



# NEWSLETTER

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## 国内要闻 Domestic News

### 网信执法2020：约谈4282家网站，关闭大量违规网站、账号、群组

2021年1月29日，国家互联网信息办公室网站发布文章，总结2020年全国网信行政执法工作。文章提到，2020年，全国网信系统依法约谈网站4282家，对4551家网站给予警告，暂停更新网站1994家，会同电信主管部门取消违法网站许可或备案、关闭违法网站18489家，移送司法机关相关案件线索7550件。有关网站依据用户服务协议关闭各类违法违规账号群组15.8万个。（[查看更多](#)）

### Chinese Cyberspace Regulators Summons 4282 Websites in 2020

On January 29, 2021, the Cyberspace Administration of China released an article summarizing the nationwide cyberspace enforcement performance in 2020. In 2020, Chinese cyberspace regulators summoned 4,282 websites, warned 4,551 websites, suspended the update of 1,994 websites temporarily, and cancelled licenses or filings, or shut down 18,489 websites cooperating with the telecommunications authorities. The cyberspace regulators also referred 7,550 clues to judicial authorities. Relevant websites closed 158,000 various illegal accounts or groups in accordance with user service agreements. ([More](#))

### 工信部：2019年以来检测62万款APP，责令2234款违规APP进行整改

2021年1月26日，工业和信息化部（“工信部”）信息通信管理局局长赵志国在出席一场新闻发布会时提到，2019年以来，工信部连续两年开展专项行动，重点是整治APP等违规处理用户个人信息、设置障碍频繁骚扰用户等四方面十大类的问题。两年来，工信部一共实现对62万款APP的技术检测工作，责令2234款违规APP进行整改，公开通报了500款、下架了132款整改不到位、拒不整改的APP。此外，工信部还通过推动标准制定、推进全国APP技术检测平台建设、加强行业自律等举措，保护用户权益。（[查看更多](#)）

### MIIT Inspects 620,000 Apps and Orders 2,234 Apps to Rectify since 2019

On January 26, 2021, Zhiguo ZHAO, Director General of the Information and Communication Administration of the Ministry of Industry and Information Technology (“MIIT”), said at a press conference that since 2019, MIIT has continued to carry out special actions focusing on rectifying ten categories of app problems in four aspects, including violating regulations of processing users’ personal information and setting up obstacles to harass users frequently. Since 2019, MIIT has carried out technical inspections on 620,000 apps, ordered 2,234 problematic apps to rectify, publicly noticed 500 problematic apps and pulled off 132 apps that were not rectified thoroughly or refused to rectify. In addition, MIIT has devoted to protecting users’ rights and interests through promoting the formulation of standards, advancing the construction of a national app technical inspection platform, and strengthening industry self-discipline. ([More](#))

### 信安标委发布三项信息安全技术国家标准征求意见稿

2021年1月26日，全国信息安全标准化技术委员会（“信安标委”）秘书处发布了三项信息安全技术国家标准的征求意见稿，包括《信息安全技术 网络型入侵防御产品技术要求和测试评价办

法》《信息安全技术 反垃圾邮件产品技术要求和测试评价方法》和《信息安全技术 信息系统安全审计产品技术要求和测试评价方法》。征求意见的截止日期为3月26日。（[查看更多](#)）

## TC260 Invites Comments on 3 Draft National Information Security Technology Standards

On January 26, 2021, the Secretariat of the National Information Security Standardization Technical Committee (also known as “TC260”) issued three exposure drafts of national information security technology standards, including the *Information Security Technology: Technical Requirements and Test Evaluation Measures of Network-Based Intrusion Prevention Product*, *Information Security Technology: Technical Requirements and Test Evaluation Measures of Anti-Spam Product*, and the *Information Security Technology: Technical Requirements and Test Evaluation Measures of Information System Security Audit Product*. The deadline for submitting comments is March 26. ([More](#))

## 中办、国办印发方案：加快培育数据要素市场，推动完善数据收集使用管理法律规范

近日，中共中央办公厅和国务院办公厅印发了《建设高标准市场体系行动方案》（“《方案》”）。《方案》提出，加快培育数据要素市场。制定出台新一批数据共享责任清单，加强地区间、部门间数据共享交换。研究制定加快培育数据要素市场的意见，建立数据资源产权、交易流通、跨境传输和安全等基础制度和标准规范，推动数据资源开发利用。积极参与数字领域国际规则和标准制定。此外，《方案》还提到，推动完善平台企业垄断认定、数据收集使用管理、消费者权益保护等方面的法律规范。（[查看更多](#)）

## China to Accelerate Cultivation of Data Element Market, Improve Data Management Rules

Recently, the General Office of the CPC Central Committee and the General Office of the State Council jointly issued the *Action Plan for Building a High Standard Market System* (“Plan”). According to the Plan, China will accelerate the cultivation of the data element market. Specifically, it will (i) formulate a new list of responsibilities for data sharing and strengthen the interregional and interdepartmental data sharing; (ii) research and formulate the opinions on accelerating the cultivation of data element market, establish the basic systems and standards for data resource property rights, data circulation transaction, cross-border data transfer and data security, and promote the development and utilization of data resource; and (iii) actively participate in the formulation of international rules and standards in the digital field. In addition, it will also improve the relevant laws and regulations regarding the platform monopoly identification, the management of data collection and utilization, the protection of consumers’ rights and interests, etc. ([More](#))

## 海外动态 Overseas News

### FTC举办“防止身份盗用宣传周”活动，提醒消费者警惕新冠背景下的身份被盗风险

2021年1月28日，美国联邦贸易委员会（Federal Trade Commission，“FTC”）发布新闻称，其将于2月1日至5日举办“防止身份盗用宣传周”活动，期间将举办一系列活动来帮助消费者采取措施，降低身份信息被盗用的风险，以及在风险发生后尽量挽救损失。FTC指出，“身份盗用”是指个人的社会保险号码或信用卡信息等个人信息被窃取后被用于诈骗活动。在FTC收到的美国消费者投诉案件中，身份盗用案件占比最高。（[查看更多](#)）

### FTC Marks Identify Theft Awareness Week to Help Consumers Identify Risks of Identify Theft During the COVID-19 Pandemic

On January 28, 2021, the Federal Trade Commission (“FTC”) announced that it is launching Identity Theft Awareness Week, February 1-5, 2021, with a series of events to highlight steps consumers can take to help reduce their risk of identity theft and recover if identity theft occurs. The FTC pointed out that identity theft happens when someone steals personal information such as Social Security number or credit card information, and uses it to commit fraud. Reports about any type of identity theft topped the list of consumer complaints submitted to the FTC. ([More](#))

### 挪威数据保护监管机构拟对Grindr违反GDPR行为罚款1亿挪威克朗

2021年1月26日，挪威数据保护监管机构发布新闻称，其打算对Grindr违反欧盟《通用数据保护条例》（General Data Protection Regulation，“GDPR”）的行为处以1亿挪威克朗（约合人民币7504万元）的罚款，约占Grindr年营业额的10%，并已就拟议处罚通知Grindr。Grindr是一个为性少数群体服务的基于位置的社交应用。2020年，挪威消费者委员会针对Grindr出于营销目的非法与第三方共享用户数据的行为提起投诉，分享的数据包括用户的GPS定位、用户配置文件数据以及用户在使用Grindr的事实本身。监管机构初步认定，Grindr必须经过用户同意才能分享个人数据，其现有的“同意”是无效的。此外，监管机构认为如果用户使用Grindr，本身已经说明了其是性少数群体一员的事实，因此使用Grindr的信息数据应当构成特殊数据，需要采取特别的保护措施。Grindr可以在2月15日前对调查结果提出意见。（[查看更多](#)）

### Norwegian DPA: Intention to Issue €10 Million Fine to Grindr LLC

On January 26, 2021, the Norwegian Data Protection Authority (“Norwegian DPA”) announced that it has notified Grindr LLC (“Grindr”) that it intended to issue an administrative fine of NOK 100 000 000 for not complying with the GDPR rules on consent. The proposed fine will constitute approximately 10% of the company’s turnover. Grindr is a location-based social networking app for gay, bi, trans, and queer people. In 2020, the Norwegian Consumer Council filed a complaint against Grindr claiming unlawful sharing of personal data with third parties for marketing purposes. The data shared include GPS location, user profile data, and the fact that the user in question is on Grindr. The Norwegian DPA’s preliminary conclusion is that Grindr needs consent to share these personal data and that Grindr’s consents were not valid. Additionally, it believes that the fact that someone is a Grindr user

speaks to their sexual orientation, and therefore this constitutes special category data that merit particular protection. The document issued to Grindr is a draft decision. Grindr has been given the opportunity to comment on the findings within February 15, 2021. ([More](#))

### 荷兰数据保护监管机构对一超市使用人脸识别技术发出正式警告

2021年1月26日，欧洲数据保护委员会发布新闻称，荷兰数据保护监管机构已对一家超市使用人脸识别技术的行为发出正式警告。该超市声称，使用人脸识别技术是为了保护客户和员工及防止遭窃。该技术接入超市入口的摄像机后，将扫描每个进入超市的人的面部，并将之与禁止入店的人脸数据进行比对，不在禁入名单内的人的脸部信息将在数秒后自动删除。监管机构则表示，只有在人们明确同意采集处理其面部数据，或者出于认证和保护安全的必要时（仅在公共利益范围内的认证和安全必要），使用人脸识别技术才是合法的。（[查看更多](#)）

### Dutch DPA Issues Formal Warning to A Supermarket for Its Use of Facial Recognition Technology

On January 26, 2021, the European Data Protection Board issued a press release saying that the Dutch Data Protection Authority (“**Dutch DPA**”) has issued a formal warning to a supermarket for its use of facial recognition technology. The supermarket claims that it used facial recognition technology to protect its customers and staff and to prevent shoplifting. The technology was connected to cameras at the store’s entrance. The technology scanned the face of everyone who entered the store and compared it to a database of people who had been banned from entering stores. The faces of people who had not been banned were deleted after several seconds. The Dutch DPA pointed out that the use of facial recognition technology can only be justified when, first, people have given consent for their data to be processed; or, second, the technology is necessary for authentication or security purposes, but only in so far as substantial public interest is concerned. ([More](#))

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