

GLOBAL LAW REVIEW

中国社会科学院法学研究所主办

2016/第5期

(总第38卷)

环球法律评论

(双月刊)





环球法律评论 双月刊

总第三十八卷·2016年第5期(总第205期)

理论前沿

解读“三步检验法”与“合理使用”

——《著作权法(修订送审稿)》第43条研究

张陈果 5

对刑法兜底条款的解释

王安异 25

环境公益诉讼被告的局限及其克服

张忠民 42

风险刑法的理论错位

胡彦涛 62

主题研讨：网络空间法治化

互联网金融平台的刑事风险及责任边界

刘宪权 78

大数据时代个人信息保护的路径重构

范为 92

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.

GLOBAL LAW REVIEW

Bimonthly

我国网络关键基础设施立法的基本思路和制度建构

刘金瑞 116

国家网络安全审查制度的保障功能及其实现路径

马 宁 134

互联网分享经济对行政法规制的挑战与应对

张效羽 151

环球评论

情感,不再无处安放

——法律与情感研究发展综述

李柏杨 162

国际法研究

将人权纳入投资规则:国际投资体制改革中的机遇与挑战

隽 薪 178

GLOBAL LAW REVIEW

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

15 Shatan Beijie, Beijing 100720, China

Tel: 010-64022194

Email: glawreview@cass.org.cn

Fax: 010-64014045

Website: <http://www.iolaw.org.cn>

版权为本刊所有。如欲转载、翻译或收录本刊内容,须先获得本刊书面许可。

GLOBAL LAW REVIEW

(Bimonthly)

Volume 38

September 2016

Number 5

CONTENTS

THEORETICAL FRONTS

Misreading and Re-interpretation of “Three-Step Test” and “Fair-use Doctrine” in Chinese Copyright Law	Zhang Chenguo	5
Interpretation of Miscellaneous Provisions in Chinese Criminal Law	Wang Anyi	25
Limitations of the Defendant in Environmental Public Interest Litigation and Ways of Overcoming Them	Zhang Zhongmin	42
Theoretical Misunderstandings of Risikostrafrecht	Hu Yantao	62

THEME DISCUSSION: Bringing Cyberspace under the Rule of Law

Internet Financial Platforms: Criminal Risks and Boundary of Responsibility	Liu Xianquan	78
Reconstructing the Path to Personal Data Protection	Fan Wei	92
Basic Thinking and Institutional Construction of Legislation on Critical Internet Infrastructure in China ...	Liu Jinrui	116
The Safeguarding Function of National Cyber Security Review System and the Path to Their Realization ...	Ma Ning	134
Challenges Posed by Internet Sharing Economy to Administrative Regulations and China’s Responses Thereof	Zhang Xiaoyu	151

GOLOBAL REVIEW

A Review of the Development of Research on the Relationship Between Law and Emotion	Li Baiyang	162
---	------------	-----

INTERNATIONAL LAW ISSUES

Integrating Human Rights into Investment Rules: Opportunities and Challenges Faced by the Reform of International Investment Regime	Jun Xin	178
---	---------	-----

中国社会科学院优秀期刊
中国人文社会科学核心期刊
CSSCI来源期刊
全国中文核心期刊



封面设计:孙宇

邮发代号: 2-529

国内统一连续出版物号: CN 11-4560/D

国际标准连续出版物号: 1009-6728

国内定价: 35.00元

ISSN 1009-6728

09>

9 771009 672161