

Updates

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Enforcement Trends From China's Cyberspace Regulator in 2022



China's internet watchdog, the Cyberspace Administration of China (CAC), has continued to tighten its regulation of internet industries and driven the formulation of many new laws and regulations in cybersecurity and data protection in China. Since 2021, these laws and regulations have operated under the name QingLang Operation (清朗行动), which is a special series of campaigns launched by the CAC, aiming to create a better internet ecosystem in China.

The 2021 QingLang Operation covers a total of 15 special actions targeting excessive online fandom culture, unlawful internet account operations, and malicious internet sites targeting minors. On March 17, 2022, the CAC reported to the public its campaign's achievements. More than 22 million illegal information items and more than 2,160 illegal apps and mini programs were removed, approximately 1.34 billion illegal accounts were shut down, and more than 3,200 websites were closed in a series of actions jointly conducted by the CAC and relevant departments in 2021.

These achievements of the campaign showcased the determination of regulators to clean up improper activity on the internet and will serve as a deterrent to future inappropriate action, as well as guidance for proper conduct.

However, this is not the end of the story.

The CAC has deployed another series of 10 special actions for 2022, focusing on rectification of problems with a wide range of influence and inflicting great harm. The 2022 QingLang Operation includes the following tasks:

1. The Special Action of Crackdown on Chaos in the Field of Live Streaming and Short Video;
2. The Special Action of Crackdown on multichannel network (MCN) Institutional Information Content Disorder Remediation;
3. The Special Action of Crackdown on Internet Rumors;
4. The Special Action of 2022 Summer Vacation Network Environment Remediation for Minors;

5. The Special Action of Crackdown on Chaos of Application Information Services;
6. The Special Action of Standardizing the Order of Network Communication;
7. The Special Action of 2022 Algorithm Comprehensive Governance;
8. The Special Action of 2022 Spring Festival Network Environment Remediation;
9. The Special Action of Crackdown on Traffic Fraud, Black Public Relations, and Network Water Army;
and
10. The Special Action of Internet User Account Operation Rectification.

In particular, the action on the regulation of livestreaming and short video platforms will target (1) misbehaving celebrities who return to performing illegally, (2) prohibited incentives and rewards, (3) the infringement of minors' rights, and (4) online fraud and other illegal activities. "Misbehaving celebrities" refers to those who have engaged in illegal or immoral activities who might return to livestreaming and short video platforms for public exposure after they are kicked out of the entertainment industry. The regulation in the campaign indicates a complete ban on their ability to perform.

Additionally, the campaign strives to clean up Chinese cyberspace for minors during the summer holidays. One way to protect minors' health and to ensure a safe space for online studies is for online platforms to implement parental controls or child-friendly modes. The campaign's other priorities include searching for and removing false rumors on the Chinese internet. On this topic, the CAC stressed the importance of fact-checking viral posts. Impersonators, specifically online accounts pretending to be official government institutions or news organizations, will face severe consequences.

It is important to realize that the message to the social media platforms is clear. Most recently, on March 9, 2022, the CAC's Deputy Director Sheng Ronghua organized a meeting at Sina Weibo to present the QingLang rules to be applied in 2022. Interestingly, in addition to Sina Weibo, executives of Tencent, Alibaba, Baidu, Kuaishou, Meituan, and Zhihu were also summoned to attend the meeting, signaling that the message was intended for the major companies controlling social media, social networking, microblogging, online question-and-answer services, and online marketplaces in China.

This meeting emphasized that the 2022 QingLang Operation consists of four major points:

1. The companies must deepen their understanding of the QingLang Operation. They should effectively improve the political position and work to ensure sure that all that posts express loyalty to the Chinese Communist Party (CCP) and the country.
2. The companies should assume and assign responsibility. Each responsibility should be assigned to specific positions and personnel to ensure that all stages of work are carried out without compromise.
3. Once the responsible personnel have been clearly identified, each person should oversee key sections such as topics, groups, and fan circles. Further, chaos will not be tolerated, meaning that posts should be cleaned up and, if necessary, edited or cancelled immediately.
4. The companies should strengthen security. It is necessary to continuously improve the community rules and the political commitment of company executives. There must be CCP cells in each company office. The internet companies should acknowledge the leading role of party organizations and cooperate in QingLang Operation.

It appears that 2022 will be another year of robust enforcement actions led by the CAC. Foreign tech companies with Chinese operations should pay close attention to the progress of these actions and continue with their compliance efforts.

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