultivation of cyberspace rule of law talents is a basic project for the development of cyberspace rule of law. Legal workers should take the initiative to respond to the demand for rule of law talents in the information era, improve mechanisms for collaborative education between law schools and legal departments, and jointly carry out efforts such as the formulation of training plans, the determination of curriculum systems, the establishment of teaching materials systems, the building of teacher teams, and student internship and training, to form a joint force in efforts to cultivate cyberspace rule of law talents. It is necessary to actively participate in the reform of legal education and the construction of law textbooks, integrate traditional

law discipline education and cyberspace-related discipline education, study and strengthen the construction of digital law, computational law, cyberspace law and other disciplines, promote the transformation of theoretical research results into the curriculum system, textbook system, and teaching system, and strive to cultivate versatile talents with both legal professional knowledge and technical background. It is necessary to improve practice-oriented training mechanisms, further increase the force of training, strengthen guidance incentives, broaden the space for growth, and continuously promote outstanding cyberspace rule of law talents to come to the fore through methods such as organizing subject research, academic discussions, awards and selections, and talent recommendations.

IV. ADVANCING INTERNATIONAL EXCHANGE AND COOPERATION ON THE CYBERSPACE RULE OF LAW

At present, issues such as imperfect rules and unreasonable order in the Internet field around the world are becoming increasingly prominent, and cyberspace governance calls for a global solution based on the rule of law. A series of documents issued by the Chinese government, such as the *Global Initiative on Data Security* and the *Global Artificial Intelligence Governance Initiative*, show that China has always upheld the position of equal participation of all countries in international cyberspace governance, and actively promoted the reform of the global cyberspace governance system. The World Internet Conference specially held a sub-forum on cyberspace rule of law, organizing experts from various countries to jointly discuss cutting-edge issues of cyberspace rule of law. Legal workers should make good use of platforms such as the China Forum on International Legal Cooperation to actively publicize the concepts, propositions, and successful practices of cyberspace rule of law with Chinese characteristics in the new era, share with the international community China's experience and practices in developing cyberspace rule of law, promote the deepening of international cooperation in areas such as combating cyber violations and crimes, and serve and lead the development of the rule of law in the global cyberspace field. It is necessary to actively participate in the development of foreign-related rule of law in the field of cyberspace and information, actively participate in the formulation of international standards and rules in areas such as artificial intelligence, data security, and personal information

protection, and do a good job in the cultivation of foreign-related legal talents and the cultivation of legal talents in international organizations, so as to better safeguard China's sovereignty, security, and development interests in cyberspace, and contribute more Chinese wisdom and Chinese solutions to the development of global cyberspace rule of law.

General Secretary *Xi Jinping* points out: 'How to govern the Internet and make good use of the Internet is a major issue that all countries are concerned about, studied and invested in. No one is immune.' In a speech via video link at the opening ceremony of the 2024 World Internet Conference Wuzhen Summit, General Secretary *Xi Jinping* also emphasizes: 'We should seize the trends of digitalization, networking, and intelligentization, embrace innovation as the primary driver, uphold security as the baseline requirement, and pursue inclusiveness as the core value. Efforts must be accelerated to promote innovative, secure, and inclusive development in cyberspace, working together to usher in a brighter digital future'. In the face of the opportunities and challenges brought about by digitalization, we need to uphold the global governance concept of extensive consultation, joint contribution and shared benefits, further build consensus on the rule of law, enhance mutual trust in the rule of law, deepen cooperation on the rule of law, promote the establishment of more fair and reasonable international rules in cyberspace, and make greater contributions to promoting the process of rule of law in global Internet governance.

(Translated and Edited by Gong Li)